



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

8701 S. Gessner, Suite 630
Houston TX 77074

WARNING LETTER

VIA ELECTRONIC MAIL TO: tom.long@energytransfer.com

September 11, 2025

Thomas Long
Chief Executive Officer
Energy Transfer, LP
8111 Westchester Drive
Dallas, Texas 75225

CPF 4-2025-042-WL

Dear Mr. Long:

From August 20 through 21, 2025, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of Title 49 United States Code (U.S.C.), conducted an inspection of operations and maintenance activities on Sunoco Pipeline, LP's¹ (Sunoco) Twin Oaks pipeline system in Upper Makefield, Pennsylvania.

The operations and maintenance activities were performed pursuant to the Consent Order issued by PHMSA in CPF No. 4-2025-054-NOPSO, which addressed integrity risk on the Twin Oaks pipeline after a failure was discovered on January 31, 2025. Under Paragraph 15 of the Consent Agreement, incorporated in the Consent Order, Sunoco must implement a remedial work plan (RWP) to repair, replace, or take other corrective measures to remediate the conditions associated with the failure, among other required actions. The August 2025 PHMSA inspection was conducted to verify Sunoco compliance with the RWP and applicable regulations and to further investigate the pipeline failure in accordance with 49 U.S.C. §§ 60108(b), 60117(a), (c), and (d), and 60118(a) and (e).

As a result of PHMSA's inspection, it is alleged that Sunoco has committed a probable violation of the Pipeline Safety Act, 49 U.S.C. § 60101 et seq., and Pipeline Safety Regulations, 49 CFR Part 190. The item inspected and the probable violation is:

¹ Sunoco is a subsidiary of Energy Transfer, L.P.

1. 49 U.S.C. §§ 60117 and 60118 and 49 CFR § 190.203.

Sunoco failed to make available to PHMSA all records and information requested pertaining to compliance with the Consent Order and to the investigation of the failure in accordance with 49 U.S.C. §§ 60117(c)(2), 60118(e)(1)(A) and 49 CFR § 190.203(e). Specifically, Sunoco failed to allow PHMSA inspectors to take photographs of field notes created by Sunoco contractors during remediation work on the Twin Oaks pipeline.

Under the Pipeline Safety Act, PHMSA personnel “may enter premises to inspect the records and property of a person at a reasonable time and in a reasonable way to decide whether a person is complying” with the Pipeline Safety Act, its accompanying regulations, and orders issued by PHMSA.² To enable a compliance decision by PHMSA, “the person shall . . . provide information [PHMSA] requires” and “make the . . . information available when [PHMSA] requests.”³ If PHMSA investigates a pipeline accident, “the operator of the facility shall . . . make available to [PHMSA] all records and information that in any way pertain to the accident” and “afford all reasonable assistance in the investigation of the accident.”⁴

During field inspections on August 20 and 21, 2025 in Chester, Delaware, and Montgomery Counties, Pennsylvania, PHMSA personnel requested to take photographs of handwritten notes created by certified welding inspector (CWI) contractors hired by Sunoco to perform cutouts and repairs on the Twin Oaks pipeline. The information captured in the handwritten CWI notes likely included (among other things) pipe end specifications, such as bevel angle, land and gap measurements, and temperature; and welding parameters checks, such as amperage, travel speed, and voltage. The contractors refused to allow PHMSA personnel to take such photographs.

Following the refusal, on August 22, 2025, PHMSA issued to Sunoco a written Request for Information (RFI) which included a request for clear and legible copies of all notes and forms utilized in the field, including those notes which PHMSA personnel were denied permission to photograph, at certain dig sites on August 20 through August 21, 2025.

On August 25, 2025, Sunoco provided a letter in response to the RFI claiming that it had no obligation to provide the CWI notes because the notes were not “official records” and because 49 CFR § 190.203 “does not authorize PHMSA to go on a fishing expedition and obtain any and all documents an inspector desires.”⁵ Sunoco stated that even though “it is standard practice for CWIs to take handwritten field notes throughout the welding process,” the notes are “not relevant to determining compliance” and that Sunoco was only required to provide PHMSA with records that Sunoco deemed “official.” Notwithstanding, Sunoco indicated that it would comply with the RFI under objection.

² 49 U.S.C. § 60117(d); *see also* 49 U.S.C. § 60118(a)(3) (stating that a pipeline operator shall “allow access to or copying of records, make reports and provide information, and allow entry or inspection required under subsections (a) through (e) of [49 U.S.C. § 60117]”).

³ Section 60117(c).

⁴ Section 60118(e)(1); *see also* 49 CFR § 190.203(e) (codifying the same obligation).

⁵ Sunoco letter (Aug. 25, 2025).

Sunoco's refusal on August 20 and 21, 2025 to provide PHMSA with the CWI records during the field inspection constitutes a probable violation of 49 U.S.C. §§ 60117(c)(2), 60118(e)(1)(A) and 49 CFR § 190.203(e). In addition, the August 25, 2025 written statement from Sunoco that it may limit future responses to PHMSA and provide only information that Sunoco considers "official records" constitutes a probable violation of 49 U.S.C. §§ 60117(c)(2), 60118(e)(1)(A) and 49 CFR § 190.203(e). The frontline observations of CWIs, including information regarding the performance of welding work performed on the Twin Oaks pipeline, is both relevant to PHMSA's inspection of Sunoco's compliance with PHMSA regulations and the terms of the Consent Order, and relevant to PHMSA's ongoing accident investigation concerning the Twin Oaks pipeline. Any designation by Sunoco of information as "official" or otherwise does not in any way restrict PHMSA's ability to request the information or limit Sunoco's obligation to provide the information to PHMSA upon request.

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed \$272,926 per violation per day the violation persists, up to a maximum of \$2,729,245 for a related series of violations. For violation occurring on or after December 28, 2023 and before December 30, 2024, the maximum penalty may not exceed \$266,015 per violation per day the violation persists, up to a maximum of \$2,660,135 for a related series of violations. For violation occurring on or after January 6, 2023 and before December 28, 2023, the maximum penalty may not exceed \$257,664 per violation per day the violation persists, up to a maximum of \$2,576,627 for a related series of violations. For violation occurring on or after March 21, 2022 and before January 6, 2023, the maximum penalty may not exceed \$239,142 per violation per day the violation persists, up to a maximum of \$2,391,412 for a related series of violations. For violation occurring on or after May 3, 2021 and before March 21, 2022, the maximum penalty may not exceed \$225,134 per violation per day the violation persists, up to a maximum of \$2,251,334 for a related series of violations. For violation occurring on or after January 11, 2021 and before May 3, 2021, the maximum penalty may not exceed \$222,504 per violation per day the violation persists, up to a maximum of \$2,225,034 for a related series of violations. For violation occurring on or after July 31, 2019 and before January 11, 2021, the maximum penalty may not exceed \$218,647 per violation per day the violation persists, up to a maximum of \$2,186,465 for a related series of violations.

We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 4-2025-042-WL**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. § 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. § 552(b).

Sincerely,

Bryan Lethcoe
Director, Southwest Region, Office of Pipeline Safety
Pipeline and Hazardous Materials Safety Administration

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