



U.S. Department  
Of Transportation  
**Pipeline and  
Hazardous Materials  
Safety Administration**

820 Bear Tavern Road, Suite 103  
West Trenton, NJ 08628  
**609.989.2171**

## NOTICE OF AMENDMENT

### OVERNIGHT EXPRESS MAIL

October 2, 2014

David Chalson, Vice President of Operations  
Sunoco Pipeline LP  
4041 Market Street  
Aston, PA 19014

**CPF 1-2014-5004M**

Dear: Mr. Chalson:

During the weeks of April 1 and April 8, 2013, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Sunoco Pipeline LP's (Sunoco) procedures for PHMSA's System 2990 under OPID 18718 at Icedale, PA.

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

1. **§195.440 Public awareness**
  - (a) . . .
  - (b) **The operator's program must follow the general program recommendations of API RP 1162 and assess the unique attributes and characteristics of the operator's pipeline and facilities.**

Sunoco's written continuing public education program, Public Awareness and Education Program, was inadequate because it failed to follow the general program recommendations in Section 4 of API RP 1162 and assess the unique attributes and characteristics of the its pipeline and facilities. Specifically, Sunoco did not have a detailed written process for providing programs in both English and in other languages commonly used by a significant concentration of non-English speaking population along the pipeline.

API RP 1162 Section 4 Message Content states, "an operator should select the optimum combination of messages, delivery methods, and frequency that meets the needs of the intended audience . . . communications materials should be provided in the language(s) spoken by a significant portion of the intended audience."

Sunoco's Public Awareness Program did not have a documented process for providing programs in language(s) spoken by a significant portion of the intended audience. Section 6 of Sunoco's procedure

stated: “Communication materials are provided in the language(s) spoken by a significant portion of the intended audience.” There was no information on what data will be evaluated to determine which language the program should be in, the frequency of evaluation, and defining what the operator deems as “significant portion”.

The need for Sunoco to establish a methodology to determine language usage was noted during the PHMSA Public Awareness Program inspection in May 2011.

**2. §195.402 Procedural manual for operations, maintenance, and emergencies.**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Sunoco’s manual of written procedures for conducting normal operations and maintenance activities for each pipeline system was inadequate. Specifically, Sunoco’s manual of written procedures for monitoring external corrosion was inadequate in that it did not provide enough specificity for the terms used in their corrosion control procedures.

Sunoco’s procedure titled “195.573 Monitoring External Corrosion Control” issued: 6-01-02, Annual Review: 7-30-13 and Last Revised: 10-31-10, referenced the following terms:

1. Engineering evaluation
2. Other technology
3. Sound engineering practices
4. Comparable technology

Nowhere in the procedure did it provide details such as:

1. When is an “engineering evaluation” warranted? Who can perform it? How is it documented?
2. What “other technologies” are acceptable? Who determines the need to use these technologies? Who approves the use of “other technologies”?
3. What are sound engineering practices?
4. What is a comparable technology?

According to John Foltz, Sunoco Logistics Operations Supervisor, Sunoco Pipeline Limited Partnership (SPLP) considered these terms to be unambiguous, commonly understood and used throughout the industry. For this reason, SPLP did not have documentation specifically explaining the referenced terms.

**3. §195.402 Procedural manual for operations, maintenance, and emergencies.**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Sunoco’s manual of written procedures for conducting normal operations and maintenance activities for

each pipeline system was inadequate. Specifically, Sunoco's manual of written procedures for monitoring external corrosion was inadequate in that it did not provide enough specificity for the terms used in their corrosion control procedures.

Sunoco's procedure titled "195.571 Determination Of Adequacy Of Cathodic Protection" (Issued: 6-01-02, Annual Review: 7-30-12 and Last Revised: 10-26-10), referenced the following terms:

1. Alternative analysis techniques
2. Alternate analysis techniques
3. Other techniques
4. Sound engineering practice.

Nowhere in the procedure did it provide details such as:

1. For each of the three "techniques" referenced above:
  - a. Who determines the need to use these techniques?
  - b. Who approves the use of these techniques?
  - c. Who can apply the techniques?
  - d. How is the use of these techniques documented?
  - e. What "techniques" are acceptable?
2. What are sound engineering practices?

According to John Foltz, Sunoco Logistics Operations Supervisor, Sunoco Pipeline Limited Partnership (SPLP) considered these terms to be unambiguous, commonly understood and used throughout the industry. For this reason, SPLP did not have documentation specifically explaining the referenced terms.

**4. §195.402 Procedural manual for operations, maintenance, and emergencies.**

**(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.**

Sunoco did not adequately prepare for each pipeline system a manual of written procedures for conducting maintenance activities.

Specifically, Sunoco did not reference the correct edition of API Standard 653. CFR §195.3 Incorporation by reference indicates that the correct reference should be API Standard 653, "Tank Inspection, Repair, Alteration, and Reconstruction" (3rd edition, December 2001, includes addendum 1 (September 2003), addendum 2 (November 2005), addendum 3 (February 2008), and errata (April 2008)).

Sunoco's "Maintenance Manual Subpart F Operation And Maintenance" Section 195.432 Inspection Of In-Service Breakout Tanks (Issued: 12-05-97, Annual Review: 7-30-12 and Last Revised: 10-26-11), Part 3 (iii), referenced API Standard 653, 4<sup>th</sup> Edition, April 2009.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. 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. 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). 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, after opportunity for a hearing, 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. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 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 maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to, as well as any correspondence relating to this Notice to: Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Please refer to **CPF 1 2014-5004M** on each document you submit, and please provide a (signed) copy in electronic format whenever possible. Smaller files may be emailed to [Byron.Coy@dot.gov](mailto:Byron.Coy@dot.gov). Larger files should be sent on a CD accompanied by the original (signed) 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,

Byron Coy, PE  
Director, PHMSA Eastern Region  
Pipeline and Hazardous Materials Safety Administration

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