



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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*Sent via email*

September 3, 2024

Joe Applewhite  
District Manager  
Sunshine Propane  
10853 Rhody Dr  
Port Hadlock, WA 98339

**RE: 2024 Liquefied Petroleum Gas (LPG) Standard Inspection – Sunshine Propane –  
Tyler Street Complex (Pane d’Amore) – (Insp. No. 8820)**

Dear Mr. Applewhite:

Staff from the Washington Utilities and Transportation Commission (staff) conducted a Standard Inspection of Sunshine Propane, Tyler Street Complex (Pane d’Amore) on July 1, 2024. This inspection included a records review and inspection of the pipeline facilities. Our inspection indicates six probable violations as noted in the enclosed report.

**Your response needed**

Please review the attached report and respond in writing by October 7, 2024. The response should include how and when you plan to bring the probable violations into full compliance.

**What happens after you respond to this letter?**

The attached report presents staff’s decision on probable violations and does not constitute a finding of violation by the commission at this time.

After you respond in writing to this letter, there are several possible actions the commission, in its discretion, may take with respect to this matter. For example, the commission may:

- Issue an administrative penalty under [RCW 81.04.405](#); or
- Issue a complaint under [RCW 81.88.040](#), seeking monetary penalties, changes in the company’s practices, or other relief authorized by law, and justified by the circumstances. Any pipeline company that violates any pipeline safety provision of any commission order, or any rule in this chapter including those rules adopted by reference, or chapter [81.88](#) RCW is subject to a civil penalty not to exceed \$266,015 for each violation for each day that the violation persists. The maximum civil penalty for a related series of violations is \$2,660,135; or

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- Consider the matter resolved without further commission action.

We have not yet decided whether to pursue a penalty or complaint in this matter. Should the commission decide to assess a penalty or initiate a complaint, your company will have an opportunity to respond and formally present its position.

If you have any questions or if we may be of any assistance, please contact Derek Norwood at (360) 259-2525. Please refer to the subject matter described above in any future correspondence pertaining to this inspection.

Sincerely,

*for* Scott Rukke  
Pipeline Safety Director

cc: Dave Monroe, Service Manager, Sunshine Propane  
Mike Sims, Principle Consultant, M. Sims LP Gas Safety Consulting, LLC

**UTILITIES AND TRANSPORTATION COMMISSION**  
**2024 Liquefied Petroleum Gas Pipeline Safety Inspection**  
**Sunshine Propane – Tyler Street Complex (Pane d’Amore)**

The following probable violations of Title 49 CFR Part 192 and WAC 480-93 were noted as a result of the 2024 inspection of the Sunshine Propane – Tyler Street Complex (Pane d’Amore). The inspection included a random selection of records, operation and maintenance (O&M), emergency response, inventory, and field inspection of the pipeline facilities.

**PROBABLE VIOLATIONS**

1. **49 CFR §192.605(b)(4) Procedural manual for operations, maintenance, and emergencies**

(b) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.*

(4) *Gathering of data needed for reporting incidents under [Part 191](#) of this chapter in a timely and effective manner.*

**Finding(s):**

Sunshine Propane did not have procedures specific to data gathering and incident reporting requirements set forth in 49 CFR 191.5.

2. **WAC 480-93-180(1) Plans and procedures.**

(1) *Each gas pipeline company must have and follow a gas pipeline plan and procedure manual (manual) for operation, maintenance, inspection, and emergency response activities that is specific to the gas pipeline company's system. The manual must include plans and procedures for meeting all applicable requirements of 49 C.F.R. §§ 191, 192 and chapter [480-93](#) WAC, and any plans or procedures used by a gas pipeline company's associated contractors.*

**Finding(s):**

Sunshine Propane did not have procedures specific to Safety-Related Condition Reporting requirements set forth in 49 CFR 191.23.

3. **49 CFR §192.605(b)(1) Procedural manual for operations, maintenance, and emergencies**

(b) *Maintenance and normal operations. The manual required by paragraph (a) of this section must include procedures for the following, if applicable, to provide safety during maintenance and operations.*

(1) *Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of this subpart and Subpart M of this part.*

**Finding(s):**

Sunshine Propane did not have procedures specific the requirements set forth in 49 CFR 192.703(b). Pipeline operators must have procedures outlining that pipelines that become

unsafe must be replaced, repaired, or removed from service. Procedures should be specific and describe instances when pipelines need to be replaced or repaired, including prompt repair of hazardous leaks.

4. **49 CFR §192.615(a)(8) Emergency plans**

(a) *Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must provide for the following:*

(8) *Notifying the appropriate public safety answering point (i.e., 9-1-1 emergency call center) where direct access to a 9-1-1 emergency call center is available from the location of the pipeline, and fire, police, and other public officials, of gas pipeline emergencies to coordinate and share information to determine the location of the emergency, including both planned responses and actual responses during an emergency.*

**Finding(s):**

Sunshine Propane did not have procedures for notifying the appropriate public safety answering point required at an emergency scene and coordinating actual response with these officials.

5. **49 CFR §192.723(b)(1) Distribution systems: Leakage surveys.**

(a) *Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.*

(b) *The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:*

(1) *A leakage survey with leak detector equipment must be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding 15 months, but at least once each calendar year.*

**Finding(s):**

Sunshine Propane did not have records to prove that leakage surveys were conducted on the Tyler Street system at intervals not exceeding 15 months, but at least once each calendar year. Sunshine Propane did not have leak survey records for 2021, 2022 and 2023.

6. **49 CFR §192.739(a) Pressure limiting and regulating stations: Inspection and testing.**

(a) *Each pressure limiting station, relief device (except rupture discs), and Pressure regulating station and its equipment must be subjected at intervals not exceeding 15 months, but at least once each calendar year, to inspections and tests to determine that it is-*

(1) *In good mechanical condition;*

- (2) *Adequate from the standpoint of capacity and reliability of operation for the service in which it is employed;*
- (3) *Except as provided in paragraph (b) of this section, set to control or relieve at the correct pressure consistent with the pressure limits of §192.201(a); and*
- (4) *Properly installed and protected from dirt, liquids, or other conditions that might prevent proper operation.*

**Finding(s):**

Sunshine Propane did not have records to prove that pressure regulators from the Tyler Street tank were inspected at the required interval. There were no records available for 2021 through 2023.