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

8701 S. Gessner, Suite 630
Houston TX 77074

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

February 13, 2025

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

CPF No. 4-2025-054-NOPSO

Dear Mr. Long:

Enclosed is a Notice of Proposed Safety Order (Notice) issued in the above-referenced case. The Notice proposes that Sunoco Pipeline, LP, take certain measures with respect to the Sunoco Twin Oaks Discharge pipeline system to ensure pipeline safety. Your options for responding are set forth in the Notice. Service of this Notice by electronic mail is deemed effective upon the date of transmission, or as otherwise provided under 49 CFR § 190.5.

We look forward to a successful resolution to ensure pipeline safety. Please direct any questions on this matter to me at (713) 773-7215.

Sincerely,

BRYAN JEFFERY LETHCOE

Digitally signed by BRYAN JEFFERY LETHCOE
Date: 2025.02.13 10:42:22 -06'00'

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

Enclosure: Notice of Proposed Safety Order
Copy of 49 C.F.R. § 190.239

Cc: Ms. Linda Daugherty, Deputy Associate Administrator for Field Operations, OPS
Greg McIlwain, Executive Vice President, Operations, Energy Transfer LP
Eric Amundsen, Senior Vice President, Operations, Energy Transfer LP
Todd Stamm, Senior Vice President, Operations, Energy Transfer LP
Jennifer Street, Senior Vice President, Operations Services, Energy Transfer LP
Keegan Pieper, Assistant General Counsel, Energy Transfer LP
Mr. Matthew Stork, Vice President, Technical Services, Energy Transfer LP

Mr. Todd Nardozzi, Director – DOT Compliance, Energy Transfer LP
Ms. Susie Sjulin, Director – DOT Compliance, Energy Transfer LP
Mr. Vince Murchison, Murchison O'Neill PLLC

DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
SOUTHWEST REGION
HOUSTON, TEXAS

In the Matter of	)	
Sunoco Pipeline LP,	)	**CPF No. 4-2025-054-NOPSO**
Respondent	)	

NOTICE OF PROPOSED SAFETY ORDER

Introduction and Purpose

The Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS), is issuing this Notice of Proposed Safety Order (NOPSO or Notice) to Sunoco Pipeline LP (Sunoco or Respondent)[1] pursuant to the authority provided in 49 U.S.C. § 60117 and 49 CFR § 190.239. As explained in more detail below, PHMSA has initiated an investigation of the safety of Sunoco's Twin Oaks Discharge pipeline system (Twin Oaks Pipeline or Pipeline) in Upper Makefield Township, Bucks County, Pennsylvania. PHMSA initiated the investigation in response to a release on the Twin Oaks Pipeline that Sunoco discovered on January 31, 2025 (Failure).[2] The Twin Oaks Pipeline is a hazardous liquid pipeline facility that is subject to PHMSA's jurisdiction pursuant to the Pipeline Safety Act, 49 U.S.C. § 60101 *et seq.*, and Pipeline Safety Regulations, 49 CFR Parts 190 to 199.

PHMSA's ongoing investigation indicates that conditions may exist on the Twin Oaks Pipeline that pose a pipeline integrity risk to public safety, property, or the environment. Specifically, PHMSA's preliminary investigation indicates that the Pipeline experienced a leak in a high consequence area for at least 16 months, resulting in the release of jet fuel that has migrated into several adjacent water wells and caused additional impacts to property and the environment. PHMSA's preliminary investigation also indicates that the leak originated at a sleeve installed in the mid-1990s, that there are at least 44 other sleeves of a similar vintage installed at other locations on the Pipeline, and that these locations may be at risk of experiencing a similar leak in the future. For these reasons, it appears that the continued operation of the Twin Oaks Pipeline without corrective measures would pose a pipeline integrity risk to public safety, property, or the environment.

[1] Sunoco is a subsidiary of Energy Transfer LP.
[2] Sunoco became aware of the release on January 31, 2025, however, the first day of the release is unknown.

This NOPSO notifies Sunoco of the preliminary findings of the investigation and proposes that Sunoco take measures to ensure that the public, property, and the environment are protected from the potential risk.

Background

On September 25, 2023, the Pennsylvania Public Utilities Commission (PAPUC) notified PHMSA of an odor complaint that a resident at 128 Walker Road, Upper Makefield Township, Pennsylvania, previously reported to the Pennsylvania Department of Environmental Protection (PADEP). The resident's report indicated that there was a strange taste and the smell of gasoline in their well water.

After being notified of the odor complaint, PHMSA directed Sunoco to conduct an investigation. Sunoco responded by testing additional local wells, performing soil testing, and excavating a 25-foot section of the Twin Oaks Pipeline. Sunoco did not discover a leak at that time, and all samples indicated a negative result for hydrocarbons.

On January 21, 2025, PADEP informed PHMSA that samples obtained from a well at the property located at 107 Spencer Road, Upper Makefield Township, Pennsylvania, indicated the presence of kerosene (a major component of JP-8 jet fuel). PHMSA Accident Investigation Division (AID) notified Sunoco of these results and directed Sunoco to conduct another investigation.

On January 31, 2025, Sunoco identified a leak on the Twin Oaks Pipeline after excavating a previously repaired location adjacent to 121 Glenwood Drive, at pipeline station 52/4170 (2787+30). The leak appeared to be a slow drip from a sleeved portion of the pipeline. The sleeve had been installed in 1995 to reinforce a dent.

After locating the leak, Sunoco shut-in a segment of the Twin Oaks Pipeline by closing valves at Bucks pump Station, Delaware River (West), Delaware River (East), and Hopewell. High and low point vent and extraction vent thread-o-ring fittings (TORs) were installed to drain the jet fuel product to vacuum trucks and tankers at the extraction points. Sunoco cut out the failed section without removing the Type A sleeve and transported that section to Columbus, Ohio, for inspection and metallurgical analysis by a third party, DNV.

Sunoco notified the National Response Center (NRC) of the release on the Twin Oaks Pipeline at 16:25 Eastern Time on January 31, 2025. Sunoco made a second report to the NRC on February 2, 2025, at 16:03 Eastern Time and provided an estimated release amount of 156 barrels. Sunoco also notified PADEP.

On February 2, 2025, Sunoco completed its repair of the failed section and returned the Twin Oaks Pipeline to service. The Twin Oaks Pipeline is currently operating at a reduced pressure of 880 pounds per square inch gauge (psig), which is 20 percent below the operating pressure at the time Sunoco discovered the failure.

The preliminary findings of PHMSA's ongoing investigation are as follows:

Preliminary Findings:

- The Twin Oaks Pipeline is a 14-inch diameter pipeline that transports petroleum products, including jet fuel, diesel, and gasoline, from the Twin Oaks Terminal in Aston, Pennsylvania, to the Newark Terminal in Newark, New Jersey. The Twin Oaks Pipeline includes one break out tank in the Newark Terminal, and one pump station in Bucks County, Pennsylvania.

- The Twin Oaks Pipeline was originally constructed in 1958. The pipe at the failure location is 0.25 inches thick, API 5L grade X-52, seamless, and was manufactured by National Tube Supply Company. The pipeline has a somastic (asphalt mastic) coating and cathodic protection. The maximum operating pressure (MOP) of the Twin Oaks Pipeline is 1200 psig. When Sunoco discovered the failure, the operating pressure was 1100 psig.

- On September 25, 2023, PHMSA notified Sunoco of an odor complaint that PADEP received from a resident at 128 Walker Road. Sunoco investigated the complaint as follows:

    - Respondent dispatched a pipeline technician to probe with a photoionization detector (PID) Gas detector along the pipeline behind 121 Glenwood and in front of 128 Walker and 123 Glenwood; all results were reported as non-detect.

    - Respondent hired a contractor to test the well water at 128 Walker Road; results were reported as non-detect. The contractor also tested the well water for 121 and 123 Glenwood Drive, and 126 Walker Road; all results were reported as non-detect.

    - Respondent excavated about 25 feet of the pipeline located behind 121 Glenwood Drive with no issues or concerns detected. Respondent performed soil testing in the excavation and those results were reported as non-detect.

    - The operator performed a 4-hour static pressure test to check for lowering pressure indicative of a pipeline leak; Respondent has indicated that the results were reported to be within acceptable limits.

- On June 28, 2024, Respondent received an odor complaint from 108 Spencer Road. Respondent investigated the complaint as follows:

    - Respondent dispatched a pipeline technician with a 4 - Gas detector to the site; all results were reported as non-detect. No dead vegetation or anything out of the ordinary was observed above the pipeline.

    - Respondent did not report this odor complaint to PHMSA.

- On July 21, 2024, Respondent received an odor complaint from 121 Glenwood Drive. Respondent investigated the complaint as follows:

    - Respondent dispatched a pipeline technician to the site and probed with a 4 - Gas detector; all results were reported as non-detect. No dead vegetation or anything out of the ordinary was observed above the pipeline.

    - Respondent did not report this odor complaint to PHMSA.

- On November 21, 2024, Respondent received an odor complaint from 107 Spencer Road. Respondent investigated the complaint as follows:

    - Respondent dispatched a pipeline technician and probed with a 4 - Gas detector to the site; all results were reported as non-detect. No dead vegetation or anything out of the ordinary was observed above the pipeline.

    - Respondent performed a 4-hour static pressure test to check for lowering pressure indicative of a pipeline leak; the results were reported to be within acceptable limits (although acceptance criteria were not reported by the operator).

    - Respondent did not report this odor complaint to PHMSA.

- On January 21, 2025, PADEP informed PHMSA that samples obtained from a well at 107 Spencer Road indicated the presence of kerosene (a major component of JP-8 jet fuel). PHMSA AID notified Sunoco of the test results and directed Sunoco to investigate.

- From January 22 through January 31, 2025, Respondent proceeded to probe the entire pipeline from 121 Glenwood Drive to 155 Glenwood Drive using a PID Gas detector; all results were non-detect. Respondent had a contractor sample about twenty-five (25) landowners' well water for hydrocarbons. Three (3) landowners' wells were identified as having positive results for hydrocarbons at 107 Spencer Road, 108 Spencer Road, and 128 Glenwood Drive.

- On January 31, 2025, Respondent identified the leak location after excavating a previously repaired location on the pipeline adjacent to 121 Glenwood Drive, at station 52/4170 (2787+30). Visual inspection revealed that the leak was a slow drip from a Type A sleeve originally installed in 1995. Type A sleeves are used to reinforce a portion of pipe with a non-leaking defect, with the goal of restoring the pipeline's original strength.

- The Failure occurred adjacent to 126 Walker Rd, Upper Makefield Township, Bucks County, Pennsylvania. The exact start date of the Failure is unknown. The failure occurred in a High Consequence Area (HCA) as defined in 49 CFR § 195.450, located in a residential subdivision just to the west of the Delaware River. The Twin Oaks

Pipeline runs through mostly suburban areas. It travels in a northeast direction from Philadelphia, Pennsylvania, to Newark, New Jersey. The pipeline crosses numerous rivers and waterways and runs adjacent to numerous state and local parks.

- Sunoco notified the National Response Center (NRC) of the Failure at 16:25 Eastern Time on January 31, 2025, and reported a release of 156 barrels of jet fuel.

- After locating the leak, Sunoco shut in a segment of the Twin Oaks Pipeline, closing valves at Bucks pump Station, Delaware River (West), Delaware River (East), and Hopewell. High and low point vent and extraction vent thread-o-ring fittings (TORs) were installed to drain the jet fuel product to vacuum trucks and tankers at the extraction points.

- Sunoco cut out the failed section of the Twin Oaks Pipeline without removing the Type A sleeve and transported the pipe to DNV in Columbus, Ohio, for inspection and metallurgical analysis.

- On February 2, 2025, PHMSA Southwest Region Director by email informed Sunoco he did not object to the repair plan and return to service plan for the pipeline.

- Sunoco completed the repairs and returned the pipeline to service on February 2, 2025.

- Local drinking water wells are contaminated with JP-8 jet fuel to varying degrees. Jet fuel apparently has entered the aquafer and is detected in various quantities in surrounding drinking water wells to the east of the Failure location.

- The release of jet fuel poses a risk to public safety, property, or the environment. Jet fuel is a colorless flammable liquid that ignites at certain temperatures; jet fuel exposure can lead to skin irritation and drowsiness or dizziness in affected populations; and jet fuel ingestion may cause harm to the respiratory tract, gastrointestinal tract, and nervous systems.[3]

- During a public meeting held on February 6, 2025, residents of other neighborhoods located in the vicinity of the Failure reported a gasoline smell in their water.

- On February 8 and February 10, 2025, Sunoco excavated five (5) locations immediately upstream of the Failure location to evaluate the condition of six (6) Type A sleeves that had been installed in 1989 to reinforce a variety of defect types. These excavations discovered no additional leaks and no abnormal conditions were noted.

- On February 12, 2025, PHMSA investigators witnessed the preliminary phase of the metallurgical testing of the portion of the pipeline that Sunoco sent to DNV for further

[3] "Public Health Statement: JP-5, JP-8, and Jet A Fuels," Agency for Toxic Substances and Disease Registry, Division of Toxicology and Human Health Services, March 2017, https://www.atsdr.cdc.gov/ToxProfiles/tp121-c1-b.pdf. These hazards are confirmed by the Safety Data Sheets (SDS) for the JP-8 jet fuel transported in the Twin Oaks Pipeline.

analysis. The preliminary testing indicates that the failure occurred as a result of a 2.5-inch axial crack associated with a bottom-side dent.

- Sunoco has advised PHMSA that there are at least forty-four (44) other Type A sleeves on the Twin Oaks Pipeline that were installed in the late 1980s and early 1990s. PHMSA understands some of those Type A sleeves were installed to reinforce dents.

- PHMSA is aware of a gasoline release in Huntersville, North Carolina, discovered on August 14, 2020, in which 28,571 barrels were released through a through-wall crack which developed in a shallow dent reinforced with a Type A sleeve. The release was also not detected by the pipeline operator's leak detection system.

- Prior to this Failure, there have been two (2) reportable failures on the Twin Oaks Pipeline since 1986.

    - On October 7, 1986, a failure occurred in Montgomery County, Pennsylvania, which was caused by a crack in the pipeline, resulting in the release of 5260 barrels of refined product.

    - On March 19, 2004, a failure occurred in Delaware County, Pennsylvania, which was caused by external corrosion, resulting in the release of 50 barrels of refined product.

- The investigation of the Failure is on-going, and information could change. These preliminary findings may be amended based on further findings during the investigation.

Proposed Issuance of Safety Order

Section 60117(m) of Title 49, United States Code, provides for the issuance of a safety order, after reasonable notice and the opportunity for a hearing, requiring corrective measures, which may include physical inspection, testing, repair, or other action, as appropriate. The basis for making the determination that a pipeline facility has a condition or conditions that pose a pipeline integrity risk to public safety, property, or the environment is set forth both in the above-referenced statute and 49 CFR § 190.239, a copy of which is enclosed.

After evaluating the foregoing preliminary findings of fact, and having considered the characteristics of the pipeline, including prior Type-A sleeve repairs involving dents and other defects; the prior failures of the pipeline; the hazardous nature of the petroleum products, including jet fuel, transported; the uncertainty as to the root cause(s) of the failure; the proximity of the pipeline to residential dwellings and water wells; the existing and potential additional impacts to property, the environment, and wildlife; and the possibility that the same condition(s) that may have caused the failure remain present in the pipeline and could lead to additional failures; it appears that the continued operation of the Twin Oaks Discharge pipeline system without corrective measures would pose a pipeline integrity risk to public safety, property, or the environment. The conditions and threats described above potentially exist throughout the Twin

Oaks Pipeline. Further, Sunoco's apparent inability to effectively detect the leak has potentially exacerbated the impacts of the release over an extended period of time. Accordingly, corrective measures are necessary to mitigate the pipeline integrity risk of the pipeline system to protect public safety, property, and the environment.

Accordingly, PHMSA issues this Notice of Proposed Safety Order to notify Respondent of the proposed issuance of a safety order and to propose that Respondent take measures specified herein to address the potential risk.

Proposed Corrective Measures

Pursuant to 49 U.S.C. § 60117(m) and 49 CFR § 190.239, PHMSA proposes to issue to Sunoco a safety order incorporating the following remedial requirements with respect to the affected pipeline.

For the purposes of this Notice, "Director" means the Director, PHMSA, Office of Pipeline Safety, Southwest Region. "*Affected Pipeline*" refers to the entire Twin Oaks Pipeline, which is approximately 105.5 miles in length from the Twin Oaks Terminal in Aston, Pennsylvania, to the Newark Terminal in Newark, New Jersey.

1. **Operating Pressure Restriction.** Sunoco must reduce and maintain a twenty percent (20%) pressure reduction in the actual operating pressure along the entire length of the *Affected Pipeline*, such that the operating pressure does not exceed eighty percent (80%) of the actual operating pressure in effect immediately prior to the Failure discovered on January 31, 2025.

    a. This pressure restriction is to remain in effect until written approval to increase the pressure or return the pipeline to its pre-Failure operating pressure is obtained from the Director.

    b. Within 15 days of receipt of the Safety Order, Sunoco must provide the Director the actual operating pressures of each pump station and each main line pressure regulating station on the *Affected Pipeline* at the time of the Failure discovered on January 31, 2025, and the reduced pressure restriction set-points at these same locations.

    c. This pressure restriction requires any relevant remote or local alarm limits, software programming set-points or control points, and mechanical over-pressure devices to be adjusted accordingly.

    d. When determining the pressure restriction set-points, Sunoco must take into account any in-line inspection (ILI) features or anomalies present in the *Affected Pipeline* to provide for continued safe operation while further corrective actions are completed.

    e. Sunoco must review the pressure restriction monthly by analyzing the operating pressure data, taking into account any ILI features or anomalies present in the *Affected Pipeline.* Sunoco must immediately reduce the operating pressure to maintain the safe operations of the *Affected Pipeline*, if warranted by the monthly review. Further, Sunoco must submit the results of the monthly review to the Director including, at a

minimum, the current discharge set-points (including any additional pressure reductions), and any pressure exceedance at discharge set-points.

2. **Type A Sleeve Integrity Plan**. Within 90 days of receipt of the Safety Order, Sunoco must provide to the Director for approval a plan to evaluate the integrity of each Type A sleeve on the *Affected Pipeline*. In preparing that plan, Sunoco must consider type, characteristics (size, depth, orientation), and other integrity considerations of the anomaly(ies) or defect(s) reinforced by the sleeve; sleeve characteristics (age, grade, length, thickness, coating, wrap, use of epoxy); cathodic protection; inline inspection results; nondestructive evaluation or testing records; and any other relevant factors in evaluating the integrity of a Type A sleeve. The plan must also provide for the removal of each Type A sleeve on the *Affected Pipeline* whose integrity cannot be reasonably assured. The plan must be part of the Remedial Work Plan developed in Item 3 below. For any sleeve not removed, the plan must provide a technical justification for the Type A Sleeve remaining on the *Affected Pipeline* and describe the additional pipeline integrity management measures to be implemented to ensure the safety and integrity of the *Affected Pipeline* in light of any integrity risk related to the sleeve.

3. **Remedial Work Plan (RWP).**

   a. Within 90 days of receipt of the Safety Order, Sunoco must submit a Remedial Work Plan (RWP) to the Director for prior approval.

   b. The Director may approve the RWP incrementally without approving the entire RWP.

   c. Upon approval by the Director, the RWP becomes incorporated by reference into the Safety Order.

   d. The RWP must specify the tests, inspections, assessments, evaluations, and remedial measures Respondent will use to verify the integrity of the *Affected Pipeline*. It must address all known or suspected factors and causes of the Failure discovered on January 31, 2025. Sunoco must consider the risks and consequences of another failure to develop a prioritized schedule for RWP-related work along the *Affected Pipeline.*

   e. The RWP must include a procedure or process to:

      i. Identify pipe in the *Affected Pipeline* with characteristics similar to the contributing factors identified for the Failure discovered on January 31, 2025.

      ii. Gather all data necessary to review the failure history (in service and pressure test failures) of the *Affected Pipeline* and to prepare a written report containing all the available information such as the locations, dates, and causes of leaks and failures.

      iii. Integrate the results of the metallurgical testing, root cause failure analysis, and other corrective actions required by this Order with all relevant pre-existing operational and assessment data for the *Affected Pipeline.* Pre-existing operational data includes, but is not limited to, design, construction, operations, maintenance, testing, repairs, prior metallurgical analyses, and any third-party consultation information. Pre-existing assessment data includes, but is not limited to, ILI tool runs, hydrostatic pressure testing, direct assessments, close interval surveys, and

DCVG/ACVG surveys.

iv. Determine if conditions similar to those contributing to the Failure discovered on January 31, 2025, are likely to exist elsewhere on the *Affected Pipeline.*

v. Conduct additional field tests, inspections, assessments, and evaluations to determine whether, and to what extent, the conditions associated with the Failure discovered on January 31, 2025, and other failures from the failure history (see (e)(ii) above) or any other integrity threats are present elsewhere on the *Affected Pipeline*. At a minimum, this process must consider all failure causes and specify the use of one or more of the following:

1) ILI tools that are technically appropriate for assessing the pipeline system based on the cause of Failure discovered on January 31, 2025, and that can reliably detect and identify anomalies,
2) Hydrostatic pressure testing,
3) Close-interval surveys,
4) Cathodic protection surveys, to include interference surveys in coordination with other utilities (e.g., underground utilities, overhead power lines, etc.) in the area,
5) Coating surveys,
6) Stress corrosion cracking surveys,
7) Selective seam corrosion surveys; and
8) Other tests, inspections, assessments, and evaluations appropriate for the failure causes.

Note: Sunoco may use the results of previous tests, inspections, assessments, and evaluations if approved by the Director, provided the results of the tests, inspections, assessments, and evaluations are analyzed with regard to the factors known or suspected to have caused the January 31, 2025 Failure.

vi. Describe the inspection and repair criteria Sunoco will use to prioritize, excavate, evaluate, and repair anomalies, imperfections, and other identified integrity threats. Include a description of how any defects will be graded and a schedule for repairs or replacement.

vii. Based on the known history and condition of the *Affected Pipeline,* describe the methods Sunoco will use to repair, replace, or take other corrective measures to remediate the conditions associated with the pipeline failure on January 31, 2025, and to address other known integrity threats along the *Affected Pipeline*. The repair, replacement, or other corrective measures must meet the criteria specified in (e)(vi) above.

viii. Evaluate the effectiveness and capability of Sunoco's leak detection system on the *Affected Pipeline*, including main lines, stub lines, and delivery lines. At a minimum, Sunoco's evaluation must consider the following factors—length and size of the pipeline, type of product carried, the swiftness of leak detection, limitations on detectable quantities, location of nearest response personnel, and

leak history. This evaluation must also consider maximum operating pressure (MOP), normal operating pressures, flow rates (or throughput), and impacts from any pressure cycles or operational changes. For mainline segments that could affect high consequence areas (HCAs), Sunoco's evaluation must consider the pipeline's proximity to the HCA and risk assessment results.

ix. Based on the findings of the evaluation pursuant to paragraph viii of this subparagraph, determine corrective measures to improve the effectiveness of Sunoco's leak detection system. Sunoco must consider latest advancements in technology that present the potential to improve the capability of its leak detection system to detect the type of leak that occurred. The corrective measures must result in improving the capability of the leak detection system to detect leaks that could potentially affect public safety, property, or the environment, similar to (but not limited to) leaks with characteristics common to those referenced above.

x. Evaluate Sunoco's written plans and procedures for inspection and maintenance that address leak detection, right-of-way inspection and repairs and determine the extent to which the written plans contribute to the elimination of hazardous leaks. Based on the findings, determine appropriate amendments to improve the extent to which the plans contribute to the elimination of hazardous leaks.

xi. Evaluate the effectiveness of Sunoco's ROW inspection program as it pertains to leak detection. This evaluation must consider any geographic regions or features (i.e., HCAs and other sensitive areas) that may require specific or additional means of patrol. Based on the findings, determine corrective measures to improve the effectiveness of Sunoco's ROW inspection program relative to leak detection.

xii. Implement continuing long-term periodic testing and integrity verification measures to ensure the ongoing safe operation of the *Affected Pipeline* considering the results of the analyses, inspections, evaluations, and corrective measures undertaken pursuant to the Order.

f. Include a proposed schedule for completion of the RWP.

g. Sunoco must revise the RWP as necessary to incorporate new information obtained during the failure investigation and remedial activities, to incorporate the results of actions undertaken pursuant to the Safety Order, and/or to incorporate modifications required by the Director.

i. Submit any plan revisions to the Director for prior approval.

ii. The Director may approve plan revisions incrementally.

h. Implement the RWP as it is approved by the Director, including any revisions to the plan.

4. **Third-Party Facilitator**. Paragraphs (e)(viii) through (e)(xi) of the Work Plan must be facilitated by an independent third-party with relevant expertise approved by the Director.

Any documentation from the third-party facilitator must be included in each required submission to the Director.

5. **Instrumented Leakage Survey.** Within 30 days after the Safety Order is issued, Sunoco must perform a ground instrument leakage survey of the *Affected Pipeline*. Sunoco must investigate all leak indications and remedy all leaks discovered. Sunoco must submit documentation of this survey to the Director within 45 after the Safety Order is issued.

6. **Review of Prior In-line Inspection (ILI) Results.**
   a. Within 30 days after the Safety Order is issued, Respondent must conduct a review of any previous ILI results of the *Affected Pipeline*. In its review, Sunoco must re-evaluate all ILI results from the past 10 calendar years, including a review of the ILI vendors' raw data and analysis. Sunoco must determine whether any features were present in the failed pipe joint and any other pipe removed. Also, Respondent must determine if any features with similar characteristics are present elsewhere on the *Affected Pipeline*. Sunoco must submit documentation of this ILI review to the Director within 45 days after the Safety Order is issued as follows:
      i. List all ILI tool runs, tool types, and the calendar years of the tool runs.
      ii. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features present in the failed joint and other pipe removed.
      iii. List, describe (type, size, wall loss, etc.), and identify the specific location of all ILI features with similar characteristics present elsewhere on the *Affected Pipeline*.
      iv. Explain the process used to review the ILI results and the results of the reevaluation.

7. **Mechanical and Metallurgical Testing**. Within 45 days after the Safety Order is issued, Sunoco must complete mechanical and metallurgical testing and failure analysis of the failed pipe, including an analysis of soil samples and any foreign materials. Mechanical and metallurgical testing must be conducted by an independent third-party acceptable to the Director and must document the decision-making process and all factors contributing to the failure. Respondent must complete the testing and analysis as follows:
   a. Document the chain-of-custody when handling and transporting the failed pipe section and other evidence from the Failure site.
   b. Within 10 days of receipt of this Order, develop and submit the testing protocol and the proposed testing laboratory to the Director for prior approval.
   c. Prior to beginning the mechanical and metallurgical testing, provide the Director with the scheduled date, time, and location of the testing to allow for an OPS representative to witness the testing.
   d. Ensure the testing laboratory distributes all reports whether draft or final in their entirety to the Director at the same time they are made available to Respondent.

8. **Root Cause Failure Analysis.** Within 90 days after the Safety Order is issued, complete a root cause failure analysis (RCFA) and submit a final report of this RCFA to the

Director. The RCFA must be supplemented or facilitated by an independent third-party acceptable to the Director and must document the decision-making process and all factors contributing to the Failure. The final report must include findings and any lessons learned and whether the findings and lessons learned are applicable to other locations within Sunoco's pipeline system.

9. **Leak Detection Plan.** Within 90 days after the Safety Order is issued, Sunoco must perform a review and submit to the Director a written plan to improve the leak detection capability on the *Affected Pipeline*. This review must include a comprehensive analysis of any SCADA, leak detection, surveillance, and other monitoring systems on the *Affected Pipeline*. The written plan must include a schedule for improving the leak detection capability of the *Affected Pipeline* through additional instrumentation, updated hardware or software, installation of a computational pipeline monitoring system and associated software programming, additional surveillance, pipeline control staffing, ongoing leak surveys, and any other appropriate measures.

10. **Emergency Response Plan and Training Review.** Within 90 of receipt of the Safety Order, Sunoco must review and assess the effectiveness of its emergency response plan with regards to the Failure. Sunoco must include in the review and assessment the on-scene response and support, coordination, and communication with emergency responders and public officials. Sunoco must also include a review and assessment of the effectiveness of its emergency training program. Sunoco must amend its emergency response plan and emergency training, if necessary, to reflect the results of this review. The documentation of this *Emergency Response Plan and Training Review* must be available for inspection by OPS or provided to the Director, if requested.

11. **Public Awareness Program Review.** Sunoco must review and assess the effectiveness of its Public Awareness program with regards to the Failure. Sunoco must amend its Public Awareness Program, if necessary, to reflect the results of this review. The documentation of this *Public Awareness Plan Program Review* must be available for inspection by OPS or provided to the Director, if requested.

Other Requirements:

12. **Approvals.** With respect to each submission under the Safety Order that requires the approval of the Director, the Director may: (a) approve, in whole or part, the submission; (b) approve the submission on specified conditions; (c) modify the submission to cure any deficiencies; (d) disapprove in whole or in part, the submission, directing that Respondent modify the submission, or (e) any combination of the above. In the event of approval, approval upon conditions, or modification by the Director, Respondent shall proceed to take all action required by the submission as approved or modified by the Director. If the Director disapproves all or any portion of the submission, Respondent must correct all deficiencies within the time specified by the Director and resubmit it for approval.

13. **Extensions of Time.** The Director may grant an extension of time for compliance with any of the terms of the Safety Order upon a written request timely submitted

demonstrating good cause for an extension.

14. **Reporting.** Submit quarterly reports to the Director that: (1) include all available data and results of the testing and evaluations required by this Order; and (2) describe the progress of the repairs or other remedial actions being undertaken. The first quarterly report is due on April 1, 2025. The Director may change the interval for the submission of these reports.

15. **Documentation of the Costs.** It is requested that Respondent maintain documentation of the costs associated with implementation of the Safety Order. Include in each monthly report submitted, the to-date total costs associated with: (1) preparation and revision of procedures, studies and analyses; (2) physical changes to pipeline infrastructure, including repairs, replacements and other modifications; and (3) environmental remediation.

The actions proposed by this Notice of Proposed Safety Order are in addition to and do not waive any requirements that apply to Respondent's pipeline system under 49 CFR Parts 190 through 199, under any other order issued to Respondent under authority of 49 U.S.C. § 60101 *et seq*., or under any other provision of Federal or state law.

After receiving and analyzing additional data in the course of this proceeding and implementation of the corrective measures, PHMSA may identify other safety measures that need to be taken. In that event, Respondent will be notified of any proposed additional measures and, if necessary, amendments to the Safety Order.

Response to this Notice

In accordance with § 190.239, you have 30 days following receipt of this Notice to submit a written response to the official who issued the Notice. If you do not respond within 30 days, this constitutes a waiver of your right to contest this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Safety Order. In your response, you may notify that official that you intend to comply with the terms of the Notice as proposed, or you may request that an informal consultation be scheduled (you will also have the opportunity to request an administrative hearing before a safety order is issued). Informal consultation provides you with the opportunity to explain the circumstances associated with the risk condition(s) alleged in the notice and, as appropriate, to present a proposal for a work plan or other remedial measures, without prejudice to your position in any subsequent hearing.

If you and PHMSA agree within 30 days of informal consultation on a plan and schedule for you to address each identified risk condition, we may enter into a written consent agreement (PHMSA would then issue an administrative consent order incorporating the terms of the agreement). If a consent agreement is not reached, or if you have elected not to request informal consultation, you may request an administrative hearing in writing within 30 days following receipt of the Notice or within 10 days following the conclusion of an informal consultation that did not result in a consent agreement, as applicable. Following a hearing, if the Associate Administrator finds the facility to

have a condition that poses a pipeline integrity risk to the public, property, or the environment in accordance with § 190.239, the Associate Administrator may issue a safety order.

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).

In your correspondence on this matter, please refer to **CPF No. 4-2025-054-NOPSO** and for each document you submit, please provide a copy in electronic format whenever possible.

BRYAN JEFFERY LETHCOE

Digitally signed by BRYAN JEFFERY LETHCOE
Date: 2025.02.13 14:32:28 -06'00'

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

February 13, 2025
Date issued