

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

**OVERNIGHT EXPRESS DELIVERY**

January 18, 2018

Mr. Ryan Coffey  
EVP of Operations  
Sunoco Pipeline L.P.  
800 East Sonterra Boulevard  
San Antonio, TX 78258

**CPF 1-2018-5010**

Dear Mr. Coffey:

From May 22-26, 2017, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), pursuant to Chapter 601 of 49 United States Code (U.S.C.) inspected Sunoco Pipeline L.P.'s (Sunoco) Logan System in Boston, Massachusetts.

As a result of the inspection, it is alleged that you have committed probable violations of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The items inspected and the probable violation(s) are:

**1. § 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 failed to inspect and test each item of pressure control equipment at intervals not exceeding 15 months, but at least once each calendar year, 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. Specifically, Sunoco failed to inspect the pump station discharge, line pressure and suction pressure control devices (transmitters) for the pump units at the East Boston Terminal at an interval not exceeding 15 months. These devices are used to control and regulate pipeline pressures.

During the inspection, the PHMSA inspectors reviewed records of inspections of pressure transmitters. These records indicated that Sunoco inspected the pump station discharge, line pressure and suction pressure transmitters on 1/14/2014 and 1/15/2014. The next inspections were performed on 7/16/2015 and 7/17/2015. The intervals between these inspections exceed 15 months as summarized in the table below:

Description	2014 Inspection	2015 Inspection	Days exceeding 15-month interval
EBOS Pump Discharge PSI	1/15/2014	7/17/2015	92
EBOS Line Pressure	1/14/2014	7/16/2015	92
EBOS Pump Suction	1/15/2014	7/17/2015	92

**2. § 195.583 What must I do to monitor atmospheric corrosion control?**

**(a) You must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:**

If the pipeline is located:	Then the frequency of inspection is:
Onshore	At least once every 3 calendar years, but with intervals not exceeding 39 months.

Sunoco failed to inspect portions of pipelines at the Boston Logan Airport system that are exposed to the atmosphere at least once every 3 calendar years, but with intervals not exceeding 39 months.

During the inspection, the PHMSA inspectors reviewed atmospheric corrosion inspection records for the Boston Logan Airport pipeline system. The records indicated that atmospheric corrosion inspections were conducted on 5/2/2012 and 9/9/2013. Records provided by Sunoco indicated that the next inspections were conducted between 2/8/2017 and 5/20/2017. The specific locations and inspection dates are summarized in the following table:

Description	Station / Lat-Long	Prior inspection	Latest inspection	Remarks
At Airport Riser	Station 41+23; Lat. 42.37640, Long - 71.023546	5/2/2012	2/8/2017	Inspection interval exceeds 39 months by approximately 18 months
At Tank 104 dike	Station 5+80	9/9/2013	2/8/2017	Inspection interval exceeds 39 months by approximately 2 months
Jet Fuel System (104 yard)		5/2/2012	5/20/2017	Inspection interval exceeds 39 months by approximately 21 months

Therefore, Sunoco failed to inspect each pipeline or portion of pipeline exposed to the atmosphere for evidence of atmospheric corrosion at least once every 39 months.

Proposed Civil Penalty

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$209,002 per violation per day the violation persists, up to a maximum of \$2,090,022 for a related series of violations. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed \$200,000 per violation per day, with a maximum penalty not to exceed \$2,000,000 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 \$127,000 as follows:

<u>Item number</u>	<u>PENALTY</u>
1	\$ 75,600
2	\$ 51,400

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 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).

Following the receipt of this Notice, you have 30 days to submit written comments, or request a hearing under 49 CFR § 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 a Final Order. If you are responding to this Notice, we propose that you

submit your correspondence to my office within 30 days from the receipt of this Notice. This period may be extended by written request for good cause.

Please submit all correspondence in this matter to Robert Burrough, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, New Jersey 08628. Please refer to **CPF 1-2018-5010** 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](mailto: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  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration

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