Pipeline Safety TRUST

Credible.
Independent.
In the public interest.

September 5, 2025

Jim Wright, Chairman
Railroad Commission of Texas
P.O. Box 12967
Austin, Texas 78711-2976

Re: Request for Reconsideration of Enforcement Decision, September 2024 Energy Transfer Pipeline Fire in Deer Park, TX

Dear Mr. Wright:

I am writing on behalf of the Pipeline Safety Trust to request that Texas Railroad Commission reconsider its enforcement decision against Energy Transfer for its incident in Deer Park last fall. Specifically, I request that the Railroad Commission use its regulatory authority to hold Energy Transfer accountable for violations that endangered this community by either reconsidering its enforcement decision and issuing appropriate penalties or providing a detailed, public explanation for its decision not to do so.

Pipeline Safety Trust (PST) is a nonprofit watchdog organization dedicated to protecting people and the environment from the devastating impacts of pipeline disasters. We pursue our mission of education and advocacy by increasing access to information, and by building partnerships with residents, safety advocates, government, and industry, that result in safer communities and a healthier environment.

On September 16, 2024, a vehicle struck an exposed valve site on Energy Transfer's intrastate natural gas liquids pipeline in Deer Park, TX. Unfortunately, the valve failed and caused the product to ignite, creating a massive, extremely hot, exposed fire fed by the contents of the pipeline. Because the vehicle struck a valve site, Energy Transfer proceeded to allow the remaining product in the pipe to burn off, resulting in an 80-hour fire, evacuations, and damage to nearby homes.

PST believes that Energy Transfer violated 49 C.F.R. § 195.258, which states that "each valve must be installed in a location that is accessible to authorized employees and that is protected from damage or tampering." We were surprised to see that the Railroad

Commission found that there was no violation for this incident. Disappointingly, the Investigation Report provided no legal analysis of the incident. In our opinion, a plain reading of the regulatory text indicates that Energy Transfer has an obligation to protect its valves from damage or tampering and thus should have installed barriers given the valve's proximity to a nearby highway. *Id*.

The Railroad Commission is tasked with primary regulatory jurisdiction over intrastate pipelines in Texas due to its certification with PHMSA, thus it is fully within your purview to enforce this section of code. 49 U.S.C. § 60105–06. PST urges you to use your authority under Texas Natural Resources Code § 117.011 and § 117.051 to hold Energy Transfer accountable for its regulatory violation that has endangered this community by reconsidering this investigation and issuing a penalty. If the Commission continues to find no violation, we respectfully request that it provide a detailed, public explanation of how the valve's exposure to vehicular damage complies with 49 C.F.R. § 195.258.

Thank you for your consideration of our request. Please contact me at erin@pstrust.org or (360) 543-5686 x107 if you have any questions or would like to discuss this letter.

Sincerely,

Erin Sutherland

Erin Sutherland
Policy & Program Director/Counsel

CC: Christi Craddick, Commissioner
Wayne Christian, Commissioner
Stephanie Weidman, Pipeline Safety Director