



Marathon Pipe Line LLC

A subsidiary of MPLX LP

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VIA EMAIL TO MR. GREGORY OCHS

November 16, 2021

Mr. Gregory Ochs
Director, Central Region
PHMSA, Office of Pipeline Safety
901 Locust Street, Suite 480
Kansas City, Missouri 64106

RE: MPL Response to CPF 3-2021-048-NOPV

Dear Director Ochs:

On October 18, 2021, Marathon Pipe Line LLC (MPL) received the above-referenced Notice of Probable Violation (NOPV) and Proposed Civil Penalty (PCP) alleging a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The NOPV and PCP were issued to MPL by the Central Region of the Pipeline and Hazardous Materials Safety Administration (PHMSA) Office of Pipeline Safety (OPS) as result of PHMSA's inspection of MPL's Midwest Products System which occurred between April 29 to November 12, 2020.

In accordance with 49 CFR § 190.208 (Response options), MPL is waiving its right to a hearing and not contesting the NOPV and PCP; however, MPL believes that the extent of the alleged violation is overstated due to a miscommunication between MPL and the inspector. MPL would like to clarify the record regarding this alleged violation, as explained below.

Statement of Issues

In the NOPV, PHMSA makes the following allegation:

§ 195.583 What must I do to monitor atmospheric corrosion control?

(a) You must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:

If the pipeline is located:	Then the frequency of inspection is:
Onshore	At least once every 3 calendar years, but with intervals not exceeding 39 months
Offshore	At least once each calendar year, but with intervals not exceeding 15 months

Marathon failed to inspect and monitor the DOT regulated above ground piping associated with the 14 breakout tanks at the Hammond terminal, located in Indiana, for atmospheric corrosion from October 2009 through October 2020. The last atmospheric corrosion inspection of the DOT jurisdictional pipeline was completed on October 17, 2006. Marathon subsequently incorrectly classified the piping as not being DOT jurisdictional in May of 2009 and stopped the required inspecting for atmospheric corrosion on their piping. Only one inspection cycle is cited due to the five-year statute of limitation.

MPL's Response

MPL acknowledges that the piping associated with one (1) regulated breakout tank (Tank T-13) at Hammond Terminal was inadvertently reclassified as non-DOT in our atmospheric corrosion monitoring (ACM) tracking system; therefore, the ACM inspections for the lines associated with Tank T-13 were not conducted during the period between October 2009 and October 2020. However, it is not correct that the piping associated with the other 13 breakout tanks at Hammond Terminal was also reclassified as non-DOT, as further explained below.

MPL's Atmospheric Corrosion Inspection procedure (MPL-MNT-10090-PRD) identifies tank shells including "piping and appurtenances directly tied to the tank" to be inspected together, with special attention given to certain areas such as soil to air interfaces and at pipe supports. Therefore, the piping associated with each tank is generally inspected and recorded in the ACM database as one "inspection point", typically labeled as the "shell". An "inspection" point is how data for a group of inspected areas is identified in the ACM database. Piping associated with a tank is inspected along with the tank shell and then the most severe rating given to any area inspected will be assigned to the "inspection point" in the database.

However, the lines leading to Tank 13 appear to have been treated differently, presumably because they are dedicated surge relief lines to a DOT regulated pipeline. As a result, these lines were given their own "inspection point". This is not typical. As you describe in the NOPV, these lines appear to have been inadvertently reclassified as non-DOT in 2009, which resulted in ACM inspections not being performed for these assets.

Unfortunately, it appears that MPL was not clear when communicating to the inspector as part of the post-inspection follow up that the reclassification leading to the alleged violation was limited to only the lines leading to Tank 13. Specifically, there was an email chain in April 2021 between the inspector and MPL personnel in which MPL may have miscommunicated that other assets at the Hammond Terminal were also not inspected. This is not true and was a result of poor communication from MPL. We sincerely apologize for this miscommunication.

As such, MPL is requesting that any Final Order issued regarding these allegations be clarified as to the extent of non-compliance and that only (2) two surge relief lines associated with Tank 13 were inadvertently reclassified as non-DOT, resulting in missing the required ACM inspections on those assets only.

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We appreciate your consideration in this matter. If you have any additional questions, please do not hesitate to contact Aaron W. Martinez at 210.307.0402 or awmartinez@marathonpetroleum.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shawn Lyon".

Shawn Lyon, President
Marathon Pipe Line LLC

Exhibits

Cc: Greg Smith, Chief Counsel
Aaron W. Martinez, Regulatory Compliance Manager