

NOTICE OF AMENDMENT

VIA ELECTRONIC MAIL TO: Gregory.McIlwain@energytransfer.com

May 27, 2021

Mr. Greg McIlwain
Sr. Vice President, Operations
Sunoco Pipeline L.P.
1300 Main Street
Houston, TX 77002

CPF 1-2021-035-NOA

Dear Mr. McIlwain:

From March 11, 2020 to March 12, 2020, a representative 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 in Spring Township, Pennsylvania.

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

1. § 195.202 Compliance with specifications or standards.

Each pipeline system must be constructed in accordance with comprehensive written specifications or standards that are consistent with the requirements of this part.

Sunoco's written construction standards were inadequate. Specifically, Appendix B: Corrosion Control Requirements (Revision No.: 0 and Revision Date: 11/30/12) of Sunoco's *Inspector Manual* (Appendix B) failed to provide adequate thickness requirements for the application of Powercrete R95 coating in non-bore locations in accordance with §§ 195.557(a) and 195.559(d).

Section 195.557(a) states:

Except bottoms of aboveground breakout tanks, each buried or submerged pipeline must have an external coating for external corrosion control if the pipeline is--

- (a) Constructed, relocated, replaced, or otherwise changed after the applicable date in § 195.401(c), not including the movement of pipe covered by § 195.424;

Section 195.559(d) states:

Coating material for external corrosion control under § 195.557 must—

- (d) Have enough strength to resist damage due to handling and soil stress;

During the inspection, a PHMSA inspector reviewed Sunoco's Appendix B. The requirements for Powercrete R95 stated in part: "[a]ppplied final thickness: 52 mil for HDD installation, may be less for non bore installations." Sunoco's requirement for non-bore HDD installation did not specify a final minimum thickness.

Hence, by not specifying a final minimum thickness for Powercrete R95 coating on pipe in non-bore locations, Sunoco failed to prepare an adequate construction standard as required by § 195.202 pertaining to §§ 195.557(a) and 195.559(d). Sunoco must revise its written construction standard to address this inadequacy.

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 Enforcement 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 L.P. 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, Director, Eastern Region, Pipeline and

Hazardous Materials Safety Administration, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2021-035-NOA** and, for each document you submit, please provide a copy in electronic format whenever possible. Smaller files may be emailed to robert.burrough@dot.gov. Larger files should be sent on USB flash drive accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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

Enclosure: Response Options for Pipeline Operators in Enforcement Proceedings