



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

JAN - 9 2007

Mr. P. Steve Broker  
Vice President, Western Pipeline System  
Sunoco Pipeline, L.P.  
907 South Detroit Ave.  
Tulsa, OK 74120-4205

Re: CPF No. 4-2006-5005

Dear Mr. Broker:

Enclosed is the Final Order issued by the Acting Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and specifies actions to be taken to comply with the pipeline safety regulations. When the terms of the compliance order are completed, as determined by the Director, Southwest Region, this enforcement action will be closed. Your receipt of this Final Order constitutes service under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds  
Pipeline Compliance Registry  
Office of Pipeline Safety

Enclosure

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION  
OFFICE OF PIPELINE SAFETY  
WASHINGTON, D.C. 20590**

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**In the Matter of** )

**Sunoco Pipeline, L.P.,** )

**Respondent** )  
\_\_\_\_\_ )

**CPF No. 4-2006-5005**

**FINAL ORDER**

From September 14 through December 9, 2004, representatives of the Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety, conducted an on-site pipeline safety inspection of Respondent's East Texas 10-inch metering facility and related records and procedures. The inspection was a result of an accident and subsequent fire that occurred on September 13, 2004 at the facility near Nederland, Texas. As a result of the inspection, the Director, Southwest Region, issued to Respondent, by letter dated February 9, 2006, a Notice of Probable Violation and Proposed Compliance Order (Notice). In accordance with 49 C.F.R. § 190.207, the Notice proposed finding that Respondent had violated 49 C.F.R. §§ 195.118(c) and 195.404(a)(3) and proposed ordering Respondent to take certain measures to correct the alleged violations.

Respondent responded to the Notice by letter dated March 27, 2006 (Response). Respondent did not contest the allegations of violation and agreed to the proposed compliance order. Respondent did not request a hearing, and therefore has waived its right to one.

**FINDINGS OF VIOLATION**

In its Response, Respondent did not contest the violations alleged in the Notice. Accordingly, I find that Respondent violated the following sections of 49 C.F.R. Part 195, as more fully described in the Notice:

49 C.F.R. § 195.118(c) – failing to install a fitting that is at least as strong as the pipe and other components in the pipeline system to which it is attached. On September 2, 2004, Respondent attached a quick connection fitting assembly to the 10-inch East Texas metering facility. The fitting had a static design pressure rating of 300 pounds per square inch gauge (psig), which was not as strong as the other components at the facility. Other components at the facility were rated for a maximum operating pressure (MOP) of 1440 psig. The line safety device setting was at 960 psig.

49 C.F.R. § 195.404(a)(3) – failing to maintain current maps and records of its pipeline systems, including the current MOP of each pipeline. Respondent's drawings of the 10-inch East Texas meter facility and pipeline components immediately upstream and downstream of the facility did not have the current MOP for the modified metering station, calculated from the 300 psig static design pressure of the new fittings. In addition, the drawings did not depict the hammer union and quick connection fittings that were added on September 2, 2004. Respondent's maintenance manual also requires as-built drawings to be completed within 60 days of a project's completion, but the drawings were not completed as of December 9, 2004.

These findings of violation will be considered prior offenses in any subsequent enforcement action taken against Respondent.

### **COMPLIANCE ORDER**

The Notice proposed a compliance order for violations of 49 C.F.R. §§ 195.118(c) and 195.404(a)(3). Under 49 U.S.C. § 60118(a), each person who engages in the transportation of hazardous liquid by pipeline or who owns or operates a hazardous liquid pipeline facility is required to comply with the applicable safety standards established under Chapter 601. Pursuant to the authority of 49 U.S.C. § 60118(b) and 49 C.F.R. § 190.217, Respondent is ordered to take the following actions to ensure compliance with the pipeline safety regulations applicable to its operations. Respondent must—

1. Review each meter facility fitting to determine if it is suitable for its intended service and is at least as strong as the pipe and other components of the pipeline facility to which it is attached. Perform corrective action necessary to ensure that each fitting complies with 49 C.F.R. § 195.118(c). Demonstrate compliance by documenting that each fitting is suitable for its intended service and is at least as strong as the pipe and other components of the pipeline facility to which it is attached and that MOP does not exceed the design pressure of each fitting.
2. Review each meter facility system map, drawing, and record to determine if it is current and includes the correct MOP of each pipeline. Perform corrective action necessary to ensure that each meter facility system map, drawing, and record complies with 49 C.F.R. § 195.404(a)(3). Demonstrate compliance by documenting that each meter facility system map, drawing, and record is current and includes the correct MOP of each pipeline.
3. Complete Items 1 and 2 and submit documentation of completion to the Director, Southwest Region, within 30 days of receipt of this Final Order.

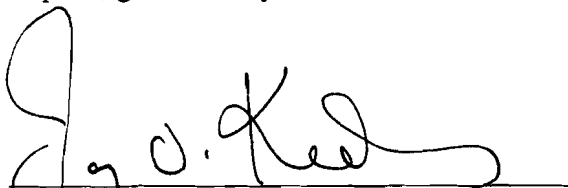
Documentation of compliance shall be submitted to the Director, Southwest Region, Pipeline and Hazardous Materials Safety Administration, 8701 S Gessner Dr, Suite 1110, Houston, TX 77074-2949.

The Director, Southwest Region, may grant an extension of time for compliance with any of the terms of this Order upon a written request timely submitted demonstrating good cause for an extension.

The actions required by this Order are in addition to and do not waive any requirements that apply to Respondent's pipeline system under 49 C.F.R. Part 195, under any other order issued to Respondent under authority of 49 U.S.C. § 60101 *et seq.*, or under any other provision of Federal or state law.

Failure to comply with this Order may result in the assessment of administrative civil penalties of up to \$100,000 per violation per day pursuant to 49 U.S.C. § 60122, and in referral to the Attorney General for imposition of civil judicial penalties or other appropriate relief in United States District Court pursuant to 49 U.S.C. § 60120.

Under 49 C.F.R. § 190.215, Respondent has a right to submit a Petition for Reconsideration of this Final Order. The petition must be received within 20 days of Respondent's receipt of this Final Order and must contain a brief statement of the issue(s). The terms of the order, including any required corrective action, remain in full effect unless the Associate Administrator, upon request, grants a stay. The terms and conditions of this Final Order are effective on receipt.

  
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Theodore L. Willke  
Acting Associate Administrator  
for Pipeline Safety

JAN - 9 2007

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Date Issued

for