



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 AMENDMENT

OVERNIGHT EXPRESS MAIL

July 16, 2012

Mr. David A. Justin, VP, Operations
Sunoco Pipeline L.P.
525 Fritztown Road
Sinking Spring, PA 19608

CPF 1-2012-5012M

Dear Mr. Justin:

On October 11, 2010, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code initiated an investigation of the accident that occurred on the 16 inch Harbor Pipeline, majority-owned by Sunoco Pipeline L.P. (Sunoco), in Mansfield Township, NJ. As part of the investigation, the PHMSA representative reviewed certain operation and maintenance procedures and records.

As a result of the investigation, PHMSA has identified the apparent inadequacy found within Sunoco's plans or procedures, as described below:

1. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) ...

(c) **Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following to provide safety during maintenance and normal operations:**

(1) ...

(10) **Abandoning pipeline facilities, including safe disconnection from an operating pipeline system, purging of combustibles, and sealing abandoned facilities left in place to minimize safety and environmental hazards. For each abandoned offshore pipeline facility or each abandoned onshore pipeline facility that crosses over, under or through commercially navigable waterways the last operator of that facility must file a report upon abandonment of that facility in accordance with §195.59 of this part.**

Sunoco's procedure manual for operation and maintenance did not have an adequate procedure for abandoning pipeline facilities. Specifically, *DOT 195 Maintenance Manual, Sunoco Pipeline, L.P., Subpart F: Operation and Maintenance, Section 195.402.c.10 Abandoning Pipeline Facilities* did not provide guidance or reference supplemental procedures.

Sunoco's abandoning procedure has four sentences for the requirement and process of abandoning pipeline or pipeline facility. The procedure lacked the specificity that would ensure personnel safely and properly abandoned a pipeline or pipeline facility.

SPLP Requirements/Process Description in DOT 195 Maintenance Manual, Sunoco Pipeline, L.P., Subpart F: Operation and Maintenance, Section 195.402.c.10 Abandoning Pipeline Facilities merely stated, “[i]f practical, line is to be physically removed from the ground.” Sunoco did not provide any guidance on what is “practical.” Also, there was no mention of which procedures should be used.

Overall, the procedure had no detailed process on how pipelines are abandoned.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. 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. 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). 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.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within **30** days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Sunoco Pipeline maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to, as well as any correspondence relating to this Notice to: Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Please refer to **CPF 1-2012-5012M** on each document you submit, and please provide a (signed) copy in electronic format whenever possible. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD accompanied by the original (signed) paper copy to the Eastern Region Office.

Sincerely,

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

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