



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

Administrator

1200 New Jersey Ave., S.E.
Washington, DC 20590

September 19, 2018

Mr. Mark L. Freed
Curtin and Heefner, LLP
2005 S. Easton Road, Suite 100
Doylestown, PA 18901

Dear Mr. Freed:

Thank you for your letter of August 10, 2018, regarding Uwchlan Township's concerns on the intention of Sunoco Logistics Partners (Sunoco)¹ to repurpose an existing 12-inch pipeline from petroleum products to natural gas liquids (NGLs). The pipeline extends from Wallace Township, Chester County, to Middletown Township, Delaware County, and will supply NGLs to Sunoco customers during construction of the Mariner East 2 and 2X pipelines. I appreciate and share your concern for the well-being of the residents of Uwchlan Township and the protection of the surrounding environment.

The Pipeline and Hazardous Materials Safety Administration's (PHMSA) mission is to protect people and the environment by advancing the safe transportation of energy and other hazardous materials essential to our daily lives. PHMSA does this by administering a national regulatory safety program for our country's 2.8 million miles of interstate and intrastate pipelines, which requires that pipeline operators design, construct, operate, and maintain their pipeline facilities in compliance with the Federal Pipeline Safety Regulations (PSRs; 49 C.F.R. Parts 190-199). To ensure that operators comply with these regulations, PHMSA and its state partners conduct inspections of regulated pipeline facilities. While the PSRs set forth the minimum standards with which operators must comply, our state partners may have additional or more stringent regulations for intrastate pipelines.

In your letter, you outline several concerns about the project. These concerns are outlined in the five questions that you pose in your letter, which I have restated and answered below as follows:

1. Is the Point Breeze-Montello pipeline a 12-inch or 8-inch pipeline?

As noted above, the Point Breeze-Montello pipeline is a 12-inch pipeline.

¹ Sunoco is now a subsidiary of Energy Transfer Partners.

2. *Did Sunoco comply with PHMSA's recommendation to submit a comprehensive plan prior to performing flow reversals, product changes, and conversions to service?*

To clarify and explain PHMSA's role and the applicable PSRs related to pipeline flow reversals, product changes, and conversions to service, PHMSA issued *Advisory Bulletin PHMSA ADB -2014-04* to owners and operators of onshore hazardous liquid and gas transmission pipeline systems in September 2014. The advisory bulletin was issued to help operators making these operational changes better understand how to comply with the regulations. The guidance document describes the specific notification requirements and general operating, maintenance, and integrity management actions pertaining to what are called "flow reversals," product changes, and "conversions to service." As you correctly note, the advisory bulletin also recommends additional actions operators should take when these operational changes are made, including the submission of a comprehensive written plan to the appropriate PHMSA regional office prior to implementation.

In accordance with § 195.64(c), Sunoco submitted notification to PHMSA of its intent to repurpose its line from petroleum products to NGLs. In addition, Sunoco submitted information in response to a document request from our Eastern Region office. The Eastern Region is currently reviewing the information submitted by Sunoco, and I can assure you it is scrutinizing Sunoco's documentation to ensure its adequacy under our regulations.

3. *Has Sunoco confirmed the types of welds and seams on the Point Breeze-Montello line? If so, would you please identify the types of welds and seams on the pipeline?*

The information that Sunoco submitted to the Eastern Region is under review. At this time, your township may wish to contact Sunoco directly for specific weld and seam pipeline information.

4. *Has Sunoco modified its Public Awareness program? If so, would you please provide us with the details of the program?*

Under 49 CFR § 195.440, *Public Awareness*, each pipeline operator must develop and implement a written continuing education program that follows the guidance provided in the American Petroleum Institute's (API) Recommended Practices (RP) 1162, 1st Edition. The regulations state that the operator must specifically include provisions to educate the public, appropriate government organizations, and persons engaged in excavation-related activities on the use of a One-Call notification system, such as 811. In addition, API RP 1162 states that a pipeline operator should tailor its communications coverage area to its particular pipeline, location, and potential impact consequences.

Your township should already have an ongoing relationship with Sunoco to understand the line's unique attributes and how to respond in the event of any leaks or emergencies. PHMSA understands that Sunoco is currently revising its public awareness brochures to include specific safety information regarding the transportation of NGLs. The information we were provided indicates that they plan on mailing public awareness material to all neighbors,

businesses, and places of congregation within 1000 feet of either side of the pipeline's centerline in the Fall of 2018. Emergency response organizations located within 10 miles of either side of the pipeline should also be receiving public awareness material. For more detailed information in advance of Sunoco's planned release date of their mailing, please contact Sunoco directly.

5. Has Sunoco updated their risk analysis and identified the need for additional or modified preventative and mitigation measures (P&M) per §§195.452(i) and (iii)?

The transmission pipeline integrity management regulations, located in § 195.452 for hazardous liquid pipelines, require operators to develop and implement a comprehensive integrity management program for their pipeline facilities. An integrity management program is a set of safety management, operations, maintenance, evaluation, and assessment processes that are implemented in an integrated and rigorous manner to ensure operators provide enhanced protection for high consequence areas (HCA)². These measures include conducting a risk analysis of the pipeline segment to identify additional actions to enhance public safety or environmental protection and to prevent and mitigate the consequences of a potential pipeline failure that could affect an HCA.

The Point Breeze-Montello pipeline underwent a \$30 million upgrade in 2016 as part of Sunoco's ongoing integrity management plan. This upgrade included hydrostatic testing, inline inspections, and projects to repair, replace, and rehabilitate the existing pipeline facilities. As noted above, PHMSA is currently conducting a thorough review of Sunoco's plan to repurpose the Point Breeze-Montello pipeline, which includes review of Sunoco's pipeline integrity program.

In addition to the five questions addressed above, your letter also requested a copy of PHMSA's response to the questions posed by the West Whiteland Township in its July 20, 2018, letter to PHMSA. We suggest that you obtain that letter directly from the West Whiteland Township.

Public safety and the protection of the environment are PHMSA's top priorities. PHMSA maintains a robust and dynamic Community Liaison Services program that serves to facilitate communication among all pipeline safety stakeholders. PHMSA's Community Liaisons provide technical assistance and educate stakeholders that have pipeline safety questions and concerns. If you require additional information or assistance, please contact the lead Community Liaison for the Commonwealth of Pennsylvania, Mr. Ian Woods. Mr. Woods can be reached by phone at (609) 468-9478 or by e-mail at Ian.Woods@dot.gov.

² High consequence area means: (1) A commercially navigable waterway, which means a waterway where a substantial likelihood of commercial navigation exists; (2) A high population area, which means an urbanized area, as defined and delineated by the Census Bureau, that contains 50,000 or more people and has a population density of at least 1,000 people per square mile; (3) An other populated area, which means a place, as defined and delineated by the Census Bureau, that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area; (4) An unusually sensitive area, as defined in §195.6.

I hope this information is helpful.

Sincerely,

A handwritten signature in blue ink that reads "Howard R. Elliott". The signature is written in a cursive style with a large initial "H" and a long horizontal line extending from the "o" in "Howard".

Howard R. Elliott