



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Southwest Regional Office

March 2, 2020

Matthew Gordon
Sunoco Pipeline, L.P.
525 Fritztown Road
Sinking Spring, PA 19608

Re: DEP FILE E11-352-A1
Technical Deficiency Letter
Pennsylvania Pipeline Project – Mariner East 2 Goldfinch Lane HDD Reroute
APS ID # 876467
Jackson Township
Cambria County

Dear Matthew Gordon:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has identified significant technical deficiencies. The attached list specifies the deficiency items. The deficiencies are based on applicable laws and regulations, and the guidance set forth as DEP's preferred means of satisfying the applicable regulatory requirements.

Pursuant to 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth on the attached list. Please note that this information must be received within sixty (60) calendar days from the date of this letter or DEP may consider the application to be withdrawn by the applicant.

You may request a time extension, in writing before the due date to respond to deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed and considered by DEP. You will be notified of the decision in writing to either grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees providing permit decisions within the published time frames, provided applicants submit complete, technically adequate applications that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be withdrawn or denied.

Should you have any questions related to the engineering comments, please contact James Sommer at 412.442.4268 or jamsommer@pa.gov. For questions related to the environmental comments, please contact Joseph Snyder at 412.442.4308 or jossnyder@pa.gov. Please refer to Application No. E11-352-A1 to discuss your concerns or to schedule a meeting. You may also follow your application review process via *eFACTS on the Web* at: <http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx>.

Sincerely,



Dana Drake, P.E.
Environmental Program Manager
Waterways & Wetlands Program

Enclosure(s)

cc: Jackson Township
Cambria County Conservation District – Bobbie Blososky
Brad Schaeffer, Tetra Tech, Inc.
U. S. Army Corps of Engineers
PA Fish & Boat Commission
Permitting & Technical Services Section DEP File No. E11-352-A1
Dana Drake, P.E., Program Manager

PLEASE ENCLOSE A COPY OF THIS LETTER WHEN SUBMITTING
THE REQUESTED INFORMATION
ALL REQUESTED INFORMATION BELOW MUST BE SUPPLIED IN TRIPLICATE
Items Needed for TECHNICAL ADEQUACY

Environmental Comments;

1. §105.13(e)(1)(iii) and 25 Pa. Code Chapters 93, 95, 102 and 105: Sunoco's Pa Pipeline Project (PPP), aka Mariner East 2 (ME2), was originally proposed in 2 phases. Phase I will install pipeline from an existing facility in Houston, PA to the existing port in Marcus Hook, PA. If favorable market conditions exist, Phase II will install pipeline from an existing pump station in Delmont, PA to Marcus Hook, PA. Phase II will include 255 miles of pipeline that will be inside the existing Sunoco corridor. To facilitate the Department's review of your current application to amend Permit No. E11-352, provide the status of these 2 phases, and identify the phase which includes the currently proposed reroute.
2. §105.13(e)(1)(viii), §105.16(a) and §105.18a(b)(3): To facilitate the Department's review of your Alternatives Analysis, provide:
 - a. The length and station numbers/mile markers/etc. for the current section of pipeline that is to be re-routed, and provide the length and station numbers/mile markers/etc. for the proposed section of the pipeline reroute.
 - b. An Aquatic Resource Table that lists the impacts along the current route of the section of pipeline that is to be re-routed, and provide a cumulative total for all types of aquatic resources to be impacted.
3. §105.13(e)(1)(viii), §105.16(a) and §105.18a(b)(3): Related to the preceding item, your Alternatives Analysis indicates that the approximately 1-mile pipeline reroute of this section of pipeline is being proposed to avoid extensive, permanent, conversion impacts to a PFO wetland area. To facilitate the Department's review of your alternatives analysis, quantify and describe the impact to the PFO wetland area that will be avoided by this proposed reroute. In addition, compare this impact, which you are proposing to avoid, to the new/additional impacts to aquatic resources that are anticipated within the proposed reroute.
4. §105.13(e)(1)(viii), §105.16(a) and §105.18a(b)(3): Evaluate the feasibility of routing the proposed reroute further north of its current southern extent, perhaps closer to the current route, to potentially avoid or minimize the environmental impacts that are associated with the currently proposed reroute.
5. §105.13(e)(1)(x): The correspondence that you provided from the PA Historical & Museum Commission (PHMC), dated March 1, 2019, indicates that no further archaeological work is necessary. Provide evidence that PHMC was able to complete its review, regarding your project's potential to impact historic, above ground resources. If applicable, provide evidence that any concerns of PHMC have been adequately addressed,.
6. §105.13(a), §105.13(e)(1)(viii), §105.15(a), §105.16(a), §105.18a(b)(3) and 25 Pa. Code Chapters 93, 95, 102 and 105: Compare the Summary of Resources & Impacts on page 3 of Module S1 of your Environmental Assessment (EA) to the values that are reported in Table S3.A-1 in Module S3 of your EA. Revise your EA, and your Comprehensive Environmental Assessment, as needed.
7. §105.13(e)(1)(x): Provide a map that shows the location of the sampling points that are referenced on your wetland delineation data forms and your stream data forms.
8. §105.13(e)(1)(x): The data sheets that are included in the Aquatic Resources Report for the Goldfinch Lane Reroute do not list any vegetation in the tree stratum on the wetland data forms,

but do list trees on the upland data sheets. Please check and verify this information. Revise data forms and wetland classifications, if necessary.

9. §105.13(e)(1)(viii) and §105.18a(b)(3): Evaluate the feasibility of the following adjustments to the proposed reroute, to potentially avoid or minimize impacts to wetlands:
 - a. Could proposed open cuts through Wetland W1r, at three (3) locations, be avoided or minimized by moving the pipeline some tens of feet to the southwest?
 - b. Shift the right of way 30 feet to the southeast to potentially avoid or minimize impacts to Wetland W5r.
 - c. Move the alignment 20 to 40 feet to avoid or minimize impacts to Wetland W7r and W8r.
 - d. Shift the route 50 feet to avoid or minimize impacts to Wetland W3r.
10. §105.13(e)(1)(x): Evaluate the feasibility of shifting the proposed reroute by 50-100 feet into the open fields that are located immediately to the southwest of the proposed route (see Site Plan Sheet Nos. 102 and 103 of 104), to potentially avoid or minimize impacts to the forested area that is adjacent to these fields.
11. §105.13(e)(1)(viii), §105.16(a) and §105.18a(b)(3): Evaluate the feasibility of utilizing non-HDD trenchless constructions methods, such as auger boring or Direct Pipe, to install the utility line along the proposed reroute, to minimize environmental impacts from the proposed open cut method.
12. 25 Pa. Code Chapters 93, 95, 102 and 105: Section S3.H Potential Cumulative Impacts, in your Environmental Assessment reports a maximum of approximately 47.9 acres of permanent impacts to wetlands, from the overall/entire Pennsylvania Pipeline Project. The Cumulative Impact Analysis that was included with the Joint Permit Application that was submitted for Permit No. E11-352, reported a cumulative wetland impact of 30.561 acres (see Table 22, page 71). The current application for the proposed Goldfinch re-route is reporting 0.77 acre of additional, permanent wetland impacts. Please check these numbers and discuss the increase in acreage of permanent wetland impacts for the Overall Pennsylvania Pipeline Project.
13. 25 Pa. Code Chapters 93, 95, 102 and 105: Related to the preceding item, Section S3.H Potential Cumulative Impacts, in your Environmental Assessment reports approximately 65,575 linear feet of cumulative waterbody disturbance. The Cumulative Impact Analysis that was included with the Joint Permit Application that was submitted for Permit No. E11-352, reported a total, permanent impact of 12.031 acres to streams, rather than in linear feet (see Table 19, page 56). Accordingly, please check these numbers, and discuss any changes in permanent impacts to watercourses (in linear feet and acres), from the Overall Pennsylvania Pipeline Project.

Engineering Comments:

14. §106.3: As the applicant is a public utility, the requirements in the Department's Chapter 106 rules and regulations, regarding floodplain management, will also apply to this project. Please quantify your FEMA floodplain impacts for the project (permanent and temporary).
15. §105.13(a): Please provide the Joint Permit Application Forms and include an original signature for the applicant. These forms are not provided within the package submission. In addition, Attachment I's Joint Application Form Landowner List is not seen. Please provide.
16. §105.13(e)(1)(x): Please revise the aquatic impact site plans to provide match lines for the subsequent sheets (Attachment E).
17. §105.13(e)(1)(x): Please describe how the pipeline will be installed beneath Hinckston Run as it is reported to be roughly 30-foot wide. A pump-around will not work in this location due to the size of the watercourse. Additionally, please ensure all watercourse and wetland crossings for this amendment are located on the resource crossing table on Sheet ES-0.02 as they are not seen.

18. §105.13(g): Please provide information, per Comment # 17 above, if applicable, to provide evidence that Hinckston Run will be conveyed past the work area without increasing water surface elevations for the temporary conditions which will flood areas outside of the applicant's right-of-way.
19. §105.301(9): Please describe if there are adequate provisions for shut-off of the gas pipeline in the event of break or rupture.
20. §105.301(10): Figure 2 of the wetland and stream profiles shows Wetland 2R without a trench plug on one of its ends. Please revise Figure 2 to adequately show the use of a trench plug in this location.
21. §105.13(g): As revisions have been made to the E&S Plans as part of the ESCGP-3 review, including geohazard mitigation measures and seeding revisions, please provide a revised E&S Plan Set, in whole, for the Joint Permit Application. This should be on 22 x 34 size sheets due to the amount of material on each page.
22. §105.13(g): For any revisions to the E&S Plan Set made as part of the JPA comments, provide the adequate copies to the Cambria County Conservation District and PA DEP for substitution into the ESCGP-3 application.

Please note that the responses should be in the form of revisions to the original application. Any pages revised should bear the revision date. We need three (3) copies of any responses and revisions. Please do NOT send copies of the entire application; only those pages or drawings that change should be submitted.