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March 11, 2025

Acting Administrator Ben Kochman
Pipeline and Hazardous Materials Safety Administration
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

Dear Acting Administrator Kochman,

I am writing to continue our ongoing dialogue concerning the Sunoco Pipeline that runs through Upper Makefield Township, which is operated by Energy Transfer. With each passing day, new evidence continues to surface, yet the questions raised months ago remain unanswered. Last week, I had the opportunity to meet in person with the resident Task Force that has been leading the advocacy efforts in the wake of the pipeline leak. As reflected in these persistent letters, the direct comments from constituents to your staff, and the shared anecdotes, it is clear that the community needs answers. Our community seeks assurances that the pipeline beneath their homes poses no threat to their safety or the environment. During our meeting, the Task Force presented several questions directed at both Energy Transfer and PHMSA, which I am passing along and hope you will consider addressing with urgency and providing all documentation requested in the below questions. I believe these questions are crucial for the continued protection of our residents and the environment.

Questions for PHMSA regarding Energy Transfer:

1. What event or series of events triggered Sunoco to install Type A sleeves in the 1990s on the Twin Oaks pipeline?
2. What loss tolerance thresholds were established for the Twin Oaks pipeline before January 2025? Specifically, at what volumetric discrepancy levels does your agency's protocol mandate investigation until the cause is identified and remediated? What is the documented discrepancy between shipped and received petroleum volumes on the Twin Oaks pipeline since 2015, especially concerning volumetric losses not officially reported as releases to PHMSA?
3. Can PHMSA provide evidence that Sunoco has comprehensive and effective emergency response plans to adequately protect densely populated residential areas and critical natural resources in the event of a major pipeline failure? What enhanced preventative measures have been specifically implemented in the Mt. Eyre Manor neighborhood compared to lower-risk sections of the Twin Oaks pipeline? Please provide details on community engagement, inspection methodologies (internal and external), and specialized training for personnel responsible for this segment.
4. According to capital investment plans made before January 2025, what is the projected timeline for the complete replacement or major rehabilitation of the Twin Oaks pipeline infrastructure?
5. Can PHMSA provide the size, geographic location, and specific location on the pipe of any known dents on the Twin Oaks to Newark pipeline? Does the most recent inspection data indicate any metal loss, cracking, or stress risers at these dent locations, including the bottom dent associated with the leak in Upper Makefield?
6. Has Sunoco determined the age of the petroleum products recovered thus far? Please provide a chronological list of all hazardous liquids transported through the Twin Oaks to Newark pipeline from 2017 (the last known crack tool date) to present, including material safety data sheets and any additives such as corrosion inhibitors.

7. Can PHMSA provide the maintenance records and inspection data for inspections conducted after the earthquake on April 5th, 2024, and flooding on July 15th, 2023? How many near-miss incidents have been documented on the Twin Oaks pipeline system since 1980, according to your internal records maintained under API 1173 standards?
8. Many pipeline markers have been found missing, damaged, or decayed. What is Sunoco's plan for maintaining proper safety markers to ensure that residents and emergency response personnel have the necessary information? It has been years since emergency services in Upper Makefield have received pertinent pipeline information from Sunoco.

General Questions for PHMSA:

1. What threshold of evidence or severity of incidents must be met for PHMSA to recommend or mandate the immediate shutdown of a hazardous liquids pipeline, and how close is Sunoco's pipeline to reaching that threshold?
2. PHMSA has previously mandated pipeline shutdowns due to Type A sleeve failures and related integrity concerns. Given Sunoco's pipeline has experienced similar or equally serious issues, why has PHMSA not enforced the same action and mandated an immediate shutdown?
3. Has PHMSA independently verified Sunoco's pipeline inspection data and confirmed the absence of similar conditions to those that led to prior shutdowns, or has PHMSA primarily relied on self-reporting by Sunoco?
4. What specific criteria does PHMSA use to determine when a pipeline poses an unacceptable risk and must be immediately shut down, considering Sunoco's documented history of spills, leaks, regulatory violations, and ongoing safety concerns?
5. Can PHMSA provide full transparency regarding how it evaluates and compares pipeline integrity violations, such as Type A sleeve failures, to ensure fair and consistent application of pipeline safety enforcement, including decisions around shutdowns or continued operation?

As of 2023, 40.2% of hazardous liquid pipeline miles and 54.4% of gas transmission miles were installed before 1970. In November 2024, PHMSA issued an Advisory Bulletin identifying 9 pre-1970 pipe manufacturers, including National Tube Supply, whose pipes may have issues with hard spots that lead to cracks. Despite offering 6 safety actions for pipeline operators, Energy Transfer representatives were unaware of National Tube Supply's inclusion on PHMSA's list or any related safety actions. Given the high percentage of older pipelines, the final question to the agency is: Why are PHMSA's actions not mandatory?

Our community deserves to know that safety is a priority, and their concerns are being addressed with the urgency and seriousness they warrant. I respectfully ask that these questions raised by our constituents receive full and fair consideration as I believe this information is necessary information to protect our community.

Thank you for your prompt attention to this matter and I eagerly look forward to your response.

Sincerely,



Brian K. Fitzpatrick (PA-1)
Member of Congress