



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

901 Locust Street, Suite 462
Kansas City, MO 64106-2641

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 9, 2009

Mr. Dave Maples
Acting Vice President, Operations
Marathon Pipe Line, LLC
539 South Main Street
Findlay, Ohio 45840

CPF 3-2009-5023W

Dear Mr. Maples:

On April 27-May 1, 2009, May 18-22, 2009, July 6-10, 2009, August 10-13, 2009, August 31-September 3, 2009, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected your Marathon Pipe Line, LLC records and field facilities in Illinois, Indiana and Ohio.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The item inspected and the probable violation is:

1. §195.432 Breakout tanks.

(c) Each operator shall inspect the physical integrity of in-service steel aboveground breakout tanks built to API Standard 2510 according to section 6 of API 510.

Marathon Pipe Line, LLC personnel did not conduct an inspection of Marathon Pipe Line's relief bullet Tank #V-10 located at Marathon Pipe Line's Lima, OH facility within the prescribed period indicated in section 6 of API 510. Marathon Pipe Line,

LLC missed the 5 year interval for an external inspection by 17 months. The last inspection by Marathon Pipe Line was conducted on 01/21/2009 and the previous inspection was 08/06/2002, thus the next inspection due date should have been no later than 08/06/2007.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Marathon Pipe Line, LLC being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 3-2009-5023W**. 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).

Sincerely,



Ivan A. Huntoon
Director, Central Region
Pipeline and Hazardous Materials Safety Administration