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## Congress of the United States

House of Representatives

Washington, DC 20515

March 7, 2025

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United States Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
ATTN: Acting Administrator Ben Kochman  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Acting Administrator Kochman,

As you are well aware, our community continues to cope with the aftermath of the devastating Sunoco Pipeline leak in Upper Makefield. While we sincerely appreciate the efforts of Secretary Duffy and yourself, the ongoing situation has left our residents feeling unsafe and uncertain in their own homes. No family should ever have to question their safety or the quality of their water, yet that is the painful reality we face today.

While the February 13, 2025, Notice of Proposed Safety Order is a step toward addressing both immediate and long-term solutions, I remain deeply concerned that the proposed actions may not go far enough to ensure the safety and well-being of our community. Additionally, I must address Energy Transfer's response through outside counsel on February 19, 2025, which contends that PHMSA's Safety Order oversteps its bounds. While this response is not only insensitive to the residents directly affected but also dismissive of the broader public concern, I feel compelled to respond to several key points raised in their letter:

1. **Sunoco's Claims About Leak Duration:** Sunoco asserts that there is insufficient evidence to support the claim that the pipeline was leaking for 16 months. However, as both the preliminary report and Sunoco's own response indicate, the September 2023 odor complaint is a strong indication that the leak began around that time. Furthermore, as confirmed by DEP during the February 27th town hall, if they had known then what they know now, it would have been "insane" to miss such a significant issue. I agree with DEP's assessment and must remind both PHMSA and Sunoco that the leak was only detected due to a private citizen conducting an independent test.
2. **Corrective Actions and Pipeline Integrity:** While Sunoco acknowledges taking some corrective actions, they fail to provide sufficient proof that these actions have been adequate to restore public confidence. Simply put, the community remains unconvinced that the pipeline is safe. If Sunoco genuinely wishes to regain the trust of the community, I believe they must take the responsible step of temporarily shutting down the pipeline until all corrective measures are fully implemented and the safety of the pipeline is unequivocally confirmed.
3. **The August 2020 Leak:** Sunoco clarifies that the August 2020 leak was caused by a third party, not their own operations. While this is technically true, it is crucial to note that, much like the Upper Makefield leak, this incident occurred at a Type A sleeve, further highlighting the inherent risks posed by these sleeves. As such, I believe a thorough reexamination of all Type A sleeves is essential before the pipeline is allowed to operate again.

4. **Leak Detection:** Sunoco's claim that there is no sufficient evidence to determine how long the pipeline had been leaking is not only tone-deaf but also disregards the fact that the leak was detected by a private citizen conducting their own test. If Sunoco had been monitoring the pipeline properly, I believe it would not have taken 10 days to confirm the existence of a leak. The failure to detect this issue internally raises serious concerns about Sunoco's ability to ensure the safety of the pipeline going forward.
5. **Investigations and Transparency:** Sunoco asserts that their investigations are materially misrepresented in the Preliminary Findings. While we eagerly await Sunoco's "true and accurate" description, the fact that these findings have not already been made publicly available speaks to the core issue at hand: a consistent lack of transparency. The public has repeatedly been met with half-answers, or worse, no answers at all. My constituents have asked for full transparency and accountability. I believe the residents of our community deserve nothing less.

The impact of this leak on our community cannot be overstated. Families are now dependent on bottled water as their primary source of drinking water, many have unknowingly consumed contaminated water, and property values have been compromised. Perhaps most profoundly, our residents are living in a constant state of fear and uncertainty, questioning whether they can ever trust their environment again.

The Constitution of our Commonwealth guarantees every citizen the right to clean air, pure water, and the protection of our environment for future generations. Allowing a faulty pipeline—one with a documented history of leaks—to continue operating directly violates these fundamental rights and further jeopardizes the health and safety of our community. We cannot, and must not, stand idly by as these rights are trampled upon.

I trust that these comments will receive full and fair consideration and if applicable, I request that this letter be submitted as part of the record, as well as made available to all interested parties.

Should you require any additional information, please do not hesitate to contact me directly.

Sincerely,



Brian K. Fitzpatrick  
*Member of Congress*