



June 25, 2025

Jessica Shirley
Acting Director
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

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

Dear Secretary Shirley:

Sunoco Pipeline LP (“SPLP”) received a copy of correspondence from State Senator Steven J. Santarsiero and Representative Perry S. Warren, Jr. (the “Letter”) regarding SPLP’s continuing efforts to respond to, investigate, and remediate the release of jet fuel from the 14”-diameter Twin Oaks–Newark Pipeline (the “Pipeline”). The Letter requested the Department take enforcement action against SPLP for alleged “delays in performing a full remediation.” The Letter further requests the Department to undertake “an immediate enforcement action against [SPLP] to compel it to remediate the affected area.”

SPLP strongly disagrees with the underlying premise of the Letter, which is that the Department has not taken enforcement action in response to the pipeline release and that SPLP is not moving quickly enough to respond to the release. Moreover, the Letter reflects a fundamental misunderstanding of the significant work that has already been accomplished, and also of the Department’s comprehensive environmental regulatory processes for responding to and remediating releases to the environment. As the agency vested with the authority to regulate environmental matters in the Commonwealth, the Department recognizes that effective investigation and remediation of contamination requires iterative scientific analyses, including site-specific studies that take time to complete.

I. SPLP’s Response to the Release and the Department’s March 6, 2025 Order

The Letter urges the Department to take enforcement action against SPLP related to the pipeline release, due to SPLP’s “delays in performing a full remediation.” In fact, within *two (2) weeks* of the pipeline release being identified on January 31, 2025, SPLP had already committed to investigating and remediating the release to meet the residential Statewide Health Standards (“SHSs”), when SPLP filed a [Notice of Intent to Remediate on February 13, 2025](#). Nevertheless, the Department issued an [Administrative Order on March 6, 2025](#) (the “Order”), that required SPLP to take interim remedial measures to protect human health and the environment, and that further directed SPLP to perform investigation and remedial actions within specific timeframes. SPLP has met or exceeded all the requirements and deadlines established in the Order.

As described in detail in [SPLP's March 31, 2025 written response to the Order](#), SPLP had already completed many of the listed Interim Remedial Measures to protect human health, even before the Department issued the Order – including providing bottled water to residents, installing Point of Entry Treatment (“POET”) systems on private water supplies,¹ and sampling private water supplies within a one-mile radius of the release location.²

Remedial activities completed by SPLP to date also include:

- Evaluation of the site-specific geology and hydrogeology to establish the topographic watershed where the release occurred, and including an additional 500-foot buffer for targeted immediate response efforts – a target area that the Department ultimately agreed with and adopted in the Order;
- Submission of a [proposed schedule](#) (as [revised](#)) to complete investigation, site characterization, and remedial actions, which was approved by the Department on [April 14, 2025](#);
- Submission of an [Interim Remedial Action Plan](#) (as [revised](#)), describing the measures that SPLP was implementing immediately to protect human health and the environment, which was approved by the Department on [May 9, 2025](#); and,
- Submission of the first [Remedial Action Progress Report](#), which detailed the significant progress that SPLP has made in its response, investigation, and remedial efforts to date.

Further, SPLP has been in constant and active communication with both the Department and Upper Makefield Township. Indeed, SPLP holds weekly meetings with representatives of the Department and Upper Makefield Township to discuss the progress of response, investigation, and remediation efforts. SPLP has maintained a positive working relationship with both the Department and Upper Makefield Township, including with the Township’s designated environmental consultant, David Fennimore of Earth Data Northeast, Inc.

II. SPLP’s Expediency in Responding to the Release

As the Order recognizes, addressing a release of contamination requires an iterative process that should commence promptly upon discovery, but that also requires sufficient time to fully investigate, characterize, and remediate the release. The Department’s Order and Pennsylvania’s Act 2 regulations expressly acknowledge the iterative process needed to complete investigation, characterization, and remediation efforts.

More specifically, the Department’s Act 2 regulations require a remediator to perform detailed scientific studies and analyses to delineate potential impacts, to document those analyses,

¹ To date, SPLP has installed or provided reimbursement for 178 POET systems, including 122 within the designated target area. SPLP also confirmed that there were an additional 16 POET systems preexisting in the neighborhood (presumably previously installed to address issues unrelated to the pipeline release).

² To date, SPLP has taken samples from 362 properties, resulting in over 1,200 individual samples collected.

to develop and select the appropriate remedial options to clean up the contamination, and then to document that the cleanup is complete and that the site meets the selected regulatory standards. This process takes time. In fact, the Department's Act 2 regulations require a minimum of eight (8) quarters of confirmatory groundwater sampling (which accounts for reasonable variability) before any final report seeking closure can be submitted to the Department – demonstrating that the environmental remediation process for the release from the Pipeline will take a minimum of ***two (2) years after*** the site has been fully characterized. In SPLP's experience, the entire Act 2 process from start to finish will often typically take a ***minimum of five (5) years***.

Through the issuance of the Order, the Department has created a more aggressive timeline than what is allowed under Act 2, a timeline that SPLP is meeting or exceeding:

- On March 14, 2025 – SPLP submitted a schedule to complete investigation, site characterization, and remedial actions – only ***11 days*** after issuance of the Order, and only ***42 days*** after the identification of the release;
- On March 19, 2025 – SPLP submitted an Interim Remedial Action Plan – only ***13 days*** after issuance of the Order, and only ***47 days*** after the identification of the release;
- On April 18, 2025 – SPLP submitted a Site Characterization Work Plan, which outlines the testing and scientific analyses that had been performed to date, together with planned additional studies that were in the process of being performed, or that were scheduled to be completed over the next few months – only ***43 days*** after the issuance of the Order, and only ***77 days*** after the identification of the release; and,

SPLP is on track to submit an Interim Site Characterization Report to the Department by September 2, 2025, in accordance with the Department's approved schedule.

In summary, SPLP has met all the timeframes and deadlines established by the Order and has responded to the Department's requests for additional information on submittals, often in timeframes significantly less than the 45-day response timeframe included in the Order. We assure you that SPLP's response, investigation, and characterization efforts are proceeding with all possible haste, but they nevertheless require sufficient time to be done properly, in accordance with sound scientific principles, and in accordance with the Department's regulations and guidance.

III. SPLP's Actions to Delineate the Impacts of the Pipeline Release

The Letter suggests that delineating impacts from the release "should have been one of the primary efforts from the first moment the release was identified" and that there is "no way to assess the impact of this release on groundwater and the number of residents impacted." These assertions reflect a fundamental misunderstanding of the work completed to date, the additional work that is ongoing, and how environmental investigation and remediation occurs, including the detailed and comprehensive analyses that the Department requires. Regardless, as noted above and as reflected in the submissions that SPLP has already made to the Department over the last five months – delineating the extent of impacts from the release was one of SPLP's primary and immediate

efforts, which was taken concurrently with efforts to protect human health. Moreover, as noted above, SPLP conservatively established a preliminary delineation of potential groundwater impacts by identifying the topographic watershed where the release occurred plus an additional 500-foot buffer – a delineation that the Department adopted in the Order. This conservative initial delineation represents a reasonable-worst-case area of impact, and SPLP is actively in the process of refining the actual area of impact using technical and scientific analyses pursuant to the work plans that have been submitted to the Department.

Moreover, based on the studies performed and data obtained to date, the area of actual impact is limited to the area surrounding the release location on Glenwood Drive. The impact to groundwater is in the form of either light non-aqueous phase liquid (“LNAPL”) or dissolved volatile organic compounds (“VOCs”) present in groundwater above the SHSs. These impacts have only ever been observed at seven (7) wells in the neighborhood, all of which are within approximately 1,000 feet of the release location.³ SPLP immediately addressed these impacts by installing or upgrading POET systems at the homes, and beginning product recovery when LNAPL was observed. This limited area of impact has been further confirmed by the sampling data from nearly 1,200 individual sampling events of 362 private potable water supplies, where the vast majority of samples were non-detect for any jet fuel compounds.⁴

The Letter also asserts that SPLP is “allowing the product to continue to migrate throughout the area.” To the contrary and as noted above, the area of impacted groundwater is limited to the properties in the immediate vicinity of the release location, and SPLP is conducting active and passive product recovery to prevent migration of jet fuel product beyond these limited properties.⁵ Accordingly, the current primary location of any groundwater impacts and jet fuel product is located within 400 feet of the release location, and has not migrated beyond this area. In fact, because jet fuel product is not currently observed at 108 Spencer Road⁶ – where SPLP previously installed a recovery well but where no observable product is currently seen – it is likely that the groundwater contamination plume is shrinking over time, rather than expanding, as the Letter incorrectly suggests.

³ One of these seven properties had an observation of LNAPL in the well on a single day, that has never returned, and that appeared to not be jet fuel product, but another material unrelated to the pipeline release.

⁴ Indeed, these seven (7) properties represent only 1.9% of the 362 properties that have been sampled within a one-mile radius of the release location.

⁵ The Letter also asserts that SPLP should be extracting “the vapor state of product from the soil.” This comment again reflects a misunderstanding of the sequence of activities involved in an Act 2 remediation. Regardless, SPLP notes that it has submitted work plans to evaluate the potential presence of soil vapor in the area of the release and the potential need for remedial measures to address any soil vapor impacts that are identified.

⁶ The property at 108 Spencer Road represents the furthest point from the release location where impacts above the SHSs have been historically observed, and is located approximately 1,000 feet from the release location.

IV. SPLP's Actions to Recover the Product Released from the Pipeline

The Letter incorrectly asserts that SPLP is not performing active recovery of jet fuel product. As the Letter acknowledges, SPLP has installed four (4) recovery wells, including three (3) wells in Glenwood Drive directly adjacent to the release location – RW-2, RW-3, and RW-4. On June 5, 2025, SPLP began active recovery by pumping total fluids from RW-2 and RW-3, which includes the recovery of both groundwater and jet fuel product. SPLP also implements passive recovery, which includes placement of absorbent socks in the recovery wells when they are not being actively pumped. SPLP has also been gauging and bailing residential wells that have observable product. To date, SPLP's active and passive recovery efforts has removed more than 230 gallons of jet fuel product from wells in the Mt. Eyre neighborhood.⁷

Contrary to the assertions in the Letter, that SPLP is a “polluter who is not taking its responsibility to remediate seriously,” SPLP's expedient and fulsome response to the pipeline release demonstrates the exact opposite. Simply put, the actual facts belie the conclusions and assertions in the Letter, and SPLP and the Department have been working cooperatively to promptly and appropriately respond to the pipeline release. These efforts are ongoing, and there is no need for the Department to take any further enforcement action against SPLP.

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: Patrick Patterson, Southeast Regional Director, PADEP
Upper Makefield Township Board of Supervisors

⁷ The Letter's assertion that the residential well at 128 Walker Road is the “primary location for recovering product” is not accurate. Since SPLP installed the three recovery wells in Glenwood Drive, those recovery wells are the primary locations where jet fuel product has been observed and is being recovered. Further, SPLP has made additional offers to address the concerns of the owners of 128 Walker Road, including offering to drill a new potable water well, and SPLP is actively in the process of performing utility clearance work to locate a potential new potable well on the property.