

From: [Dan Daley](#)
To: [Batoon, Ailene](#)
Cc: [Rocco, Domenic](#); [Hohenstein, John](#); [Silva, Rachel](#); [Doug Hanley](#)
Subject: Sunoco - Uwchlan Township, Chester County
Date: Thursday, December 10, 2015 8:11:48 AM
Attachments: [1265-490 Tetra Tech re SWM - Floodplain Consistency Response Ltr 12-09-15.pdf](#)

Ailene

On behalf of Uwchlan Township, Chester County - please find a letter regarding the Stormwater and Floodplain Consistency as requested.

Please feel free to contact me with any question.

Daniel Daley, P.E.
E. B. Walsh & Associates, Inc.
Lionville Professional Center | 125 Dowlin Forge Road | Exton, PA 19341
Direct: 610.903.0033 | ddaley@ebwalshinc.com



EDWARD B. WALSH & ASSOCIATES, INC.
Complete Civil Engineering Design / Consultation Services
Lionville Professional Center
125 Dowlin Forge Road
Exton, PA 19341

December 9, 2015

Ailene Batoon
Tetra Tech Inc.
285 Ellicott Street
Buffalo, NY 14203
via electronic mail: ailene.batoon@tetrattech.com

Re: Sunoco Pipeline L.P., Pennsylvania Pipeline Project

Dear Ms. Batoon,

On behalf of Uwchlan Township, my office has reviewed the above referenced project as requested by your office. Please be advised that the Township has a local Storm Water Management Ordinance (Ordinance 2013-07) effective in the project area. As noted in the attached September 25, 2015 letter and after studying the proposed activity, there is insufficient information supplied on the plans to determine if the project is consistent with the Township's Act 167 Stormwater Ordinance. Therefore we cannot supply the requested consistency statement for the project.

In regard to the Floodplain Management Plan, the project is not located in the boundary of the FEMA Flood Insurance Study and therefore this project has no effects on the Floodplain Management Program effective in the Township.

Very truly yours,
EDWARD B. WALSH & ASSOCIATES, INC.
Uwchlan Township Engineers

Daniel H. Daley, PE

cc: Doug Hanley, Uwchlan Township (dhanley@uwchlan.com)
Domenic Rocco, P.E., PA DEP
John Hohenstein, P.E. (johohenste@pa.gov)
Rachel Silva (rachel.silva@tetrattech.com)

REGISTERED PROFESSIONAL ENGINEERS & LAND SURVEYORS
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September 25, 2015

Department of Environmental Protection
Mr. Domenic Rocco, P.E.
Waterways and Wetlands Program Manager
Southeast Regional Office
2 East Main Street
Norristown, PA 19401

Re: Sunoco Pipeline, L.P.
Erosion and Sedimentation Control General Permit (ESCGP-2)
Uwchlan Township, Chester County

Dear Mr. Rocco:

On behalf of Uwchlan Township, Edward B. Walsh & Associates, Inc. (EBWA) has reviewed below submitted plans and information for the Sunoco Pipeline, L.P. project. The following information has been received by the Township:

- Pennsylvania Pipeline Project Construction Spread 6, Chester County Conservation District Erosion & Sediment Control & Site Restoration Plan prepared by Tetra Tech, prepared for Sunoco Pipeline, L.P., dated August 2015 – DRAFT.
- Sunoco Pipeline, L.P. Pennsylvania Pipeline Project Notice of Intent for Coverage under the Erosion and Sediment Control General Permit (ESCGP-2) for Earth Disturbance Associated With Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities - including five (5) attachments

As depicted on the plan, Sunoco Pipeline, L.P. (Sunoco) is proposing to install two 20-inch welded steel natural gas liquids pipelines. The installation of the pipes are shown to be constructed via a combination of boring and open cut construction. Our review is focused generally to comments associated with the ESCGP-2 permit application package. The following comments and recommendations are offered on behalf of Uwchlan Township:

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1. **General Plan Content Comments.** In order for the Township to comment on the proposed impacts of the pipeline project, additional plan content must be provided to determine the impacts to existing resources including but not limited to:
 - a. Limits of tree removal and clearing.
 - b. Locations of bore pits.
 - c. Depth of the proposed pipes.
 - d. Location of the existing Sunoco pipeline (adjacent to the proposed pipelines).
 - e. Location and depth of existing utilities.

2. **Post Construction Stormwater Management Comments.** The Notice of Intent (NOI) submitted with our Act 14, 67, 68 and 127 Municipal Notice (not signed or dated), indicates in Section F – Post Construction Stormwater Management (PCSM) Plan BMPs that the PCSM Plan, in its entirety, is consistent with all requirements pertaining to rate, volume, and water quality from an Act 167 Stormwater Management Plan approved by DEP on or after January 2005. Uwchlan Township has adopted the Chester County-Wide Act 167 Model Ordinance and based upon our review, there is insufficient information supplied on the plans and within the NOI to determine if this project is consistent with the approved Act 167 Plan. We recommend the applicant be required to address the following comments prior to issuance of the PA DEP permits:

Chapter 214 – Uwchlan Township Stormwater Management Ordinance – 2013-07

A. **Section 15.G** – *For Regulated Activities with one (1) acre or more of proposed Earth Disturbance, existing drainage peak rate discharges up to and including the one hundred (100)-year storm onto or through adjacent property(ies) or downgradient property(ies), including diffuse drainage discharge, shall not be altered in any manner without written permission from, and, where applicable as determined by the Municipality an easement and agreement with, the affected Landowner(s) for conveyance of discharges onto or through their property(ies). Such discharge shall be subject to any applicable discharge criteria specified in this Ordinance.*

As noted below in additional detail, an increase in peak discharge rate may occur due to the change in land cover (tree removal). This increase in peak rate must be controlled by stormwater management facilities that meet the requirements of the Township Ordinance or agreements with the affected Landowners must be obtained.

B. **Section 17. Erosion and Sediment Control**

1. Additional erosion and sedimentation controls must be provided at the bore pit locations.

2. The limit of disturbance must be shown on the plan.

C. Section 19. Water Quality and Runoff Volume Requirements
Section 20. Infiltration Requirements
Section 21. Stream Channel Protection Requirements
Section 22. Stormwater Peak Rate Control Requirements
Section 23. Calculation Methodology

Within Uwchlan Township, the proposed improvements will include the installation of two new 20-inch diameter pipes. It does not appear that any new impervious coverages are proposed to be constructed. Stormwater runoff impacts as a result of the project may include:

1. An increase in runoff volume and / or peak rate of runoff due to the following:
 - A change in ground cover from the pre-developed condition to the post developed condition.
 - An alteration of the absorption / infiltration capacity of the soil within the project area (compaction) as a result of the construction activities.
2. Flow alteration due to grading modifications that may occur during the final restoration process (ie. divert runoff to locations which previously did not receive runoff due to the installation of water bar or mounding of backfill operation).

In order to determine if the project is in compliance with the above referenced Sections 19-23 of the Township's Act 167 Stormwater Management Ordinance, the design engineer must provide the following:

- A plan and calculations detailing the areas in which the ground cover will be permanently modified after the construction is complete.
- The design of stormwater management controls for all areas in which the runoff volume and / or rate will be increased based upon the change in ground cover, including but not limited to wooded areas that will not be restored following construction. In order to minimize impacts, it is recommended that all wooded temporary workspace areas be restored to a wooded condition following the completion of construction.
- Design details and construction notes must be provided to detail the proposed soil restoration process for all areas within the limit of disturbance, including but not limited to construction entrances, stockpile areas and staging areas.
- The design must detail the plans for the soil backfill operation procedures for the pipe placement and if the excess material will be exported from the site or remain onsite. Alterations to the ground surface elevations in the post developed condition from the spoils must be detailed on the plan to ensure modifications to the overland flow of runoff does not occur.

D. Section 27. SWM Site Plan Contents

The submitted plans do not comply with the Township's Ordinance Act 167 Ordinance for the following plan content items:

1. Section 27.A.3&4 – Certification blocks must be added to the plan set.
2. Section 27.B.2 – Names and tax parcel numbers must be added to the plan for all affected parcels.
3. Section 27.B.7 - Legal property boundaries must be shown on the plans. The Township Boundary lines must be properly depicted on both the north and south end of the Township. The location is significantly mislabeled (700 feet +/-).
4. Section 27.B.8, 10 & 11 – Additional plan content must be added to the plan including but not limited to steep slopes, soil types, FEMA floodplain boundaries, and the limit of earth disturbance.
 - a. On Sheet 6.33 of 93, the watershed label indicates the incorrect watershed and stream classification. This area of the project is located in the Shamona Creek Watershed and the Chapter 93 classification is High Quality.
 - b. On sheets 6.41 and 6.42 of 93, the existing features, with the exception of roads, contour lines and the streams, are not shown on the plan. All existing buildings are not shown on the plans.
5. Section 27.B.15 – The location of all existing utilities, including but not limited to the Township storm and sanitary sewer, must be indicated on the plan in the areas of the proposed work.

E. Article V – Performance and Inspection of Regulated Activities, and Final As-built Plans & Article VII – Operation and Maintenance (O&M) Responsibilities and Easements

Depending on the stormwater analysis resulting for the proposed construction impacts, in particular the tree removal, if stormwater management facilities are required, the requirements for Article V and VII must be followed.

F. General Comments

1. On the submitted plans, six (6) water bars are proposed to be constructed along the project corridor within Uwchlan Township. Clarification as to the purpose of the water bars must be provided as they will divert runoff to locations which previously did not receive runoff. As per the detail on sheet 0.08 of 93, the water bars shall be left in place after permanent stabilization has been achieved.
2. Clarification is requested as if any rock blasting is anticipated.
3. Legend on sheet 0.02 of 93 indicates a hatch pattern for the locations of the soil amendments. This same hatch pattern is shown on sheet 6.34 and 6.35 for properties within Eagleview Boulevard. Clarification if soil amendments are proposed in these areas or if the hatch pattern is labeled incorrectly compared to

the legend. Similarly, the Infiltration Berm legend line type appears to be incorrect (compared to the limit of disturbance).

3. **Notice of Intent Comments.**

- Page 2. Project Description. The length of the project is not labeled on the project description (XXX miles).
- Page 3.
 - Item 11. Geologic formations or soil types have not been identified on the submitted plans.
 - Item 14. Riparian Forest Buffers have not been identified on the submitted plans.
 - Item 16. Antidegradation implementation requirements have not been addressed on the submitted plans. Uwchlan Township requests copies of these requirements for our review and comment.
 - Item 17. Seasonal high groundwater levels have not been identified. The depth of the proposed excavation and pipeline installation must be identified to determine if potential impacts may occur.
- Page 5. Item 2 – Riparian Buffers and limits of clearing have not been identified on the plan therefore the impacts to the buffers cannot be identified.
- Page 6. Section E. Site Restoration Plan BMPs. Applicant has indicated the Site Restoration Plan is consistent with an applicable approved Act 167 Plan. Based upon the supplied information, Uwchlan Township does not concur the project is consistent with the County-Wide Act 167 Plan model ordinance. Uwchlan Township requests a copy of the “verification report” as noted in Section E.
- Page 7.
 - Item 1.A. The NOI indicates the PCSM, in its entirety, is consistent with all requirements pertaining to rate, volume, and water quality from an Act 167 Stormwater Management Plan approved by DEP. Again, based upon the supplied information, Uwchlan Township does not concur with this statement.
 - Item 2. Riparian Buffer Information. Riparian buffers and impacts to the buffers are not identified on the plan therefore it is not clear as to the impacts of the project to the buffers. The applicant is indicating they are proposing to Protect and Convert the riparian buffer. A Buffer Management Plan is required as noted on the bottom of Page 7.
- Page 8. The applicant has indicated on the top of Page 8, the project is proposing to restore the pipeline right-of-way to a meadow condition therefore supporting calculations are not required. As noted above, stormwater impacts may occur due to the clearing operation and construction equipment impacts. The applicant should be made to address these issues.
- Page 10 and 11. Refer to *Page 7* comments noted above.
- Page 12 and 13. Not applicable as the proposed impervious coverages are located outside of Uwchlan Township.
- Page 14. Antidegradation Analysis. The nondischarge BMPs are indicated *re-construction drainage pattern intact within the right of way*. Water bars are proposed to remain which will alter the drainage pattern.

- Page 17. The submitted NOI received by Uwchlan Township was not signed, sealed or dated.
- Uwchlan Township requests Attachment A and B of the NOI Instructions to be submitted to the Township for future submittals (*A - Standard E&S Plan Technical Guide and B - Standard PCSM Technical Guide*).

4. **General Information Form (GIF).**

- Page 3 of 7.
 - The box was checked that the applicant has informed the surrounding community and addressed any concerns prior to submitting the application to the Department. By receipt of this letter, we are informing the Department that our concerns have not been addressed.
 - Land Use Information. Municipal Land Use Letters for the project have not been provided (no letter issued from Uwchlan Township).
- Page 6 of 7. Item 13.0 – the air emission information has not been provided (labeled *To Be Determined*).
- Page 7 of 7. The submitted copy of the GIF Certification was not signed.

5. **Township Ordinance Requirements.**

The project is inconsistent with the following Township Ordinance requirements:

- A. Subdivision and Land Development Ordinance. Section 509.2.d - *There shall be a minimum distance of 50 feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision or land development.* It appears the new pipelines may violate this minimum setback requirement from various dwelling units along the project corridor.
- B. Zoning Ordinance – Section 510 – Floodplain District. Within the project limits of Uwchlan Township, the proposed pipes cross floodplain areas. The installation of pipelines within the floodplain is not permitted without obtaining a variance.
- C. Zoning Ordinance - Section 618 – Steep Slopes. In order to evaluate the impacts to steep slopes, the plans must be revised to delineate the Precautionary (15% to 25%) and Prohibitive (greater than 25%) steep slope areas within the project limits.
- a. Per Section 618.4.a.2, No more than 15% of prohibitive slopes on within the project area shall be regraded, cleared, built upon, or otherwise altered or disturbed. Utility lines where approved by the Township and all other regulatory agencies, when it can be demonstrated that no other routing is feasible, are a permitted use within prohibitive slopes.
 - b. Per Section 618.4.e, all stockpiles of earth shall be seeded or otherwise stabilized immediately. Any disturbed area of prohibitive slopes or any cut and fill resulting in slopes of greater than 3:1 shall be protected with an erosion control blanket.
 - c. Per Section 618.4.h, removal of, or disturbance to, existing vegetation on the site shall be minimized. The proposed impacts on existing vegetation shall be evaluated in terms of the potentially detrimental effects on slope stability, transportation and recharge of stormwater, aesthetic and traditional characteristics

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of the landscape, and existing drainage patterns. Mitigation measures may be required by the Board as it deems appropriate. Upon receipt of the delineation of the steep slopes, mitigation measures may be required.

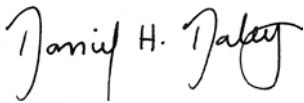
6. **General Comments.**

- A. The proposed pipeline will cross the Township's sanitary sewer conveyance system in approximately sixteen (16) locations. Many of the sewer crossings are asbestos cement pipe. In order to ensure the construction does not negatively affect the Township's sewer system and cause a pollution event, plan and profile view of all sewer crossings must be submitted for review and approval.

- B. The majority of the project through Uwchlan Township is proposed to be constructed via a boring operation. In order to minimize the impact to the resident properties to the southeast of N. Whitford Road (parallel to Crump Road) and the west of Colonial Drive (east of Carton Place), we request Sunoco change the construction method from open cut to boring at these locations.

In conclusion, the above comments are offered for the Departments review of the project. If you should have any questions or require any additional information, please feel free to contact me.

Very truly yours,
EDWARD B. WALSH & ASSOCIATES, INC.
Uwchlan Township Engineers



Daniel H. Daley, P.E.

cc: Uwchlan Township
Sunoco (DONALD.ZOLADKIEWICZ@sunoco.com)
Joe Sofranko (jsofranko@chesco.org)
Robert Simcik (Robert.Simcik@tetrattech.com)