



**SUNOCO PIPELINE**  
An ENERGY TRANSFER Partnership

February 28, 2018

VIA: Electronic Mail & FedEx

Mr. Robert Burrough  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration  
US Department of Transportation  
820 Bear Tavern Road, Suite 103  
Trenton, NJ, 08628

Re: **CPF-1-2018-5010**  
**Notice of Probable Violation and Proposed Civil Penalty**

Mr. Burrough,

The Notice of Proposed Violation (NOPV) and Proposed Civil Penalty (PCP) referenced above and dated January 18, 2018 was received by Sunoco Pipeline L.P. (SPLP) on January 22, 2018 via electronic mail. SPLP is a wholly owned subsidiary of Energy Transfer Partners (ETP).

Subsequent to receipt of the NOPV, SPLP requested a copy of the Pipeline Safety Violation Report and the Proposed Civil Penalty Worksheet for the referenced case. This information was received by SPLP on January 31, 2017 and via accompanying written correspondence SPLP was afforded an additional 30 days from receipt to respond.

SPLP is not contesting either Item identified in the NOPV however is requesting a reduction in the Proposed Civil Penalty for Item 1. Please see attached response for explanation. Payment by wire transfer of the required Civil Penalty payment in the amount of \$51,400 for Item 2 will be made and SPLP will advise the Regional Director of the payment in writing.

Should you have any questions or concerns please contact Todd Nardozi, Sr. Manager – DOT Compliance at (281) 637-6576 or via email at [todd.nardozi@energytransfer.com](mailto:todd.nardozi@energytransfer.com).

Sincerely,

Ryan Coffey  
Executive VP of Operations  
Energy Transfer Partners

cc: T. Stamm, J. Perez, D. Nichols, T. Nardozi

PHMSA NOPV Probable Violation 1

**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 7 ½ 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	7/7/2015	92
EBOS Line Pressure	1/14/2014	7/16/2015	92
EBOS Pump Suction	1/15/2014	7/17/2015	92

SPLP Response

SPLP does not contest this alleged Probable Violation of §195.428, however SPLP is requesting a reduction in the Proposed Civil Penalty for Item 1 of the NOPV. PHMSA has calculated the Proposed Civil Penalty amount by including three (3) instances of this Probable Violation as noted on the Proposed Civil Penalty worksheet under the “Gravity” section. However, the number of instances should be corrected to two (2) instances for the reasons below, and the Proposed Civil Penalty recalculated and reduced.

The “EBOS Pump Discharge PSI” and the “EBOS Line Pressure” transmitters are utilized in the overpressure protection system design to regulate pipeline pressure and thereby provide overpressure protection as required by §195.428. The required inspection frequencies were exceeded as described in the NOPV and constitute two (2) instances of Probable Violation.

However, the “EBOS Pump Suction” transmitter does not operate in a manner that provides any input or control to the overpressure protection system design of the pipeline from the discharge of the pump to the delivery point of product at the airport. This transmitter is located on excepted from regulation, non-jurisdictional piping coming from storage tankage to the suction side of the pump(s). This transmitter is in place to detect low pressure on this upstream piping and protect the pump(s) from damage in the case of a low suction pressure scenario.

Additionally, and as mentioned above the piping, equipment and associated tankage upstream of the pump(s) are excepted from regulation by §195.1(b)(9)(ii) which states;

*§195.1 Which pipelines are covered by this part?*

*...(b)(9) Transportation of hazardous liquid or carbon dioxide:*

*(ii) Through facilities located on the grounds of a materials transportation terminal if the facilities are used exclusively to transfer hazardous liquid or carbon dioxide between non-pipeline modes of transportation or between a non-pipeline mode and a pipeline. These facilities do not include any device and associated piping that are necessary to control pressure in the pipeline under § 195.406(b); or*

The jet fuel shipped on the SPLP Logan System is delivered to the terminal exclusively via a non-pipeline mode of transportation (vessel) and stored in non-breakout tankage on terminal grounds. The product is moved from the non-breakout tankage via a terminal piping system which is connected to the suction side of the pump(s).

The suction side of the pump(s) is the line of demarcation between excepted from regulation, non-jurisdictional piping and equipment and the PHMSA regulated piping and equipment that is necessary to control pressure in the pipeline which includes the pump(s), the “EBOS Pump Discharge PSI” and the “EBOS Line Pressure” transmitters.

The “EBOS Pump Suction” transmitter is upstream of the suction side of the pump(s) and is located on the piping that is excepted from regulation. Therefore, as the applicable regulations do not apply to this device, the instance of Probable Violation of 195.428 related to this device should not apply and it should not be factored into the number of instances of Probable Violation on the Proposed Civil Penalty worksheet. SPLP is requesting the instances of Probable Violation be reduced to two (2) and the associated Proposed Civil Penalty be recalculated.

PHMSA NOPV Probable Violation 2

**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:**

<b>If the pipeline is located;</b>	<b>Then the frequency of inspection is:</b>
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 the 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:

<b>Description</b>	<b>Station / Lat-Long</b>	<b>Prior Inspection</b>	<b>Latest Inspection</b>	<b>Remarks</b>
At Airport Riser	Station 41+23; Lat. 42.37640, Long -71.023546	5/12/2012	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.

SPLP Response

SPLP does not contest this alleged Probable Violation of \$195,583 and will pay the full Proposed Civil Penalty in the amount of \$51,400.