



August 8, 2025

Via Electronic Mail

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**Re: Twin Oaks – Newark 14”-Diameter Pipeline
Upper Makefield Township, Bucks County**

Attorney Oetinger:

Sunoco Pipeline LP (“SPLP”) provides this response to the Township’s August 7, 2023 letter regarding the identification of anomalies from the in-line inspection tool (“ILI”) tool runs on the Twin Oaks-Newark Pipeline (the “Pipeline”), and SPLP’s responsive actions, including potential excavation dig work in Upper Makefield Township, that will occur in accordance with the regulatory requirements and under the oversight of the Pipeline and Hazardous Materials Safety Administration (“PHMSA”).

At the outset, SPLP must correct the misapprehensions and misstatements included in the Township’s letter. To be clear, the terms “anomaly” and “feature” are technical terms of art in the pipeline industry, which are defined by *American Petroleum Institute Standard 1163 In-Line Inspection Systems Qualifications* (“API 1163”), which is a standard adopted by PHMSA. Under API 1163 “anomaly” is defined as a “possible unexplained deviations from the norm in sound pipe material, coatings, or welds,” and a “feature” is defined as “any physical object detected by an ILI system.” Crucially important – the term anomaly ***does not mean that there is a condition that is a critical threat to the safety or integrity of the pipeline or that the pipeline is leaking.***

Indeed, there are millions of anomalies and defects on the pipeline infrastructure network that is currently operating throughout the United States – and the vast majority do not present any critical threats to the safety or integrity of pipelines or to the public. In fact, the entirety of PHMSA’s integrity management regulatory program is built on the foundation that operators must perform tests to identify anomalies and defects, assess those conditions, and respond accordingly. Pipeline operators’ integrity management programs work to identify anomalies and features that could present future potential issues for the pipeline operation, and to then remediate, repair, or otherwise address those issues before they cause a leak or other critical threat to pipeline safety and integrity.

It is also crucial to understand that there are three categories of integrity management work that is currently being planned or that will shortly be underway on the Pipeline: (1) targeted digs

at the location of certain Type A sleeves on the Pipeline, under the terms and conditions of the April 30, 2025 PHMSA Consent Order and Agreement and plans developed thereunder; (2) validation digs based on data generated by ILI tool runs; and, (3) potential repairs, based on data generated by ILI tool runs.

As to the first category of integrity work – targeted digs at locations of Type A sleeves on the Pipeline – this work will occur in two phases. The first phase will occur this month in August 2025, and will involve the excavation of eleven (11) locations of Type A sleeves – ***none of which are in Upper Makefield Township***. Rather, each of these 11 dig locations is located to the west of Bucks Pump Station. A second phase of this work is anticipated to begin in October, for an additional twelve (12) locations, including four (4) locations to the west of Bucks Pump station and eight (8) locations to the east of Bucks Pump Station – ***none of which are in Upper Makefield Township***, but rather are all located in New Jersey. PHMSA provided Upper Makefield Township and other stakeholders with an update that summarized this work by email on Wednesday, August 6, 2025 at 5:25 p.m.

Regarding the second category of integrity work – validation digs based on data generated by ILI tool runs – as I noted in multiple prior public meetings and town halls – the ILI tool run data was generated from multiple independent tool runs along the Pipeline. Under PHMSA’s regulations at 49 C.F.R. §195.452 and *API 1163*, as the pipeline operator, SPLP first receives the ILI data from the ILI vendor, then evaluates the data to determine if there are any errors. Once the data is confirmed to be accurate, SPLP then integrates that data with other existing data regarding the Pipeline, evaluates the overall data, and then makes a determination regarding any next steps that must be taken regarding the Pipeline under PHMSA’s integrity management regulatory requirements. One of the next steps is often what is known as a “validation dig” – which is when the pipeline operator selects certain locations to validate the data provided by the ILI tool run, to confirm the data is accurate, and determine how well the ILI tool run performed. A validation dig is a method used to confirm the accuracy of the tool run data, including to confirm the type and dimension of an identified anomaly or feature. The method for validation digs are within the discretion of the pipeline operator, and can be either through *in situ* visual observation, or by a physical method including cutting out and removing the anomaly or feature and sending it for metallurgical laboratory analysis. There will be one (1) location in Upper Makefield Township where the ILI tool run data will be subject to a validation dig.

When the question was raised by David Fennimore at the Zoom Town Hall meeting on the evening of Thursday, July 31, unfortunately in the moment when I was responding to the question live and in real time, I was confused and believed the question was referring to the first category of work on the Type A sleeves under the PHMSA COA – none of which are in Upper Makefield Township. Furthermore, SPLP was still actively in the process of finalizing its review of the ILI tool run data, and had not yet made a final determination as to the locations of each of the validation digs – a determination that was not finalized and presented to PHMSA until that same day via email at 4:27 p.m. (ET), less than three hours before the Town Hall – so I did not have a chance to review it before the Town Hall began that evening at 7:00 p.m. I can now confirm that there will

be one (1) location of a validation dig in Upper Makefield Township, and that this work is scheduled to occur in October.

The third category of integrity work – potential repairs based on data generated by ILI tool runs, can include excavation digs, repairs, and cut outs. Under the PHMSA regulations and *API 1163*, this work is sequenced depending upon the significance of the feature that was observed in the ILI tool run data. There are “immediate” repair conditions, conditions that must be repaired within 60 days, and conditions that must be repaired in 180 days. At the time of the Zoom Town Hall meeting on the evening of Thursday, July 31, SPLP had not yet accepted the final ILI data report, because the data was still in the process of being analyzed and integrated with other data for the Pipeline. The information in this final ILI data report was only accepted on August 5, 2025, which was when SPLP then made the determination that there would be additional repair-related excavation digs on the Pipeline within Upper Makefield Township. Because SPLP knows the Township has been very interested in this information – I sent an email confirming that there would be additional repair dig sites in Upper Makefield Township within hours of SPLP making this final determination, and in advance of the Tuesday, August 5th Board of Supervisors meeting that evening. Importantly, as stated in my email to the Township sent the evening of Tuesday, August 5, 2025 – ***there were no immediate repair conditions identified in Upper Makefield Township.*** Rather, the repair-related excavation digs on the Pipeline within Upper Makefield Township are anticipated to occur in October.

The Township’s letter improperly suggests that SPLP’s “acknowledgment of an anomaly follows months of in-line-inspections and repeated public statements suggesting there were no anomalies in the Twin Oaks Pipeline in Upper Makefield Township,” and that such “statements were, at best misleading and, at worst, made with reckless disregard for the public safety.” SPLP vehemently disagrees with the Township’s incorrect statement, which SPLP believes to be recklessly false and intended to needlessly provoke unnecessary concern regarding the safety and integrity of the Pipeline. To be clear – SPLP does not have any data or information that the continued operation of the Pipeline presents a critical safety concern or that the Pipeline is leaking. Moreover, SPLP has never said there were no “anomalies” in the Pipeline within Upper Makefield Township or otherwise. As noted above, anomalies exist in every operating pipeline and the mere existence of an anomaly or feature on a pipeline ***does not mean that there is a condition that is a critical threat to the safety or integrity of the pipeline or that the pipeline is leaking*** – as the Township is improperly suggesting in its letter.

Next, the Township has made repeated requests both to SPLP and to PHMSA to provide all ILI data related to the Pipeline, a request that SPLP understands PHMSA had appropriately denied. For the avoidance of all doubt – SPLP will not provide ILI data to the Township, as the data is confidential security information of a pipeline asset that is protected from disclosure under the Public Utility Confidential Security Information Disclosure Protection Act (35 P.S. §§ 2141.1 to 2141.6) and related regulations (52 Pa. Code §§ 102.1-102.4). The disclosure of confidential security information – including the ILI data the Township has repeatedly requested – subjects an individual, including a public official or public employee, who acquires and discloses that information to a misdemeanor of the second degree, which can include fines, imprisonment, and

removal from office or agency employment. 35 P.S. § 2141.6. The ILI data has been provided to PHMSA – the agency that regulates the Pipeline – and is the only entity to which SPLP will provide the ILI data.

The Township also asks that SPLP immediately notify impacted residents. To the extent that any excavation digs will occur on private property, as SPLP always does, it will contact landowners to notify them of upcoming work on their respective properties.

Lastly, the Township concludes its letter by demanding that SPLP “take immediate action to address any anomalies it has identified in Upper Makefield Township and all along the Twin Oaks Pipeline.” That is exactly what SPLP has done – it is addressing each anomaly that was identified from the ILI tool run data in accordance with PHMSA’s regulations at 49 C.F.R. § 1954.452 and *API 1163*.

Thank you,

A handwritten signature in blue ink, appearing to read 'Matthew Gordon', with a horizontal line underneath it.

Matthew Gordon
Vice President of Operations
Energy Transfer

cc: Bryan Letchoe, PHMSA
C. David Brown, PADEP
Alex Langan, Esq.
Diana A. Silva, Esq.