



Marathon Pipe Line LLC

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Via email

August 1, 2025

Mr. David A. Barrett
Acting Director, Central Region
PHMSA, Office of Pipeline Safety
901 Locust Street
Kansas City, MO 64106

RE: Notice of Amendment
CPF 3-2025-013 NOA

Dear Director Barrett,

On May 20, 2025, Marathon Pipe Line LLC (“Marathon,” “MPL,” or “Respondent”) received the above-referenced Notice of Amendment (NOA), alleging inadequacies found within its plans or procedures. This NOA was issued to Marathon by the Central Region of the Pipeline Hazardous Materials Safety Administration (PHMSA) Office of Pipeline Safety (OPS) based on PHMSA’s inspection of Marathon facilities, records, and procedures that occurred between March 18 to March 22 and April 8 to April 11, 2024. Marathon is submitting this response under 49 C.F.R. Part 190 Subpart B. Please find Marathon's response to the NOA below.

Since the inspection, Marathon has used this time to thoughtfully evaluate and enhance its plans and procedures, aligning them with PHMSA’s recommendations for improvement. Marathon’s efforts reflect a commitment to continuous improvement and a collaborative approach to safety.

While Marathon does not concede that its plans and procedures were inadequate to assure the safe operation of its facilities, Marathon submits its written comments and revised procedures without admission and pursuant to 49 CFR § 190.206(a). Marathon also offers comments and explanations, set forth below, regarding each issue identified by PHMSA.

Marathon believes that its amendments to its procedures address PHMSA's concerns and comply with its regulations. Marathon respectfully requests that PHMSA accept Marathon's amendments to its procedures and close this matter. To the extent that PHMSA believes Marathon's revised procedures are inadequate, Marathon would like to set up a meeting with PHMSA to address any concerns.

NOA Item 1:



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§ 195.401 General requirements.

(a) . . .

(b) *An operator must make repairs on its pipeline system according to the following requirements:*

(1) . . .

(3) *Prioritizing repairs. An operator must consider the risk to people, property, and the environment in prioritizing the correction of any conditions referenced in paragraphs (b)(1) and (2) of this section.*

PHMSA Allegation:

Marathon's procedures were inadequate for prioritizing repairs on its pipeline system. Specifically, during the headquarters inspection, PHMSA reviewed Marathon procedures, "MPL-MNT-00504-PRS Responding to Anomalies" and "MPL-MNT-00807 Data Analysis of an In-Line Inspection (ILI) Survey." These procedures did not describe how the risk to people, property, and the environment would be considered when prioritizing the correction of conditions, as required by § 195.401(b)(3). Therefore, Marathon's procedures did not adequately address the requirements of § 195.401(b)(3) and PHMSA proposes Marathon's procedures must be amended to provide guidance on prioritizing repairs based on risk to people, property, and the environment.

Marathon's Response:

Marathon has updated MPL-MNT-00504-PRS *Responding to Anomalies* to address this concern and provides a revised copy of this procedure for PHMSA's review.

NOA Item 2:

§ 195.402 Procedural manual for operations, maintenance, and emergencies.

(a) . . .

(c) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:*

(1) . . .

(13) *Periodically reviewing the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.*



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PHMSA Allegation:

Marathon's procedure "MPL-DOT-00027-PRS, Review for Effectiveness," did not provide adequate guidance to conduct reviews of work done by operator personnel to determine the effectiveness of Operations and Maintenance Procedures (O&M), per the requirements of § 195.402(c)(13). Specifically, the procedure did not include the frequencies for the periodic reviews and did not contain specificity to ensure that an effectiveness review of all O&M procedures required by Part 195 – Subpart F were done. Furthermore, the procedure provided no guidance to the Advisor (Marathon's term for the reviewer) on what is required to determine procedure effectiveness. The procedure simply stated that the Advisor will have the procedure in hand to review for effectiveness. Therefore, PHMSA proposes Marathon must amend its procedure to meet the requirements of § 195.402(c)(13).

Marathon's Response:

Marathon has enhanced its process and expanded the scope of periodic reviews of all Operations, Maintenance and Emergency (OM&E) procedures. Marathon recognized that during the last inspection, information was not provided on its existing program, which includes reviewing all procedures on a cycle not to exceed 36 months. The process itself has been historically managed in legacy document management systems (ePub/eDoc). Marathon has since migrated this process in its entirety to two new systems, Accelerator Knowledge Management System (AKMS) and Microsoft SharePoint Online (SPO). This process is designed to mandate the frequency of periodic reviews, assign responsibilities, and monitor completion. Additionally, Marathon has made two enhancements to its procedure, *MPL-DOT-00027-PRS, Review for Effectiveness*, to address PHMSA's concerns.

The first improvement to the periodic review process offers better organizational support for field effectiveness reviews. This includes clearer expectations for assessing the effectiveness of the reviewed procedures, which will allow for a more detailed evaluation of their effectiveness.

The second enhancement involves incorporating Marathon's pipeline safety metrics into the effectiveness review. Marathon evaluates its safety performance by using publicly reported data to benchmark its operational performance and challenges against those of industry peers and established industry trade group performance measures. This process of data collection and analysis helps Marathon assess the effectiveness of its Operations, Maintenance, and Emergency Response standards and procedures.

Marathon has provided an updated version of *MPL-DOT-00027-PRS, Review for Effectiveness* for PHMSA's review.



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NOA Item 3:

§ 195.414 Inspections of pipelines in areas affected by extreme weather and natural disasters.

(a) . . .

(d) *Remedial action. An operator must take prompt and appropriate remedial action to ensure the safe operation of a pipeline based on the information obtained as a result of performing the inspection required under paragraph (a) of this section. Such actions might include, but are not limited to:*

(1). . .

(4) *Performing additional patrols, surveys, tests, or inspections;*

(5) *Implementing emergency response activities with Federal, State, or local personnel; and*

(6) *Notifying affected communities of the steps that can be taken to ensure public safety.*

PHMSA Allegation:

Marathon's procedure for responding to pipelines affected by extreme weather and natural disasters did not provide enough guidance to personnel to take prompt and appropriate remedial action to ensure the safe operation of a pipeline, per the requirements of § 195.414(d). Specifically, PHMSA reviewed Marathon's "LS-Extreme Weather and Natural Disaster Guidelines," which is used to respond to the affected areas. Section 12.1, "DOT Jurisdictional Asset Considerations," merely restated § 195.414(d). For §§ 195.414(d)(4) through (6)—performing additional surveys, implementing emergency response activities, and notifying affected communities of steps that can be taken to ensure public safety, respectively—there was no detail or reference to other procedures on how to carry out these activities. Therefore, PHMSA proposes Marathon must amend the procedure to provide additional details for meeting the requirements of § 195.414(d).

Marathon's Response:

Marathon has updated LNS-HES-01414-PRS, *LS-Extreme Weather and Natural Disaster Guidelines* to address this concern and provides a revised copy of this procedure for PHMSA's review. Marathon uses the *MPL - Stop-Help-Start Process* - MPL-OPR-00188-PRS to respond to emergency events that could impact DOT-regulated pipelines. As part of the Stop-Help-Start Process, Marathon has modules that provide specific plans and details for various types of emergencies. The documents identify the personnel required and/or optional for several possible scenarios. In addition to listing personnel that are required/optional, the Stop-Help-Start Process outlines personnel responsibilities for these scenarios. Within these responsibilities, Marathon provides the additional details identified in Item 3, e.g., regulatory notification to Federal/State agencies, use of aerial patrol, implementing emergency response, etc. Along with the Stop-Help-



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Start Process, Marathon has several specific standards cited for various general scenarios in the *LS-Extreme Weather and Natural Disaster Guidelines*. Some of these scenarios include erosion from rain and wind, erosion in waterways, flooding, landslip, etc. (*MPL Depth of Cover Maintenance Process* – MPL-MNT-00934-PRS and *MPL and Waterway Crossing Program* – MPL-MNT-01303-PRS), earthquakes (*MPL Earthquake Response Plan* – MPL-OPR-00192-PRS), geohazards, e.g., subsidence, bank failures, landslides (*MPL-Geohazard Management Process* - MPL-MNT-01422-PRS), hurricanes and tropical storms (*MPL Hurricane Emergency Response Plan*)). These standards guide Marathon's response activities for extreme weather and natural disasters and are executed via the Stop-Help-Start process.

NOA Item 4:

§195.420 Valve maintenance.

(a) . . .

(b) *Each operator must, at least twice each calendar year, but at intervals not exceeding 7 1/2 months, inspect each mainline valve to determine that it is functioning properly. Each rupture-mitigation valve (RMV), as defined in § 195.2 and not contained in a gathering line, or alternative equivalent technology that is installed under § 195.258(c) or § 195.418, must also be partially operated. Operators are not required to close the valve fully during the inspection; a minimum 25 percent valve closure is sufficient to demonstrate compliance, unless the operator has operational information that requires an additional closure percentage for maintaining reliability.*

PHMSA Allegation:

Marathon's written procedure did not address the requirement for inspecting all check valves that have been determined by Marathon to be a mainline valve for proper functioning, per the requirements of § 195.402(b). Section 4 of Marathon's procedure for inspecting mainline valves, "MPL - Valve DOT Compliance Maintenance and Inspection (MPL-DOT-00862-PRS)," referred to a "Mainline Valve Inspection Task List." Under Section 3.2.5.1 of the Task List, Marathon addressed what to do for a check valve. However, the Task List was written specifically for those check valves that have the capability to manually operate the clapper. The procedure did not address valves that are accessible above ground and do not have a manually operated clapper, nor did it address check valves that are below ground. As such, the check valves would only receive a visual inspection if above-ground. If below-ground, the valves would only see a check for leaks and security at the valve site. No check for proper operation was required per the Task List. Therefore, PHMSA proposes Marathon must amend the Task List in accordance with § 195.402(a) to meet the requirements of § 192.420(b) for all mainline check valves.



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Marathon's Response:

Marathon is clarifying its procedures to clarify that check valves are not considered mainline valves. According to Part 195.420(b), when conducting the biannual mainline valve inspection, "a minimum 25 percent valve closure is sufficient to demonstrate compliance, unless the operator has operational information that requires an additional closure percentage for maintaining reliability." PHMSA has indicated that "OPS allows pipeline operators to determine which of its valves are mainline valves." Final Order, CPF No. 13504, Jun. 27, 1997. Marathon is clarifying its definition of mainline valve to clarify that it does not include check valves.

As explained in PHMSA's enforcement guidance, the category "mainline valve" does not encompass all valves necessary for the safe operation of the pipeline system. While "[a]ll mainline valves are necessary for the safe operation of a pipeline system", there are other valves that are necessary for the safe operation of the pipeline system, but not mainline valves. O&M Enforcement Guidance, Operations & Maintenance Enforcement Guidance, Part 195.420. As stated by PHMSA, "In addition to mainline valves, other valves are necessary for the safe operation of a pipeline." Id. While an operator must be able to identify the valves necessary for the safe operation of its pipeline, it must only inspect and partially operate the mainline valves. Id. While check valves may be necessary for the safe operation of a pipeline, they are not necessarily mainline valves.

PHMSA states that check valves can be used as emergency flow restricting devices (EFRD) and defines a "check valve" as "a valve that permits fluid to flow freely in one direction and contains a mechanism to automatically prevent flow in the other direction." Part 195.450. Check valves, but their very nature, make inspection and 25% closure difficult if not impossible. PHMSA does not require check valves to have means of indicating whether the valve is open or closed, or the ability to determine if the valve is closed more or less than 25%, as specified in Part 195.420. See Part 195.116(e) ("Each valve other than a check valve must be equipped with a means for clearly indicating the position of the valve (open, closed, etc.)). While some check valves have a manual operator, the manual operator is intended for maintenance as opposed to partially closing the valve for inspection. While check valves serve a valuable purpose of stopping backflow nearly instantly, they are not valves that lend themselves to the type of partial closure inspection outlined in Part 195.420.

While check valves are not necessarily mainline valves, the 2022 Rupture Mitigation Valve Rule created two instances where a check valve could be subject to the inspection requirements of Part 195.420. First, certain EFRDs that are placed into service or on certain modified segments after April 10, 2023, are required to comply with Part 195.420. 195.452(i)(4)(i). Second, for valves classified as rupture mitigations valves, generally installed or on certain modified segments after



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April 10, 2023, PHMSA specified that the check valves, "used as an alternative equivalent technology in accordance with this paragraph (b)(3) are not subject to § 195.419 but must be inspected, operated, and remediated in accordance with § 195.420, including for closure and leakage, to ensure operational reliability." 195.418(b)(3).

Beyond 195.452(i)(4)(i) and 195.418(b)(3), PHMSA does not require that other check valves, even when serving as an EFRD, be classified as mainline valves and subject to Part 195.420 inspections. Marathon has included amendments to *MPL - Valve DOT Compliance Maintenance and Inspection (MPL-DOT-00862-PRS)* for PHMSA's review to clarify this distinction.

NOA Item 5:

§ 195.452 Pipeline integrity management in high consequence areas.

(a) . . .

(h) *What actions must an operator take to address integrity issues? —*

(1) General requirements. An operator must take prompt action to address all anomalous conditions in the pipeline that the operator discovers through the integrity assessment or information analysis. In addressing all conditions, an operator must evaluate all anomalous conditions and remediate those that could reduce a pipeline's integrity, as required by this part. An operator must be able to demonstrate that the remediation of the condition will ensure that the condition is unlikely to pose a threat to the long-term integrity of the pipeline. An operator must comply with all other applicable requirements in this part in remediating a condition. Each operator must, in repairing its pipeline systems, ensure that the repairs are made in a safe and timely manner and are made so as to prevent damage to persons, property, or the environment. The calculation method(s) used for anomaly evaluation must be applicable for the range of relevant threats.

(i) . . .

(ii) Long-term pressure reduction. When a pressure reduction exceeds 365 days, the operator must notify PHMSA in accordance with paragraph (m) of this section and explain the reasons for the delay. An operator must also take further remedial action to ensure the safety of the pipeline.

PHMSA Allegation:

Marathon's procedure was inadequate for recognizing when pressure reductions become long-term and require PHMSA notification, per the requirements of § 195.452(h)(1)(ii). Specifically, Marathon's Integrity Management Program (IMP) procedure, section 2.7.2.3, "Long-term pressure Reduction," did not specify who reviews pressure changes, how pressure changes are



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tracked or when they are tracked, nor did it provide a mechanism for determining when pressure reductions have exceeded 365 days. Additionally, the procedure did not specify who will provide the required notifications to PHMSA, in accordance with § 195.452(m). Therefore, PHMSA proposes Marathon's procedure must be revised to adequately address the requirements of § 195.452(h)(1)(ii).

Marathon's Response:

Marathon has updated its MPL-DOT-01167-POL, *Integrity Management Program (IMP)* procedure to address this concern and provides a revised copy of this procedure for PHMSA's review.

Conclusion

As stated, Marathon made the changes described without admission and respectfully believes that its amendments and new procedures comply with PHMSA's regulations. Marathon requests that PHMSA close this matter. If you have any questions, require further information, or would like to set up a meeting to discuss Marathon's response, don't hesitate to get in touch with me.

Marathon is asserting a claim of confidential commercial information regarding all information in the documents added to SharePoint, as each document in its entirety is trade secrets and proprietary business information. As such, they are for Agency use only and have been marked "Confidential and Other Information Protected Under Law—Do Not Disclose to Public or Other Third Parties." The provided documents contain information exempt from public disclosure under 5 U.S.C. §552(b).

Marathon shares PHMSA's desire to ensure public safety and enhance pipeline system integrity and is committed to working with PHMSA toward those goals. If you have any questions regarding this response or want to discuss further, please do not hesitate to contact me at 419-421-4505 or MiGray@marathonpetroleum.com.

Sincerely,

Michael J. Gray
Environmental Safety Security Compliance Director
Marathon Pipe Line LLC



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Attachments:

1. MPL-MNT-00504-PRS, *Responding to Anomalies*
2. MPL-DOT-00027-PRS, *Review for Effectiveness*
3. LNS-HES-01414-PRS, *LS-Extreme Weather and Natural Disaster Guidelines*
4. MPL-DOT-00862-PRS, *MPL - Valve DOT Compliance Maintenance and Inspection*
5. MPL-DOT-01167-POL, *Integrity Management Program (IMP)*