Before the
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety
Washington, D.C.

In the Matter of Sunoco Pipeline, LP, a subsidiary of Energy Transfer, LP, Respondent.	))))))))	CPF No. 4-2024-027-NOPV

PETITION FOR RECONSIDERATION

The Pipeline and Hazardous Materials Safety Administration ("PHMSA" or the "Agency") issued a Final Order to Sunoco Pipeline, LP ("SPLP" or the "Company"), a subsidiary of Energy Transfer, LP ("Energy Transfer"), on September 17, 2025, in connection with a Notice of Probable Violation ("NOPV") issued to the Company on May 31, 2024.[1] The Final Order finds that SPLP violated three provisions of 49 C.F.R. Part 195 and imposes a Compliance Order that requires corrective action related to two of those alleged violations within sixty (60) days.

SPLP respectfully seeks reconsideration of the Agency's Final Order.[2] Specifically, the Company requests that PHMSA reconsider its findings that the Company violated § 195.452(i)(1) and § 195.402(c)(13). The findings rely on mistaken assumptions about the conditions of SPLP's facilities, and they fail to adequately consider the information SPLP provided to PHMSA in this matter, including information that revises those mistaken assumptions. For these reasons, and as explained further below, the Final Order (including the Compliance Order) should be withdrawn in its entirety as to Items 1 and 3.[3] This Petition is not meant to be exhaustive, and SPLP incorporates by reference its prior filings in this matter in support of its challenges to PHMSA's determinations.

Given the time and resources necessary to prepare this Petition and to implement the Compliance Order, SPLP respectfully requests that PHMSA stay the Compliance Order pursuant to 49 C.F.R. § 190.243(c) while the Agency considers this Petition.

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[1] *Sunoco Pipeline, LP*, CPF No. 4-2024-027, Final Order (Sept. 17, 2025) ("Final Order").

[2] 49 C.F.R. § 190.243(a).

[3] SPLP does not address Item 2 in this Petition because PHMSA has withdrawn the Compliance Order associated with that Item.

I. Procedural Background

The NOPV and Compliance Order arise out of an on-site inspection of SPLP's hazardous liquid pipeline located in Houston, Delmont, and Montello, Pennsylvania from March 13 to July 14, 2023.[4] The NOPV alleged that SPLP failed to (1) take preventive and mitigative measures to address the consequences of a pipeline failure that could affect a high consequence area ("HCA")[5]; (2) maintain documents to support the decisions and analyses to implement and evaluate its integrity management program ("IMP")[6]; and (3) periodically review the work done by operator personnel to determine the effectiveness of the procedures used in normal operation and maintenance and take corrective actions to remedy procedural deficiencies.[7] The accompanying Proposed Compliance Order ("PCO") listed compliance actions for Items 1, 2, and 3 that compelled SPLP to implement these actions and notify PHMSA within 60 days of the Final Order.[8] SPLP filed its response on July 31, 2024 ("Response").[9] The Response requested that PHMSA (1) withdraw the probable violation in the NOPV and accompanying compliance requirements in the PCO for Items 1 and 3, and (2) reflect that the Company satisfied the PCO's requirements for Item 2 in its Final Order. According to the Final Order, the Director of the Southwest Region submitted a Region Recommendation to the Associate Administrator recommending that the allegations be sustained. The Company did not receive a copy of the Region Recommendation, which was required to be produced under the PIPES Act of 2020[10] and 49 C.F.R. § 190.209(b).[11]

On September 17, 2025, PHMSA issued its Final Order, which found that SPLP violated Items 1, 2, and 3 of the NOPV. In the accompanying Compliance Order, PHMSA declined to withdraw the PCO's compliance requirements for Items 1 and 3, but determined that the Company had satisfied the PCO's requirements for Item 2.[12] SPLP thus requests reconsideration for Items 1 and 3 only in this Petition.

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[4] *Sunoco Pipeline, LP*, CPF No. 4-2024-027, Notice of Probable Violation and Proposed Compliance Order (May 31, 2024) ("NOPV").

[5] This Item alleged a probable violation of 49 C.F.R. § 195.452(i)(1) ("Item 1").

[6] This Item alleged a probable violation of 49 C.F.R. § 195.452(l)(1)(ii) ("Item 2").

[7] This Item alleged a probable violation of 49 C.F.R. § 195.402(c)(13) ("Item 3").

[8] *See* NOPV at 7.

[9] *Sunoco Pipeline, LP*, CPF No. 4-2024-027, Operator Response to Notice of Probable Violation and Proposed Compliance Order (July 31, 2024) ("Response").

[10] 49 U.S.C. § 60117(b)(1)(C) (requiring that a case file contain "*all* agency records pertinent to the matters of fact and law asserted") (emphasis added).

[11] The Office of Chief Counsel at PHMSA recently issued a memorandum to the Office of Pipeline Safety ("OPS") making clear that OPS is to provide "all of the agency records required under the Pipeline Safety Act" and under Department of Transportation policy to assure due process in all agency enforcement proceedings. Memorandum from Keith J. Coyle, Chief Counsel, PHMSA to Linda Daugherty, Acting Assoc. Adm'r for Pipeline Safety, PHMSA, at 2 (May 29, 2025). This directive was to apply "in all cases that are currently pending before PHMSA and in all future pipeline safety enforcement proceedings." *Id.*; *see also* PHMSA Pipeline Safety Enforcement Procedures § 4.1.6.5 (Sept. 17, 2025) ("In all cases where prepared, the Region Recommendation is sent to the Operator.").

[12] *See* Final Order at 10–12.

PHMSA's regulations require that a petition for reconsideration of a final order must be "received no later than 20 days after receipt of the order by the respondent."[13] SPLP received the Final Order on September 17, 2025, by e-mail. This Petition is therefore timely.

II. PHMSA Should Reconsider and Withdraw the Findings of Violation and Compliance Order for Item 1

PHMSA should reconsider the violations found for Item 1 because the Company provided PHMSA with ample information to conclude that the Company had in fact taken measures to mitigate the risks associated with lightning strikes, and that its IMP broadly covered all assets, including any dead legs. As a preliminary matter, and as the Company's Response suggests, the PHMSA inspector appears to have misinterpreted a form—the 2022 DOT 195 Facility HCA Analysis—that the Company prepared to identify potential risks associated with facilities that affect an HCA. The PHMSA inspector appeared to have understood that this form reflected a determination by the Company that dead legs and associated risks are actually present at the facilities. That is not the case. The Company's internal procedures provided herein and referenced in the Company's Response explain that follow-up inspections identify the actual risks that may be present.

While the information provided in SPLP's Response should have been sufficient for PHMSA to withdraw PHMSA's NOPV as to Item 1, for the sake of completeness, the Company provides the attached materials,[14] which demonstrate that sufficient measures and programs are in place to address the risks of lightning and dead legs throughout the Company's regulated facilities. All such risks are appropriately addressed, and PHMSA should deem these procedures and programs to satisfy the requirements of Item 1 of the Compliance Order and to fulfill the Company's obligations under § 192.452(i)(1), even if PHMSA does not withdraw its finding of violation.

A. The Final Order Upholds Findings of Violations for Failures to Address Lightning Risks That Are In Fact Comprehensively Addressed.

The Company provided PHMSA with ample information to conclude that the Company had in fact taken measures to mitigate the risks associated with lightning strikes. With respect to the risk of lightning strikes, the Company's Response explicitly described mitigation measures for addressing such risks:

> If the systems lose facility transmitters, communication procedures exist for the system to initiate a station shut down or the station is programmed to shut down automatically.

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[13] 49 C.F.R. § 190.243(a).

[14] As explained in greater detail below, the documents SPLP attaches to this Petition were either explicitly or indirectly referenced in SPLP's NOPV Response. As such, SPLP respectfully submits that none of these documents (except for those specifically submitted to satisfy PHMSA's Compliance Order) present "additional facts or arguments" beyond those SPLP already raised in its NOPV response. 49 C.F.R. § 190.243(b).

> There are lightning arrestors across all insulating gaskets and lightning protection at the facilities/tanks to meet NEC code.[15]

The Company's Response thus explained that its lightning procedures meet the NEC Code and described the measures that they require for all facilities, including the three referenced in the NOPV. This additional information follows up on a discussion of the Company's lightning program that occurred during the actual inspection. While the Company did not attach these procedures to its Response, they were available to the inspector during the inspection. The Company now attaches these procedures as Attachment A[16] and notes that these protections encompass both tanks and piping. In addition, the Company provides as Attachment B a schematic showing an example of the arrestors that have been installed on all insulating flanges as part of a Company-wide program to address such risks at its facilities.[17]

Based on these submissions, the Company requests that PHMSA reconsider its findings that the Company violated § 195.452(a)(i)(1) by failing to address the risk of lightning at these facilities. If PHMSA will not agree to withdraw this finding of violation, the Company alternatively requests that PHMSA find the Company in compliance with the requirements of the Compliance Order related to Item 1 based on the lightning mitigation procedures attached hereto.

B. The Final Order Ignores Information the Company Submitted About Addressing Identified Integrity Threats at the Referenced Facilities.

SPLP likewise requests that PHMSA reconsider its finding that the Company failed to adopt mitigation measures for any dead legs that may be present at the referenced facilities, which handle exclusively refined petroleum products and Highly Volatile Liquids ("HVLs"). Setting aside the inspector's confusion about the form discussed above and the mistaken conclusions that these items of equipment are present at the site, the Company's Response explained that "any recommendations for dead legs" are managed as part of the Company's IMP through the Asset Integrity SHIELD program.[18] The SHIELD program is a sophisticated software tool the Company uses to maximize the value and utility to its subject matter experts in the collection of comprehensive information and data generated by its IMP, including records of visual inspection reports, non-destructive examination results, recommendations, dead leg management activities, relief valve data, and associated equipment and piping circuit information.

With its Response, the Company thus put into issue the fact that its IMP already comprehensively addresses all risks associated with dead leg sections of piping as well as any other piping. While not provided with the Response, the attached IMP presents the Company's *Standard Operating Procedures, Internal Corrosion and Monitoring and Mitigation* that first took effect on

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[15] Response at 4.

[16] Attachment A, Sunoco Logistics, *Sunoco Pipeline L.P. (SPLP) & Affiliates Operations Manual*, Section 195.405, Protection Against Ignitions and Safe Access/Egress Involving Floating Roofs of Aboveground Breakout Tanks (Jan. 22, 2018); *id.*, Section 195.575, Electric Isolation of Pipelines.

[17] Attachment B, Sunoco Logistics, Standard Drawing C210012, Standard Surge/Lightning Arrestor (May 24, 2006).

[18] Response at 5.

March 1, 2014, and were most recently updated on August 19, 2025.[19] These procedures review the various measures that are put into place in order to address these risks on all piping, including dead legs.

The Company further provides as Attachment D to this Petition the portions of its integrity management manual that relate to the requirements for selecting "condition monitoring locations" ("CMLs"). Under its IMP, the Company applies its CML procedure to facility piping to identify loss of thickness in all sections of pipe, including dead legs.[20] As that procedure explains, CMLs are assigned to facility areas "for the purpose of establishing an accurate corrosion rate" so that the Company can monitor, measure, and track internal corrosion and promptly address instances where such corrosion threatens the integrity of the facility piping.[21] The data from this CML testing provides the essential data that the Company needs to manage internal corrosion integrity risks associated with all facility piping, including dead legs. The Company also has procedures addressing external corrosion risks under its IMP program.[22] The Company utilized these procedures as a matter of course during PHMSA's inspection period, meaning that any dead legs identified at the Marcus Hook Station were sufficiently monitored and addressed. Importantly, however, considering that the commodities shipped to Marcus Hook are refined products or HVLs (*i.e.*, not crude oil), the Company notes that no additional preventive and mitigative measures are necessary to manage the dead legs given the non-corrosive nature of the commodities at that facility.

For those reasons, SPLP asks that PHMSA reconsider its finding that the Company failed to develop preventive and mitigation measures for any piping that falls into the category of dead legs. The Company further requests that PHMSA deem the integrity management requirements that the Company has established for all piping and all facilities to satisfy the requirements of Item 1 relative to any risks associated with dead legs.

C. The Company Has Revised and Revamped its SOP Regarding Internal Corrosion Monitoring and Mitigation and Now Has a Best Practice Document Specifically Addressing Dead Leg Threat Management.

SPLP recognizes that the record could have benefited from more clarity as to how the Company identified and addressed the integrity threats listed in the 2022 DOT 195 Facility HCA Analysis. While the Company maintains that it complied with the provisions of § 195.452(i)(1) throughout the inspection period, it has a Standard Operating Procedure ("SOP") exclusively directed at the threat of dead legs, including internal corrosion monitoring and mitigation,[23] and

[19] Attachment C, Energy Transfer, *Procedure No. HLD.30, Internal Corrosion Monitoring and Mitigation* (Aug. 19, 2025).

[20] *See* Attachment D, Energy Transfer, *Fixed Equipment Inspection Manual*, Appendix C, Procedure C-16, CML Placement Guide (Oct. 21, 2021).

[21] *Id.* at 1.

[22] *See* Attachment A, Sunoco Logistics, *Sunoco Pipeline L.P. (SPLP) & Affiliates Operations Manual*, Section 195.573, Monitoring External Corrosion Control.

[23] Attachment C, Energy Transfer, *Procedure No. HLD.30, Internal Corrosion Monitoring and Mitigation* (Aug. 19, 2025); *see also* Attachment D, *Fixed Equipment Inspection Manual*, Appendix C, Procedure C-16.

now has a best practice specifically addressing and managing these pipeline segments ("BP HLI.52").[24] These updates essentially consolidate the existing requirements and procedures in the IMP and directly respond to the terms of the Compliance Order associated with Item 1. Despite having completed the referenced studies at the facilities (and should PHMSA agree), the Company represents that it will apply BP HLI.52 and accelerate its scheduled integrity threat reviews at the Elverson, Montello, and Marcus Hook facilities to be completed within one year of the date of the Final Order—*i.e.*, September 17, 2026. SPLP is willing to expedite its scheduled reviews solely in good faith and without any admission of liability, to demonstrate its commitment to address identified integrity threats under its IMP and resolve this Item in the most amicable and expeditious manner. Accordingly, should PHMSA decline to reconsider its violation for Item 1, SPLP respectfully and alternatively requests PHMSA deem the terms of Compliance Order met for Item 1 because the Company has satisfied the integrity management requirements relative to any risks associated with dead legs.

III. PHMSA Should Reconsider the Finding of Violation and Compliance Order for Item 3

PHMSA should reconsider the violation found for Item 3 because the record aptly demonstrates that Energy Transfer's review processes and procedures adequately satisfy the requirements of § 192.402(c)(13) because they enhance the safe operation of pipeline assets, ensure periodic reviews of work, and result in effectiveness determinations "of the procedures used in normal operation and maintenance."[25] Indeed, the Company provided PHMSA with documentation showing more than 75 changes to its SOPs for the period from October 13, 2022 to October 13, 2023, which translates into more than one per week.[26] Energy Transfer separately notes that the Company recently revised its *Guiding Principles for Standard Operating Procedures* to centralize its effectiveness review procedures in one location, as PHMSA appears to request under the Compliance Order associated with Item 3. Accordingly, should PHMSA decline to reconsider the violation for Item 3, the Company respectfully requests that it alternatively find the terms of the Compliance Order satisfied for that Item.

A. The Company's Cumulative and Collective Review Processes Fulfill the Requirements of 49 C.F.R. § 192.402(c)(13).

As the Company explained in its Response, its cumulative and collective review processes more than satisfy its obligations to conduct periodic effectiveness reviews under § 195.402(c)(13). Under that provision, each pipeline operator's operations and maintenance ("O&M") manual "must include procedures . . . to provide safety during maintenance and normal operations."[27] Those procedures, in turn, require "[p]eriodically reviewing the work done by operator personnel

[24] Attachment E, Energy Transfer, *Best Practice No. HLI.52, Dead Leg Management Process* (Aug. 19, 2025).

[25] Final Order at 6–7.

[26] Response Attachment C.

[27] 49 C.F.R. § 195.402(c).

to determine the effectiveness of the procedures used in normal operation and maintenance and taking corrective action where deficiencies are found."[28]

The ways in which operators can implement the periodic review requirements of § 195.402(c)(13) are deliberately flexible. The purpose of these periodic review requirements is first and foremost "to provide safety" during pipeline operations[29] and "have a positive effect on pipeline safety,"[30] because "updating . . . [O&M] procedures on a regular, established basis makes good business sense and enhances the safe operation of the pipeline."[31] Accordingly, these rules are "not written in specification, or how-to-do-it fashion"; rather, they are in "performance language," *i.e.*, they deliberately allow operators flexibility in how they choose to organize and conduct their periodic reviews of O&M procedures.[32] Indeed, when modeling the periodic review regulation for natural gas pipelines on the existing hazardous liquids pipeline provision, PHMSA's predecessor agency explained that, while the rule would provide "a list of required items that must be included [in O&M manuals], . . . operators can determine how best to do so for their particular system, so long as it provides for safe maintenance and operations."[33]

Within the bounds of this regulatory flexibility, SPLP has chosen to adopt a number of review processes which, together, meet the obligations of § 195.402(c)(13) and "provide safety during maintenance and normal operations" of the pipeline. PHMSA should therefore withdraw Item 3. SPLP's Quality Job Reviews, Annual Work History Reviews, Requests for Modifications to Procedures ("MOC"), and SOP Annual Reviews all play key functions in satisfying the effectiveness review objectives of § 195.402(c)(13). Each of these processes possess certain characteristics that PHMSA has looked for in past guidance and administrative proceedings regarding effectiveness review.[34] For example, PHMSA looks for effectiveness review to take the form of a structured process done on a periodic basis.[35] Both the Company's SOP Annual Reviews and Annual Work History Reviews are structured, formal processes that take place annually.

PHMSA has attempted to characterize SPLP's SOP Annual Reviews as satisfying only the annual review requirement in § 195.402(a).[36] PHMSA's assertion that the Annual Reviews cannot satisfy both the annual and periodic effectiveness review requirements is unfounded. First, there is nothing in the text of § 195.402(a) or § 195.402(c)(13) to suggest that the review of an O&M

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[28] *Id.* § 195.402(c)(13). This periodic effectiveness review requirement for hazardous liquid pipelines is twinned with an identical rule for gas pipelines. *Id.* § 192.605(b)(8).

[29] 49 C.F.R. § 195.402(c).

[30] 59 Fed. Reg. 6,579, 6,580 (Feb. 11, 1994).

[31] 60 Fed. Reg. 14,379, 14,379 (Mar. 17, 1995).

[32] 59 Fed. Reg. at 6,580.

[33] *Id.*

[34] *See* Final Order at 7; *Enbridge Energy Partners, LP*, Final Order, CPF No. 3-2008-5011, at 6–7 (Aug. 17, 2010) ("Enbridge Final Order"); *ONEOK NGL Pipeline, LP*, Final Order, CPF No. 3-2012-5012, 2014 WL 3752838, at *2 (June 12, 2014) ("ONEOK Final Order").

[35] 59 Fed. Reg. at 6,582 (instructing that an operator's O&M procedures should "specify the time between reviews or the circumstances that dictate a review").

[36] Final Order at 9.

manual "at intervals not exceeding 15 months, but at least once each calendar year,"[37] cannot also involve "periodically reviewing the work done by operator personnel to determine the effectiveness of [O&M] procedures."[38] To be sure, the anticipated *scope* of the annual review and periodic effectiveness review processes is different.[39] But so long as a review process fulfills both levels of review (*i.e.*, involves both a searching, comprehensive review of work to evaluate procedure effectiveness *and* a general, high-level review of an O&M manual with an opportunity for implementing procedural improvements), the regulations provide no reason or suggestion that the process cannot substantively satisfy both regulatory requirements. And, surely, the Annual SOP Reviews cannot be ruled out as effectiveness review processes based on their annual nature alone. After all, operators are allowed the flexibility to set their own timelines for periodic review based on their "circumstances and job functions."[40] SPLP prudently schedules its comprehensive effectiveness review to coincide with its annual review to ensure that its subject matter expert staff—those who are best positioned to review O&M procedures—can partake in both processes. For SPLP, this structure is "best" for its "particular system" and achieves the "safe maintenance and operations" the regulation calls for.[41]

The Company also understands that PHMSA looks for documentary evidence of processes that review the effectiveness of O&M procedures. The OQ Tasks – Work History Review in Attachment C of the Response involves an assessment of whether "SOP's [*sic*] [are] adequate and effective in providing guidance to perform required tasks," a straightforward example of the review of O&M procedures required under § 195.402(c)(13). Likewise, the 2023 Annual SOP Review Form provides direct documentation of over 100 SOP reviews, including the date of review and the identity of the reviewer. Furthermore, PHMSA has identified that "post event reports" and "employee suggestions" are two techniques that operators may use to determine the effectiveness of procedures.[42] SPLP offered several such documents in Attachment C of its Response. For example, the sample Quality Job Review SPLP provided in Attachment C is a post event report for a specific procedure called the "12128-BLNS-TWI7 Smart Tool run." Additionally, the attached MOC record provides an extensive list of 75 employee suggestions for SOP Revision Requests received over 12 months. This process does not "merely encourag[e] personnel to comment on procedures on an ad hoc basis."[43] Rather, the MOC process provides personnel with an opportunity to directly identify inadequacies and suggest improvements to SOPs, which may then be implemented during one of the annual review processes as envisioned

[37] 49 C.F.R. § 195.402(a).

[38] *Id.* § 195.402(c)(13).

[39] 60 Fed. Reg. at 14,379 (explaining that annual review does not require "line-by-line review of every procedure" nor a "comprehensive review of an operator's activities," but provides an opportunity to address "deficiencies identified during the periodic review").

[40] 59 Fed. Reg. at 6,582.

[41] *Id.* at 6,580.

[42] PHMSA Operations and Maintenance Enforcement Guidance, Part 195 (2017), at 22. We understand that this guidance document lists these activities for assessment of abnormal procedures pursuant to 49 C.F.R. § 195.402(d)(5); however, we do not see cause to suggest that activities which can substantiate effectiveness review of procedures in abnormal operations cannot do the same in normal operations.

[43] *Enable Gas Transmission LLC and Mississippi River Transmission*, CPF No. 4-2013-1010, 2014 WL 5431189, at *4 (Sept. 2, 2014).

in the regulatory history.[44] The provided record also indicates whether the revision requests were implemented ("Complete") or "Rejected," providing documentation that the Company has taken "corrective action to address apparent deficiencies in its procedures."[45]

Taken together, SPLP's review processes constitute a "comprehensive or organized review of all company procedures."[46] Annual SOP Reviews involve a structured, comprehensive review of SPLP's O&M procedures. The reviews take place on a periodic basis and survey the Company's operating procedures, as documented in the provided Annual Review Form.[47] Annual Work History Reviews also involve a periodic review process for evaluating procedures, but instead of taking the Annual SOP Reviews' desktop approach, these reviews focus on the effectiveness of procedures as they were implemented in the review period. As noted in the Final Order, the Company's Annual Work History Reviews evaluate "whether the individual has [certain] knowledge and skills," but the process also evaluates whether the SOPs are "adequate and effective."[48] As such, the work reviews fulfill a dual purpose of evaluating an individual employee for "training and qualification purposes" as well as "determining the effectiveness of procedures."[49] Quality Job Reviews likewise evaluate procedural efficacy from an as-implemented perspective, "reviewing the work done by operator personnel to determine the effectiveness of the procedures."[50] And to allow for personnel to weigh in on the assessment of those procedures, the Company collects revision requests in its MOC process and documents the steps taken to address inadequate operations.[51]

SPLP has the authority to organize and implement an effectiveness review process for its O&M procedures in the manner that best suits its "circumstances and job functions."[52] The Company has chosen to do so through the activities noted above which, together, implement the SPLP SOP for "personnel, in the performance of their daily tasks, [to] review their work to determine the effectiveness and adequacy of the procedures and initiate a change if required."[53] And the end result of these processes is improved safety, in line with the regulatory purpose.[54]

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[44] 60 Fed. Reg. at 14,379 (instructing that "deficiencies identified during periodic reviews of activities" may be addressed during annual reviews).

[45] Enbridge Final Order at 6.

[46] ONEOK Final Order at *2.

[47] Response Attachment C.

[48] *Id*.

[49] PHMSA Operations and Maintenance Enforcement Guidance, Part 195, at 19 (2017).

[50] 49 C.F.R. § 195.402(c)(13).

[51] Response Attachment C; *see* Enbridge Final Order at 6.

[52] 59 Fed. Reg. at 6,579.

[53] Attachment F, Energy Transfer, *Guiding Principles for Standard Operating Procedures*, at 2, 5 (Apr. 1, 2025); Response Attachment C; *cf.* 49 C.F.R. § 195.402(c)(13).

[54] 49 C.F.R. § 195.402(c); 59 Fed. Reg. at 6,580; 60 Fed. Reg. at 14,379.

For those reasons, PHMSA should reconsider and withdraw its finding of violation for Item 3 of the Final Order.

B. The Company Has Amended Its SOPs to Further Demonstrate the Effectiveness Review Function of its Existing Review Processes.

Though SPLP is in compliance through its numerous review processes, the Company has further amended its SOPs to memorialize the comprehensive effect of these processes in addressing the objectives of § 195.402(c)(13)'s effectiveness review requirement. In the April 2025 revision of the Company's *Guiding Principles for Standard Operating Procedures,* SPLP updated Section 7.2 to more clearly define the process the Company employs to conduct periodic effectiveness reviews.[55] This update more concretely commits the Company to undertake effectiveness review as a delineated process separate from any other review. Additionally, these effectiveness review efforts are to be led by subject matter experts and similar personnel, who are the most knowledgeable about these processes. SPLP has taken this measure without admission of liability and solely to clarify and centralize its effectiveness review protocols, in line with the measures taken by other regulated entities.[56] As SPLP can demonstrate both functional and formal compliance with the requirements of 49 C.F.R. § 195.402(c)(13), PHMSA should find the terms of the Compliance Order satisfied for Item 3 if it does not withdraw this finding of violation.

IV. Conclusion

Based on the foregoing, SPLP respectfully requests that PHMSA reconsider and grant SPLP's request to withdraw the findings of violation and withdraw the Final Order in its entirety as to Items 1 and 3. However, if PHMSA does not withdraw the finding of violation for Item 3, the Company respectfully requests that the Agency deem the terms of the Compliance Order for that Item satisfied by operation of the Company's updated *Guiding Principles for Standard Operating Procedures*.

Additionally, as the Agency considers this Petition for Reconsideration, SPLP requests that PHMSA stay the Compliance Order pursuant to 49 C.F.R. § 190.243(c).

Respectfully submitted,

/s/ Todd Nardozzi

Todd Nardozzi
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Energy Transfer L.P.

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[55] Attachment F, Energy Transfer, *Guiding Principles for Standard Operating Procedures.*

[56] *See Kinder Morgan Liquid Terminals, LLC*, Response, CPF No. 1-2022-038, at 16 (Sept. 1, 2022).

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