



U.S. Department  
Of Transportation  
**Pipeline and  
Hazardous Materials  
Safety Administration**

820 Bear Tavern Road, Suite 103  
West Trenton, NJ 08628  
**609.989.2171**

**NOTICE OF PROBABLE VIOLATION  
and  
PROPOSED CIVIL PENALTY**

**OVERNIGHT EXPRESS DELIVERY**

October 2, 2014

David Chalson, Vice President of Operations  
Sunoco Pipeline LP  
4041 Market Street  
Aston, PA 19014

**CPF 1-2014-5005**

Dear Mr. Chalson:

During the weeks of April 1 and April 8, 2013, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected Sunoco Pipeline LP's (Sunoco) procedures and records for PHMSA's System 2990 under OPID 18718 at Icedale, PA.

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 items inspected and the probable violation is:

1. **§195.573 What must I do to monitor external corrosion control?**  
**(e) Corrective action. You must correct any identified deficiency in corrosion control as required by Sec. 195.401(b) . . .**

Sunoco failed to correct identified deficiencies in corrosion control as required by Sec. 195.401(b)(1) which states:

- (b) An operator must make repairs on its pipeline system according to the following requirements:
  - (1) Non Integrity management repairs. Whenever an operator discovers any condition that could adversely affect the safe operation of its pipeline system, it must correct the condition within a reasonable time. . .

Specifically, Sunoco failed to correct identified deficiencies in corrosion control at Unit 3241 Greensburg Area – PA, in three instances as noted below in the record summary. Sunoco's procedure titled "Section 195.573 Monitoring External Corrosion Control" last revised 10/31/2010, paragraph 1.iii states: "Cathodic protection system deficiencies such as damaged test leads, inadequate cathodic

protection levels and/or defective ground bed, detected during annual or other testing shall be evaluated, with remedial actions taken prior to the next test interval as defined in Part 195 unless an engineering evaluation determines alternative measures to be adequate.”

In addition, CFR §195.571 states that cathodic protection required by this Subpart must comply with one or more of the applicable criteria and other considerations for cathodic protection contained in paragraphs 6.2 and 6.3 of NACE SP 0169 (incorporated by reference, see § 195.3).

Paragraph 6.2 provides, in part, the following options.

1. Paragraph 6.2.2.1.1 “A negative (cathodic) potential of at least 850 mV with the cathodic protection current applied. . .”

The records show that this criteria was not met.

2. Paragraph 6.2.2.1.2 “A negative (cathodic) polarized potential of at least 850 mV relative to a copper/copper sulfate electrode contacting the electrolyte. . .”

Sunoco did not take off potential readings.

3. Paragraph 6.2.2.1.3 “A minimum of 100 mV of cathodic polarization between the structure surface and a stable reference electrode contacting the electrolyte. . .”

Sunoco did not conduct a polarization decay survey.

During the inspection the PHMSA inspector reviewed records for test stations 7245+00 and 7636+69. The records for test station 7245+00 show the pipe-to-soil readings were below minus 0.85V from 12/28/2010 to 12/16/2012. In addition, the records for test station 7636+69” show the pipe-to-soil readings were below minus 0.85V from 9/30/2010 to 2/1/2012.

The data below was extracted from Sunoco’s email to PHMSA dated 2/16/2014.

Test Station	Date	Pipe to Soil Readings (Volts)	Comments from Sunoco
7245+00	9/30/2010	-0.91	Temporary bond installed
	12/1/2010		Bond at Altoona P/S disconnected
	12/28/2010	-0.65	Bond remained disconnected, with knowledge that a new CP system was forthcoming, pending ROW acquisition
	10/11/2011	-0.74	Bond remained disconnected, with knowledge that a new CP system was forthcoming, pending ROW acquisition
	10/26/2012	-0.56	Bond remained disconnected, with knowledge that a new CP system was forthcoming, pending ROW acquisition
	12/17/2012	-1.54	New Mile Hill Rectifier CP system is energized
7636+69	9/30/2010	-0.84	
	10/12/2011	-0.73	
	2/1/2012	-0.89	

Proposed Civil Penalty

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$200,000 per violation per day the violation persists up to a maximum of \$2,000,000 for a related series of violations. For violations occurring prior to January 4, 2012, the maximum penalty may not exceed \$100,000 per violation per day, with a maximum penalty not to exceed \$1,000,000 for a related series of violations. The Compliance Officer has reviewed the circumstances and supporting documentation involved in the above probable violation(s) and has recommended that you be preliminarily assessed a civil penalty of \$29,500 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$29,500

Response to this Notice

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. All material you submit in response to this enforcement action may be 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). 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 a Final Order.

In your correspondence on this matter, please refer to **CPF 1-2014-5005** and for each document you submit, please provide a copy in electronic format whenever possible, and please whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,

Byron Coy, PE  
 Director, PHMSA Eastern Region  
 Pipeline and Hazardous Materials Safety Administration

Enclosures: *Response Options for Pipeline Operators in Compliance Proceedings*