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Sunoco, Inc. (R&M)
Toledo Refinery
PO Box 920
Toledo OH 43697-0920
419 698 6600

October 19, 2009

Mr. Ivan Huntoon
Director, Central Region Pipeline and Hazardous Materials Safety Administration
901 Locust Street, Suite 642
Kansas City, MO 64106

Re: CPF-3-2009-5016
Notice of Probable Violation and Proposed Civil Penalty
Associated with a MOP Exceedance on Line 59

Dear Mr. Huntoon:

Sunoco hereby requests mitigation of the proposed penalty in the above matter, and respectfully submits the following information in support of its request.

Sunoco, Inc. (R&M) exceeded 110% of the MOP on Line 59 on November 17, 2004, for a period of approximately 34 minutes. The root cause of the overpressure event was the inadvertent closure of a valve by a third party at the downstream pumping station. The Sunoco, Inc. (R&M) pump that was in operation, P-16001, had a low flow shutdown in place, which did activate and trip the pump after the valve was closed. No adverse impacts or product releases were noted from the overpressure event. The event was discovered by Sunoco personnel during a review of operating data. After the overpressure event was discovered, P-16001 was removed from service, and the Refinery now only operates a smaller pump which is not capable of exceeding MOP on Line 59. The Refinery has incurred an economic impact as a result of lower throughput on the line, but the decision to not return P-16001 to service ensured there would be no future overpressure events on Line 59.

The Toledo Refinery assumed ownership and maintenance responsibility for Line 59 in January 2004, and has worked diligently to ensure the pipeline remains in full compliance with DOT regulations. In 2004 alone, the Refinery established an O&M manual and all associated procedures and training requirements, developed an IMP and performed assessments on all in-service pipelines, and implemented a Public Awareness Program.

There was no impact to safety or the environment as a result of this event. Furthermore, Sunoco's decisive action was taken and self-reported in good faith to prevent future occurrences and remain in full compliance. As evidence to Sunoco's remedy, nearly five years have passed with no repeat events. Therefore, per 49 CFR 190.225, we respectfully request that PHMSA consider eliminating the proposed civil penalty associated with this event.

Sincerely,



Paul B. Hughes
General Manager