U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.771.7800

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

September 1, 2017

Ryan Coffey
Executive Vice President of Operations
Sunoco Pipeline
800 East Sonterra Boulevard
San Antonio, TX 78258

CPF 1-2017-5024M

Dear Mr. Coffey:

Between April 11, 2016 and November 18, 2016; representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Sunoco Pipeline L.P.'s (Sunoco) procedures and records for operations, maintenance, and integrity management as part of an integrated inspection of Sunoco assets in Delaware, Michigan, New York, New Jersey, Ohio, and Pennsylvania.

Based on 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 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:

   (3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.

Sunoco's procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of 49 C.F.R. Part 195 were inadequate. Specifically, Sunoco's procedure was inadequate for the inspection of main line valves as per § 195.420(b).

During the inspection, the PHMSA representative reviewed Sunoco's DOT 195 Maintenance Manual, *SECTION 195.420. Valve Maintenance* (Procedure). The Procedure states in part in the *"Notes or Remarks"* section:

2. Any Main Line Valve that could not be operated during the inspection and is marked as number 5, 'Not Operated Due To Operations Scheduling', under the operating condition shall be partially operated as soon as operating conditions permit and the date of partial operation documented in the remarks area of the Valve Inspection Report where the number 5 was reported.

This Procedure fails to provide details such as:

1. A process for determination of when *"operating conditions permit"*
2. Roles and Responsibility for rescheduling the inspection "*as soon as operating conditions permit*" in accordance with the requirements of § 195.420(b)

2. §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:

(3) Operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of this part.

Sunoco's procedures for operating, maintaining, and repairing the pipeline system in accordance with each of the requirements of this subpart and subpart H of 49 C.F.R. Part 195 were inadequate. Specifically, Sunoco's procedure was inadequate for the inspection of in-service steel aboveground breakout tanks pursuant to § 195.432(c).

Section 195.432(c) states:

Each operator must inspect the physical integrity of in-service steel aboveground breakout tanks built to API Std 2510 (incorporated by reference, see §195.3) according to section 6 of API Std 510 (incorporated by reference, see § 195.3).

During the inspection, the PHMSA representative reviewed Sunoco's procedure *Section 195.432. Inspection of In-Service Breakout Tanks*, Last Revised 3-27-15. The procedure addresses the inspection of aboveground steel low pressure or atmospheric pressure storage tanks pursuant to API Standard 653, but does not provide guidance for the inspection of in-service steel aboveground breakout tanks built to API Standard 2510. The PHMSA inspection included 1 breakout tank, Lima Tank 7, that was built to ASME Section VIII standard for pressure vessels and thus the tank would be subject to inspection in accordance with § 195.432(c).

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. 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 an Order Directing Amendment. If 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. § 190.206). 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 Robert Burrough, Acting Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please reference **CPF 1- 2017-5024M** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to robert.burrough@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,

Robert Burrough
Acting Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

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