

NOTICE OF AMENDMENT

VIA E-MAIL TO MR. SHAWN LYON

August 26, 2021

Mr. Shawn Lyon
President
Marathon Pipe Line
539 S Main Street
Findlay, OH 45840

CPF 5-2021-041-NOA

Dear Mr. Lyon:

From June 22 to June 23, 2021, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code, inspected Marathon Pipe Line's procedures for Class Location and HCA Identification for Marathon Pipe Line Gas Transmission Pipeline Process (MPL-DOT-00671-PRS) in Los Angeles, California.

On the basis of the inspection, PHMSA has identified an apparent inadequacy found within Marathon Pipe Line's plans or procedures, as described below:

1. §192.905 How does an operator identify a high consequence area?

(a) ...

(c) *Newly identified areas.* When an operator has information that the area around a pipeline segment not previously identified as a high consequence area could satisfy any of the definitions in §192.903, the operator must complete the evaluation using method (1) or (2). If the segment is determined to meet the definition as a high consequence area, it must be incorporated into the operator's baseline assessment plan as a high consequence area within one year from the date the area is identified.

Marathon Pipe Line's procedures are inadequate to assure safe operation of a pipeline facility. Specifically, Marathon's procedure entitled *Class Location and High Consequence Area (HCA) Identification for MPL Gas Transmission Pipelines Process* does not contain a requirement that all newly identified HCAs be incorporated into its baseline assessment plan within 1 year from the date of identification. Marathon must amend its procedures to explicitly include this requirement.¹

¹ PHMSA also notes that this line should undergo continuous monitoring pursuant to Section 2.2. of the above-referenced procedures from the knock out drum in the Los Angeles Refinery to the end of the line in the Sulfur Recovery Plant.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*.

Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Marathon Pipe Line maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to Dustin Hubbard, Director, Western Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 5-2021-041-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Dustin Hubbard
Director, Western Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Enforcement Proceedings*

cc: PHP-60 Compliance Registry
PHP-500 J. Gilliam, J. Luo (#21-199494)