



Sunoco Logistics and Energy Transfer Company Pipeline Incident Summary

Sunoco Logistics (“Sunoco”) and Energy Transfer Partners (“Energy Transfer”) together operate 9,162 miles of hazardous liquid (i.e. crude oil) and gas pipelines.¹ According to the Pipeline and Hazardous Materials Safety Administration (PHMSA) and news reports, Sunoco and Energy Transfer had 317 pipeline incidents from 2006 to April 18, 2017. PHMSA estimates that these incidents have caused \$64,328,190 in property damage.²

From 2006 through September 2013 alone, Sunoco:

- Paid \$1.2 million in penalties for safety issues.
- Caused property damage costing almost \$42 million.
- Spilled 16,075 barrels of hazardous liquids, over half of which was never recovered.³

From 2006 through October 2016, ETP:

- Caused property damage costing \$ 9.67 million, but paid only \$24,400 in penalties.⁴
- Spilled 9,577 barrels of hazardous liquids with only 30 barrels recovered and 99.6% remaining in the environment.⁵

From 2010 through June 2017, ETP:

- Spilled hazardous liquids near water crossings more than twice as frequently as any other pipeline company in the United States this decade.⁶

¹ *Operator Information: Incident and Mileage Data: Sunoco Pipeline L.P.*, Pipeline & Hazardous Materials Safety Admin. (April 18, 2017), http://primis.phmsa.dot.gov/comm/reports/operator/OperatorIM_opid_18718.html?nocache=4631#_OuterPanel_tab_1; *Operator Information: Incident and Mileage Data: Energy Transfer Company*, Pipeline & Hazardous Materials Safety Admin. (April 18, 2017), https://primis.phmsa.dot.gov/comm/reports/operator/OperatorIM_opid_32099.html?nocache=4028#_OuterPanel_tab_3.

² Pipeline & Hazardous Materials Safety Admin., *supra* note 1.

³ Vickie Welborn, *Pipeline breaks have cost Sunoco millions*, The Times, (Nov. 3, 2014) <http://www.shreveporttimes.com/story/news/local/louisiana/2014/11/01/pipeline-breaks-cost-sunoco-millions/18340559/>. See also Liz Hampton, *Sunoco, behind protested Dakota pipeline, tops U.S. crude spill charts*, Reuters, (Sept. 23, 2016), <http://www.reuters.com/article/us-usa-pipeline-nativeamericans-safety-i-idUSKCN11T1UW>.

⁴ *Operator Information: Federal Inspection and Enforcement Data: Energy Transfer Company*, Pipeline & Hazardous Materials Safety Admin. (April 20, 2017), https://primis.phmsa.dot.gov/comm/reports/operator/OperatorIE_opid_32099.html?nocache=7067#_OuterPanel_tab_2.

⁵ Pipeline & Hazardous Materials Safety Admin., *supra* note 1.

⁶ Tucker Higgins, *Energy Transfer's Pipeline Spill Problem is Causing it Another Headache*, TheStreet, (June 22, 2017, 12:27PM), <https://www.thestreet.com/story/14178469/1/energy-transfer-has-a-problem-that-keeps-rearing-its-ugly-head-pipeline-spills.html>.

- Has spilled almost 20% of all hazardous liquid spills near water crossings.

Timeline of Notable Known Incidents and Enforcement Efforts:

- **2000:** In November, a leak in a Sunoco pipeline caused by corrosion spilled 63,000 gallons of crude oil into Campit Lake in Claiborne Parish, Louisiana.⁷
- **2004:** In April, a PHMSA inspection of Sunoco's East Texas Pipeline System resulted in a fine of \$11,000 for pipeline corrosion.⁸
- **2005:**
 - In January, Sunoco spilled approximately 260,000 gallons of crude oil into the Kentucky River. The slick on the Kentucky River was 17 miles long, reached the Ohio River, and harmed hundreds of waterfowl. The spill resulted from a girth weld failure in a 22-inch-diameter pipe that had been laid in 1950.⁹
 - PHMSA investigated and fined Sunoco \$150,000 after a pipeline facility overfilled and released more than 10,000 barrels of crude oil in Pennsylvania.¹⁰
- **2006:**
 - PHMSA conducted an on-site pipeline safety inspection of Sunoco's records and facilities in both Oklahoma and Texas, ultimately fining the company \$119,000 for 19 violations.¹¹
 - Mid-Valley Pipeline Co. and Sunoco Pipeline LP, both affiliates of Sunoco Logistics, agreed to pay a \$2.57 million penalty in a U.S. Justice Department settlement for the January 2005 pipeline leak into the Kentucky and Ohio rivers. The consent decree also included a federal civil penalty of \$300,000 for Clean Water Act violations by both companies related to the 2000 crude oil spill in Claiborne Parish, Louisiana.¹²

⁷ *Federal Government Reaches Settlement with Pipeline Companies Regarding Crude Oil Spills*, Dep't of Justice, (Aug. 15, 2006) https://www.justice.gov/archive/opa/pr/2006/August/06_enrd_534.html.

⁸ Welborn, *supra* note 3.

⁹ Dep't of Justice, *supra* note 6.

¹⁰ U.S. Dep't of Transp., Pipelines and Hazardous Materials Safety Admin., *Final Order: In the Matter of Sunoco Pipeline L.P.*, (Nov. 15, 2015) available at <https://primis.phmsa.dot.gov/comm/reports/enforce/documents/420055011/Final%20Order%20Sunoco%20Pipeline%20L.P.%20CPF%20No.%204-2005-5011.pdf>.

¹¹ Letter from R M. Seeley, Director, Southwest Region Pipeline and Hazardous Material Safety Admin. to David A. Justin, Vice President, Operations, Sunoco Pipeline, L.P., (Aug. 21, 2007), available at [Admin.https://primis.phmsa.dot.gov/comm/reports/enforce/documents/420075033W/420075033w_%20warning%20letter_08212007_text.pdf](https://primis.phmsa.dot.gov/comm/reports/enforce/documents/420075033W/420075033w_%20warning%20letter_08212007_text.pdf).

¹² Dep't of Justice, *supra* note 6.

- In December, a hazardous liquid leak from a Sunoco pipeline in Sylvania, Pennsylvania caused \$6,657 in property damage.¹³
- **2007:** In May, a bulldozer accidentally struck a Sunoco pipeline in Shamokin, Pennsylvania, spilling approximately 63,000 gallons of gasoline.¹⁴
- **2008:**
 - In November, mistakes during maintenance on a Sunoco pipeline in Murrysville, Pennsylvania caused a plug to blow out, causing a massive gasoline fountain. The approximately 12,000 gallon spill caused evacuations of nearby homes and businesses and killed nearly all of the aquatic life in a three-mile stretch of Turtle Creek.¹⁵
- **2009:**
 - In March, PHMSA proposed a \$232,900 fine for the Murrysville, Pennsylvania spill.¹⁶
 - In June, a fire during repair work on Sunoco's West Texas Gulf Pipeline System caused a spill of more than 142,800 gallons of crude oil near Colorado City, Texas.¹⁷
- **2010:** In March, PHMSA assessed a \$415,000 fine for the Colorado City, Texas crude oil spill.¹⁸
- **2011:** Spill of 54,873 gallons of crude oil at Sunoco's Cromwell, Oklahoma facility.¹⁹
- **2012:** In January, a 30-inch rupture in a Sunoco pipeline built in 1952 spewed approximately 100,000 gallons of gasoline, forcing the evacuation of 70 Wellington, Ohio residents and polluting two waterways, including a tributary of Lake Erie.²⁰

¹³ *Pipeline Safety Tracker: Incident on Dec. 27, 2006*, ProPublica, (last visited Dec. 8, 2016), <http://projects.propublica.org/pipelines/incidents/272244>.

¹⁴ *DEP Overseeing Gasoline Spill Remediation*, Gant News, (May 30, 2007), <http://gantdaily.com/2007/05/30/dep-overseeing-gasoline-spill-remediation/>.

¹⁵ Laura Legere, *DEP proposes \$2.3 million fine for 2008 gasoline spill from Sunoco pipeline*, StateImpact, (Mar. 5, 2014) <https://stateimpact.npr.org/pennsylvania/2014/03/05/dep-proposes-2-3-million-fine-for-2008-gasoline-spill-from-sunoco-pipeline/>.

¹⁶ *DOT Proposes Fine for Sunoco Pipeline, L.P. for Pennsylvania Accident*, Pipelines and Hazardous Materials Safety Admin., (Aug. 17, 2009), <http://www.phmsa.dot.gov/portal/site/PHMSA/menuitem.6f23687cf7b00b0f22e4c6962d9c8789/?vgnextoid=38468987e8de2210VgnVCM1000001ecb7898RCRD&vgnnextchannel=9a5145aabfa9f010VgnVCM100000762c7798RCRD&vgnnextfmt=print>.

¹⁷ Letter from R. M. Seeley, Director, Southwest Region, Pipeline and Hazardous Materials Safety Admin. to David Justin, Vice President, Operations. Sunoco Pipeline L.P., (Mar. 11, 2010) *available at* https://primis.phmsa.dot.gov/comm/reports/enforce/documents/420105010/420105010_NOPV%20PCP%20PCO_03112010_text.pdf.

¹⁸ Letter *supra* note 16.

¹⁹ Angela Neville, *Sunoco Settles with EPA Over Oil Spills in Texas and Oklahoma*, Texas Lawyer, (Jul. 20, 2016) <http://www.texaslawyer.com/id=1202763176324/Sunoco-Settles-with-EPA-Over-Oil-Spills-in-Texas-and-Oklahoma?slreturn=20161108125807>.

²⁰ Kelly Petryszyn, *Investigators look into Wellington pipeline leak*, The Morning Journal (Jan. 25, 2012 12:01 AM)

- **2013:**
 - In March, a Sunoco pipeline leaked ~20,000 gallons of crude oil into Otter Creek in Tyler County, Texas.²¹
 - In December, in Coal Township, Pennsylvania, a Sunoco pipeline leak was detected when someone reported smelling gasoline. Sunoco reported 2 gallons of gasoline spilled.²²
- **2014:**
 - In March, the Pennsylvania Department of Environmental Protection filed a complaint seeking to fine Sunoco at least \$2.38 million for the 2008 Murrysville, Pennsylvania spill, which caused about \$1.1 million in property damage.²³
 - Also in March, Sunoco reported a 21,000-gallon crude oil spill into an unnamed creek that runs into a nature preserve in Cincinnati, Ohio.²⁴
 - In October, Sunoco's Mid Valley Pipeline leaked approximately 168,000 gallons of crude oil into Miller Branch Creek of the Tete Bayou, near Mooringsport, Louisiana.²⁵
- **2015:** PHMSA found out that Sunoco failed to report a crude oil spill, fire, and at least one injury that occurred at subsidiary West Texas Gulf Pipeline Company's Wortham facility on February 19, 2013. PHMSA only learned about the incident when they received a public information request about it. The following investigation uncovered many mistakes made by Sunoco leading up to the accident, including failing to verify employee qualifications and not following safety procedures. There had been a similar accident while workers were doing maintenance work on a different Sunoco Texas pipeline terminal in 2009, and PHMSA cited Sunoco's failure to investigate the 2009 incident as a root cause of the 2013 accident.
- **2016:**
 - In July, PHMSA issued Sunoco a notice of violation of numerous pipeline safety regulations for the unreported 2013 spill, and proposed a \$1.54 million civil penalty.²⁶

<http://www.morningjournal.com/article/MJ/20120125/NEWS/301259962>.

²¹ *550 barrels of crude oil leak into Tyler County creeks*, 12 News, (March 7, 2013, 5:25 PM)

<http://www.12newsnow.com/news/550-barrels-of-crude-oil-leak-into-tyler-county-creeks/270123548>.

²² Mike Vojtoko, *Crews Work to Stop Gas Leak*, 16 WNEP, (Dec. 23, 2013), <http://wnep.com/2013/12/23/crews-work-to-stop-gas-leak/>.

²³ Legere, *supra* note 14.

²⁴ *Mid-Valley Pipeline Crude Oil Release*, U.S. Env'tl. Prot. Agency, (last visited Dec. 8, 2016) https://www.epaos.org/site/site_profile.aspx?site_id=9144.

²⁵ *E15601 - Mid-Valley Pipeline Oil Spill*, U.S. Env'tl. Prot. Agency, (last visited Dec. 8, 2016), https://www.epaos.org/site/site_profile.aspx?site_id=9578.

²⁶ Jess Krochtengel, *Sunoco Pipeline Faces \$1.5M Fine For Texas Safety Violations*, Law360, (Jul. 11, 2016, 2:41 PM), <http://www.law360.com/articles/815826/sunoco-pipeline-faces-1-5m-fine-for-texas-safety-violations>.

- Also in July, Sunoco reached a settlement with the EPA over Clean Water Act violations stemming from the 2009 Texas spill and the 2011 spill in Oklahoma. The company paid a \$850,000 federal civil penalty and implemented corrective measures.²⁷
- In August, contractors were working on main lines in Sunoco Pipeline LP's Nederland terminal in Texas when crude oil burst through a plug that was supposed to hold the oil back in the pipeline and ignited, according to lawsuits filed by the contract workers.²⁸
- In October, as a result of flooding, a Sunoco pipeline spilled a reported 55,000 gallons of gasoline into Loyalsock Creek in Lycoming County, Pennsylvania.²⁹ The vulnerability of this section of the pipeline to damage from flooding had already been made clear in September 2011, when a large section of it was exposed during the 500-year flood event triggered by Tropical Storm Lee.³⁰
- In December, there were three incidents on Sunoco pipelines, including a spill in Yale, Oklahoma that caused over \$30,000 in property damage.
- **2017:**
 - In January, there were two Sunoco pipeline incidents caused by corrosion, one in Sharon Hill, Pennsylvania, and another in Liberty, Texas. Combined with another incident related to equipment failure in Aston, Pennsylvania, these incidents caused over \$70,000 in property damage.
 - In February, Sunoco pipeline corrosion caused a spill and over \$45,000 in property damage in Corsicana, Texas.
 - In April, Sunoco's Mariner East 1 natural gas pipeline leaked around 20 barrels of ethane and propane in Morgantown, Berks County PA.
 - In April, the Environmental Protection Agency brought a lawsuit against Sunoco for the 2012 spill in Ohio, based on evidence that the company found a defect in the over fifty-year-old pipeline in 2007, but did not fix it before the 2012 rupture.³¹ Sunoco and the Environmental Protection Agency reached a proposed settlement decreasing the \$2.15 million in Clean Water Act fines down to a \$990,000 civil

²⁷ *Sunoco Pipeline, L.P. Clean Water Act Settlement*, U.S. Env'tl. Prot. Agency, (Last updated on Jul. 26, 2016) <https://www.epa.gov/enforcement/sunoco-pipeline-lp-clean-water-act-settlement>.

²⁸ Dianna Wray, *Sunoco, Sued After August Pipeline Fire, Has a History of Safety Violations*, HoustonPress, (Sept. 2, 2016, 5:00 AM) <http://www.houstonpress.com/news/sunoco-sued-after-august-pipeline-fire-has-a-history-of-safety-violations-8721539>

²⁹ *Sunoco Pipeline Spills Gasoline Near Pennsylvania River*, Reuters, (Oct. 22, 2016, 10:29 AM) <http://fortune.com/2016/10/22/sunoco-pipeline-spill-pennsylvania/>.

³⁰ Susan Phillips, *Sunoco gas pipeline ruptures in Lycoming County*, StateImpact, (Oct. 21, 2016, 7:25 PM) <https://stateimpact.npr.org/pennsylvania/2016/10/21/sunoco-gas-pipeline-ruptures-in-lycoming-county/>.

³¹ *Feds Sue Sunoco Over 2012 Pipeline Rupture, Spill in Ohio*, U.S. News (April 4, 2017, 12:21 PM) <https://www.usnews.com/news/best-states/pennsylvania/articles/2017-04-04/feds-sue-sunoco-over-2012-pipeline-rupture-spill-in-ohio>.

penalty.³² In the same month, during the construction of the Rover Pipeline, Energy Transfer spilled 2,050,000 gallons of drilling fluids in a wetland adjacent to the Tuscarawas River in Stark County, Ohio.³³

- In June the U.S. Federal Energy Regulatory Commission (FERC) launched a rare public investigation into the conduct of Energy Transfer Partners, now working on a US\$4.2 billion gas conduit from Michigan across Ohio to western Pennsylvania and northern West Virginia. So far, “construction of the Rover natural gas line has caused seven industrial spills, polluted fragile Ohio wetlands, and angered local farmers,” Bloomberg reports. The pushback “threatens to delay the pipeline’s scheduled November 1 completion.”^{34 35}
- In July, Sunoco contaminated well drinking water in Exton, Pennsylvania while drilling a pipeline. Community members experienced a loss of water pressure and cloudy water.³⁶
- While conducting work on the Mariner 2 Pipeline in July, Sunoco spilled 1,500 gallons of drilling lubricant into a creek and several days later hit an aquifer causing a water surge.³⁷

Conclusion:

The incidents listed above provide only a snapshot of the accidents and spills from Sunoco and Energy Transfer pipelines. They had 317 pipeline incidents over the span of eleven years - an average of 28 incidents per year. These fires, leaks, and spills caused injuries to people, waterways, and property. Sunoco and Energy Transfer pipelines are hazardous to communities, clean water, wildlife, and workers.

³² Kat Sieniuc, *US And Sunoco Settle Suit Over Pipeline Spill*, Law360 (April 4, 2017, 6:53 PM)

<https://www.law360.com/articles/909837/us-and-sunoco-settle-suit-over-pipeline-spill>.

³³ Catherine Traywick, *Energy Transfer's Latest Pipeline Woe Is a 50,000-Barrel Spill*, Bloomberg (April 18, 2017, 6:35 PM)

<https://www.bloomberg.com/news/articles/2017-04-19/opec-chief-sees-oil-producers-edging-toward-re-balancing-market>

³⁴ *The Company Behind the Dakota Access Pipeline has Another Big Problem in Ohio*, Bloomberg (June 22, 2017, 6:00 AM)

<https://www.bloomberg.com/news/articles/2017-06-22/dakota-access-builder-now-bungling-4-2-billion-pipeline-in-ohio>.

³⁵ FERC Announcing Investigation Into Energy Transfer’s Rover Pipeline, Sierra Club.

³⁶ *Sunoco responds after contaminating drinking water wells*, Daily Times Business (July 11, 2017, 9:19 PM)

<http://www.delcotimes.com/business/20170711/sunoco-responds-after-contaminating-drinking-water-wells>.

³⁷ *Sunoco Pipeline Crews Dealing With 2 Incidents Over Span Of 3 Days*, CBS Philly (July 19, 2017, 6:22PM)

<http://philadelphia.cbslocal.com/2017/07/19/sunoco-pipeline-incidents/>.