



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

SEP - 1 2005

Thomas L. Shaw
Vice President, Operations
Marathon Ashland Pipe Line LLC
539 S Main St
Findlay, OH 45840

Re: CPF No. 4-2005-5014

Dear Mr. Shaw:

Enclosed is the Final Order **issued** by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes a finding of violation and assesses a civil penalty. I acknowledge receipt of and accept your wire transfer for \$10,000 as payment in full of the civil penalty assessed in the Final Order. This case is now closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of

Marathon Ashland Pipe Line LLC,

Respondent

CPF No. 4-2005-5014

FINAL ORDER

On April 11, 2005, in accordance with 49 C.F.R. § 190.207, the Director, Southwest Region, Office of Pipeline Safety (OPS), issued to Respondent a Notice of Probable Violation and Proposed Civil Penalty (Notice). The Notice proposed finding that Respondent had violated 49 C.F.R. § 195.406(b) and proposed assessing a civil penalty of \$10,000 for the alleged violation. After requesting and receiving an extension of time to respond, Respondent responded to the Notice by letter dated June 1, 2005. Respondent did not contest the allegation and stated that it would pay the proposed civil penalty. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$10,000), waiving further right to **respond** and authorizing the entry of this Final Order.

Pursuant to 49 C.F.R. § 190.213 and 49 U.S.C. § 60122, I find that Respondent violated the following section of 49 C.F.R. Part 195, as more fully described in the Notice:

49 C.F.R. § 195.406(b) – failing to provide adequate controls and protective equipment to control pressure within 110 percent of maximum operating pressure (MOP) during a surge or variation from normal operations. A relief valve on Respondent's pipeline system was not adequately designed to relieve pressure. As a result, pressure increased to 129 percent of MOP during a variation from normal operations.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent. Having reviewed the record and considered the assessment criteria, I assess Respondent a civil penalty of \$10,000, **already** paid by Respondent. The terms and conditions of this Final Order are effective on receipt.

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Stacey Gerard
Associate Administrator for Pipeline Safety

SEP - 1 2005

Date Issued