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**Sunoco Logistics**



**Sunoco Logistics Partners L.P.**  
1735 Market Street Ste LL  
Philadelphia, PA 19103-7583

September 15, 2009

Byron Coy  
Director, East Region  
Pipeline and Hazardous Materials  
Safety Administration  
820 Bear Tavern Road, Suite 306  
West Trenton, NJ 08628

Re: CPF 1-2009-5003

Dear Mr. Coy:

Sunoco Pipeline L.P. hereby requests an oral hearing on the Notice of Probable Violation and Proposed Compliance Order in the above referenced matter.

Sunoco Pipeline L.P. intends to raise the following issues at the hearing:

1. Items 1 and 2 in the Notice are duplicative and the penalties associated with each alleged violation seek to punish Sunoco Pipeline L.P. for essentially the same alleged violation.
2. Installation of completion plugs is not a "normal operations and maintenance" activity and thus is not covered by C.F.R. Part 195.402(a).
3. As to Item 3, Sunoco Pipeline does not agree that installation of completion plugs was required to be a covered task under the JPM qualification method. Immediately following the November 25, 2008 release, Sunoco Pipeline contacted several other pipeline operators and none included the installation of completion plugs as a covered task under their respective JPM programs. The fact that it is a covered task under the NCCER method of qualification does not require it to be a covered task under the JPM method, as operators can use either method.

4. As to Item 4, Sunoco Pipeline disagrees with the finding that Employee B was not qualified to install the completion plug. Furthermore, if installation of completion plugs is not required to be a covered task under Sunoco Pipeline's JPM program, the alleged failure to train on a non-covered task, which Sunoco Pipeline disputes, is not a violation.
5. As to Item 5, Sunoco Pipeline maintains that Employee B was adequately trained to install completion plugs, and further that Part 195.505(h) is not applicable because such installation is not required to be a covered task.
6. Sunoco Pipeline L.P. believes that the proposed civil penalties are duplicative (Items 1 and 2) and excessive, and not commensurate with the alleged violations.
7. Notwithstanding our objections set forth above, and without waiving those objections, Sunoco Pipeline voluntarily completed several of remedial requirements in the Proposed Compliance Order and therefore the inclusion of these is unnecessary. Sunoco Pipeline has provided additional training to people who perform completion plugging on the pipeline. Sunoco Pipeline did modify its Operations and Maintenance Manual to require the use of the manufacturer's procedure for the installation of completion plugging. Sunoco Pipeline did amend JPM 482 to include the manufacturer's procedures for the installation of completion plugs. Post the Murrysville incident, we did retrain all employees who perform completion plugging using the manufacture's procedures. We think the appropriate language for your last sentence in that item should be, "Sunoco Pipeline must re-qualify individuals under JPM 482 using the manufacture's procedures PRIOR to performing completion plugging."
8. Sunoco Pipeline L.P. intends to raise any other issues which may arise during the course of the hearing and does not waive any issues not specified herein.

Sunoco Pipeline L.P. will be represented by counsel at the hearing. Sunoco Pipeline L.P. is agreeable to a telephonic hearing. Sunoco Pipeline is also prepared to discuss entry of a consent order in lieu of a hearing, as allowed by 40 CFR Parts 190.290 and 219. Such a process would save both parties the time and expense of a hearing.

If you have any questions regarding the matters herein, please do not hesitate to call me.

Sincerely,

*David A. Justin / dld*  
David A. Justin

DAJ:rw