



**Paulsboro Natural Gas Pipeline  
Company LLC**  
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September 22, 2021

Mr. Alan Kramer Mayberry  
Associate Administrator for Pipeline Safety  
U.S. Department of Transportation  
Pipeline and Hazardous Material Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**RE: Petition for Reconsideration to Final Order, Docket: CPF 1-2021-002 NOPV**

Dear Mr. Mayberry,

Paulsboro Natural Gas Pipeline Company LLC (PNGPC) received Pipeline and Hazardous Material Safety Administration's (PHMSA) Final Order dated September 2, 2021 for the Notice of Probable Violation (NOPV), Docket CPF 1-2021-002 NOPV dated February 5, 2021, from an audit performed from February 27, 2020 to October 2, 2020. Under 49 C.F.R §190.243, and within the 20 days of receipt of the Final Order, PNGPC is submitting this Petition for Reconsideration to respond to PHMSA points and provide additional information for agency's reconsideration of the proposed civil penalty.

PHMSA stated the following points in response to PNGPC's response to the NOPV:

- Good faith - The company did not have reasonable justification for its non-compliance and did not actually follow its procedures or verify that the gas in its pipeline was properly odorized.
- Culpability - The company failed to comply with an applicable requirement.
- Gravity of Violation – PHMSA contends that the violation took place in a high consequence area (HCA) therefore the elevated penalty is warranted.
- Minimal safety impact – PHMSA states that they reject the contention that the violation minimally affected safety and had no negative affect on the environment.

PNGPC's (Company) wants to reiterate its position on these points as follows:

- Good Faith – The Company did, in good faith, understand and attempt to comply with the intention of 49 CFR §192.625 by getting confirmation from Enbridge that the natural gas was properly odorized. Additionally, while the company had a standard form to capture data related to compliance with 192.625, because Enbridge was federally mandated to inject odorant, the company did not incorporate, in their OM&E manual, a written procedure for periodically sampling and therefore was in compliance with its procedures.
- Culpability – While the Company felt it was addressing the intent of the requirement to comply with assuring the natural gas stream was odorized, when PHMSA clarified the regulatory intent of 49 CFR §192.625, PNGPC promptly revised their OM&E manual to include a procedure to capture that information.
- Gravity of the Violation – As stated in the response to the NOPV, regardless of the pipeline's location within a HCA, PNGPC contends that the Company was still taking appropriate action to assure the gas stream was properly odorized.
- Minimal Safety Impact - While PNGPC did not odorize the natural gas supplied to its pipeline, the Company ensured odorant was properly added to the gas supply by getting written notice from



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Enbridge who is federally mandated under FERC to odorize the gas entering our 24" pipeline system. PNGPC maintains that receiving written notice from the gas supplier that the natural gas was being properly odorized is equivalent to taking odorant samples "once" a year with a device that detects odorant. PNGPC contends that either method satisfies the intent to assure the odorant was added and therefore the safety of the community and the environment was not unduly jeopardized.

Finally, in addition to the points made in the response to the Notice of Probable Violations dated March 5, 2021 and the points stated above, PNGPC wants to including these additional facts as part of this Petition for Reconsideration to underscore this pipeline system's robust safety status and how this odorant sampling procedure omission had no impact on the safety of the community and environment.

The previous 8" pipeline system was entirely replaced with a new 24"/12" pipeline in 2017 with state of the art pipe, valves and instrumentation. The new pipeline was constructed with X-60, 0.50" wall pipe with approximately 90% of the pipeline buried 12' to 80' below ground surface adding an additional level of safety. In addition to this new pipeline system, PNGPC's Pipeline Control Center, which monitors the pipeline operation 24/7, installed and operates, per API RP 1130, a state of the art leak detection program that utilizes the PipePatrol E-RTTM (PipePatrol) Leak Detection System developed by Krohne (Germany) and installed by Nugen Automation LLC. PipePatrol is an Internal Leak Detection System (LDS) utilizing multi-method leak detection, enabling pipeline management under both steady and transient pipeline conditions. The system differentiates between real leaks and imbalance deviations. One of the module of the LDS utilizes E-RTTM (Extended Real Time Transient Model) for leak detection and leak localization. It meets API 1130 and AP 1175 criteria. The other module PipePatrol uses is Rupture Module which efficiently detects pipeline ruptures instantly and raises an alarm through SCADA system.

Furthermore, PNGPC's 24" pipeline system is 2.58 miles long and only provides natural gas to the company's subsidiary company, Paulsboro Refinery. The Pipeline Control Center and Paulsboro Refinery have straight line communication with each other and have been trained in abnormal condition and, as a result, can respond quickly in the event of small or large release. Additionally, as a responsible operator the Pipeline Control Center, Refinery personnel and field operation crews train annual for emergency response to be better prepared to minimize the impact of any accidental release.

For these above reasons and other points made in the Response to Notice of Probable Violation dated March 5, 2021, PNGPC reiterates that the specific act of not taking a periodic sample using a device that can detect odorant did not put any additional risk to the public or environment and therefore respectfully requests the civil penalty associated with the odorant issue be rescinded.

Should you have any questions concerning this letter, please don't hesitate to contact me at 281-602-4224 or email at [Thomas.mclane@pbfenergy.com](mailto:Thomas.mclane@pbfenergy.com).

Respectfully,

A handwritten signature in blue ink that reads "Thomas J. McLane".

Thomas J. McLane  
Director, Regulatory Compliance



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