



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

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609.989.2171

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS MAIL

July 16, 2013

David Chalson, VP Operations
Sunoco Pipeline L.P.
4041 Market Street
Aston, PA 19014

CPF 1-2013-5012M

Dear Mr. Chalson:

During the week of August 13, 2012, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the New York Public Service Commission, pursuant to Chapter 601 of 49 United States Code inspected Sunoco Pipeline Company's (Sunoco) Operating and Maintenance procedures in Philadelphia, Pennsylvania.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Sunoco's plans or procedures, as described below:

1. §195.402 Procedural manual for operations, maintenance and emergency response.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Sunoco has a Maintenance Manual which is inclusive of the requirements listed in §195.402(c). During the course of the inspection, it was apparent that the operating and maintenance staff was reliant on Sunoco's Operator Qualification Covered Task Procedures (OQP) which provides more detailed guidance in the performance of many operating and maintenance tasks. A listing of the related procedures is included in Appendix F of the OQP. Given the usage of these procedures with respect to the task performance, the operator failed to link the Covered Task Procedures to its Maintenance Manual.

2. **§195.402 Procedural manual for operations, maintenance and emergency response.**
 (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) ...
 (5) **Analyzing pipeline accidents to determine their causes.**

Procedure MM 195.50 describes incident reporting. It fails to mention incident investigation. Sunoco has a separate guidance document, Root Cause Analysis and Required Incident Documentation, which it utilizes in practice. This incident investigation tools are not referenced in its written plan.

3. **Procedural manual for operations, maintenance and emergency response.**
 (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) ...
 (13) **Periodically reviewing the work done by operator to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found.**

Procedure MM 195.402(c)(13) describes the review process, but it fails to specify the intervals between the reviews, relying on the term “periodically.”

4. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
 (e) **Emergencies. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs;**
 (1) ...
 (6) **Minimization of public exposure to injury and probability of accidental ignition by assisting with evacuation of residents and assisting with halting traffic on roads and railroads in the affected area, or taking other appropriate action.**

The Facility Response Plan (FRP) Section 4 and Appendix D fail to provide specific guidance to the operator’s response personnel with respect to the evacuation of nearby residents, and assisting [public officials] in the halting of traffic on roads, railroads and other travelled ways with the intent to protect the public from injury and to prevent accidental ignition.

5. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
 (e) **Emergencies. The manual required by paragraph (a) of this section must include procedures for the following to provide safety when an emergency condition occurs;**
 (1) ...
 (8) **In the case of failure of a pipeline transporting a highly volatile liquid, use of appropriate instruments to assess the extent and coverage of the vapor cloud and determine the hazardous areas.**

The FRP Section 4 and Appendix D provide no details for measuring coverage of vapor clouds and hazardous areas formed by spills of HVLs, nor does it specify the instrumentation employed to make these determinations.

6. **§195.403 Emergency Response Training.**
 (a) **Each operator shall establish and conduct a continuing training program to instruct emergency response personnel to:**

- (1) . . .
- (2) **Know the characteristics and hazards of the hazardous liquids or carbon dioxide transported, including, in case of flammable HVL, flammability of mixtures with air, odorless vapors, and water reactions;**

In the FRP Section 5, Table 5-7, the operator satisfies the training requirements with a software program, entitled Knowledge Wire. This tool is not referenced in the FRP.

- 7. **§195.403 Emergency Response Training.**
 - (a) **Each operator shall establish and conduct a continuing training program to instruct emergency response personnel to:**
 - (1) . . .
 - (3) **Recognize conditions that are likely to cause emergencies, predict the consequences of facility malfunctions or failures and hazardous liquids or carbon dioxide spills, and take appropriate corrective action;**

Sunoco presented FRP Section 5 with Table 5-7 and Procedure HS-G-027 (Health, Environment, Safety and Security Training Program) as the means to satisfy this requirement. These documents failed to list specific training to address the recognition, prediction and corrective action requirements in this section.

- 8. **§195.402 Procedural manual for operations, maintenance, and emergencies.**
 - (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) . . .
 - (3) **Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart [F] and subpart H of this part.**

Contained within Subpart F is the following section:

- §195.428 Overpressure safety devices and overfill protection systems**
 - (a) **Except as provided in paragraph (b) of this section, each operator shall, at intervals not exceeding 15 months, but at least once each calendar year, or in the case of pipelines used to carry highly volatile liquids, at intervals not to exceed 7½ months, but at least twice each calendar year, inspect and test each pressure limiting device, relief valve, pressure regulator, or other item of pressure control equipment to determine that it is functioning properly, is in good mechanical condition, and is adequate from the standpoint of capacity and reliability of operation for the service in which it is used.**

Sunoco presented OQP 221, Proc. 195.428 and Form 30696, w/Supplements A, B, C and E. These documents list the inspection, testing and record requirements associated with overpressure and overfill protection. The procedures fail to specify the means or calculation used to verify capacity of relief devices (including thermal), nor is the capacity verification noted on the supplement forms (records).

- 9. **§194.402(c)(3) with respect to the following section:**
 - §195.436 Security of facilities.**
 - Each operator shall provide protection for each pumping station and breakout tank area and other exposed facility (such as scraper traps) from vandalism and unauthorized entry.**

Sunoco Procedure 436 failed to require any timely repair to its security barriers if the operator observes flaws during patrols, routine maintenance or reports from the public.

- 10. §195.579 What must I do to mitigate internal corrosion?**
- (b) Inhibitors. If you use corrosion inhibitors to mitigate internal corrosion, you must--**
- (1) . . .**
- (2) Use coupons or other monitoring equipment to determine the effectiveness of the inhibitors in mitigating internal corrosion; and**

Sunoco employs coupons, and the R probe to monitor the effectiveness of the inhibitors in mitigating internal corrosion. Their procedure to address the requirements of 195.479 fails to specify that measurements be taken of quantitative parameters, which would dictate the need for adjustments in its inhibitor addition rate.

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 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 1-2013-5012M** 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
 Director, Eastern Region
 Pipeline and Hazardous Materials Safety Administration

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