



25 YEARS
1997-2022

December 20, 2022

[Delivered via email]

Dustin Hubbard,
Director, Western Region, Office of Pipeline Safety Pipeline
and Hazardous Materials Safety Administration
12300 W. Dakota Avenue, Suite 110
Lakewood, CO 80228

Subject: PHMSA NOPV and PCP – SFPP Response CPF 5-2022-057-NOPV

Dear Director Hubbard:

This letter is in response to your “Notice of Probable Violation and Proposed Civil Penalty”, dated December 1, 2022, regarding the Safety Related Conditions (SRC) Report that was submitted online to PHMSA by SFPP, L.P.1 on August 24, 2022.

As a result of the inspection, PHMSA alleged that SFPP committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations (CFR). The item inspected and the allegations are:

1. § 195.56 Filing safety-related condition reports.

(a) Each report of a safety-related condition under § 195.55(a) must be filed (received by OPS) within five working days (not including Saturday, Sunday, or Federal Holidays) after the day a representative of the operator first determines that the condition exists, but not later than 10 working days after the day a representative of the operator discovers the condition. Separate conditions may be described in a single report if they are closely related. Reports may be transmitted by electronic mail to InformationResourcesManager@dot.gov, or by facsimile at (202) 366-7128.

SFPP, L.P. failed to submit its SRC Report within five working days after the existence of a condition was determined and no later than 10 working days after the condition was discovered. Specifically, SFPP L.P.’s filed SRC Report indicated that the discovery date was July 27, 2022 and the determination date was August 3, 2022.

Therefore, the SRC Report should have been filed no later than August 10, 2022. However, the SRC Report was not filed by SFPP, L.P. until August 24, 2022.

SFPP Response:

SFPP is electing to not contest this PNOV but is submitting the following in demonstration that a mitigation of the proposed civil penalty is warranted. In response to this incident, SFPP reviewed its internal processes and procedures with the appropriate personnel. The delay in submitting the SRCR report did not delay any inspection of this noted feature. At no time was pipeline safety compromised. Based on the above, SFPP is requesting PHMSA reassess the nature of the proposed penalty and change it from an “Activity” to a “Record Keeping” violation.



25 YEARS
1997-2022

SFPP is committed to operating our pipeline systems safely and in compliance with all applicable regulations. Should you have any questions or concerns regarding this response, please call Jaime Hernandez at 713-369-9443 or me at 713-369-9335.

Sincerely,

A handwritten signature in black ink, appearing to read "Dax Sanders", with a long horizontal flourish extending to the right.

Dax A. Sanders
President - Products Pipeline

Cc: Wayne G. Simmons, Chief Operating Officer, Products Pipeline
Thomas P. Otjen, Vice President, Operations Support Group
Jaime A. Hernandez, Director, Codes and Standards, Operations Support Group