

DANIELLE FRIEL OTTEN, MEMBER
155TH LEGISLATIVE DISTRICT

102B EAST WING
P.O. BOX 202155
HARRISBURG, PENNSYLVANIA 17120-2155
(717) 783-5009
FAX: (717) 772-2943

631 POTTSTOWN PIKE
EXTON, PENNSYLVANIA 19341
(484) 200-8259
FAX: (484) 200-8269



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
CHILDREN AND YOUTH
ENVIRONMENTAL RESOURCES AND ENERGY
POLICY
TOURISM AND RECREATIONAL
DEVELOPMENT

To: Pennsylvania Department of Environmental Protection

Re: Public Comment – HDD Reevaluation Report,
Biddle Drive/Devon Drive/Shoen Road Crossing (HDD360)

Date: October 23, 2020

I write to submit my comments to the public record on Sunoco LP/Energy Transfer's Horizontal Directional Drilling Analysis for the installation of a 20" pipeline at HDD S3-03-0360 - Biddle Crossing.

This site continues to be an example of our failure to uphold the rights of Pennsylvanians to public health, safety, private property, and environmental protection. By continuing to allow this project to move forward with a track record of destruction, falsified records and failed plans, we continue to shift the burden in property damage, public health and safety risks, and environmental destruction of this project to the public, while an out of state, multinational corporation reaps the profit and gain at our expense.

This drilling site has had issues with groundwater discharge and mitigation consistently since June 2017, when drilling breached the subsurface aquifer, ultimately requiring more than a dozen private well owners to be transitioned to public water service. Additionally, it has caused surface level water discharge that has been referred to as "seeps" on private property at 107 Shoen Road, along the drilling route.

In sworn testimony during proceedings before the Pennsylvania Public Utility Commission in May of 2018, Sunoco LP/ Energy Transfer took responsibility for the seeps on the property at 107 Shoen Road. Sunoco's own hydrogeological assessment, submitted to the DEP in September 2017, determined that "a groundwater mound would develop which could generate seeps north of Shoen Road, similar to what was observed on July 20, 2017 in response to attempts to grout the open drill hole, and reportedly continues currently to produce surface seepage at that location." Property owner Mrs. Kerslake and her neighbors further testified that the seeps were never present before the pilot hole was grouted in July 2017.

This new drilling analysis conflicts with the 2017 findings and all accounts by local residents who have lived on that hillside for decades. Further, contrary to the September 2017

Hydrogeological Investigation, Sunoco predicted that once pullback and grouting was completed, the seeps would subside. Several weeks after final pullback and grouting of the 16” borehole, seeps continue to flow at increased levels, causing water with a pH too high to discharge in the waterways of the commonwealth to require mitigation operations 24 hours a day, 7 days per week. This is not addressed in the Drilling Analysis in question.

How will this situation be managed long term? Where will the water pop up when they drill a new pilot hole? How many more homeowners will be impacted?

In addition to the inconsistencies in the reports that have been submitted on this site, according to USGS, land subsidence occurs when large amounts of groundwater have been withdrawn from certain types of rocks, such as fine-grained sediments. The rock compacts because the water is partly responsible for holding the ground up. When the water is withdrawn, the rock falls in on itself. Excessive pumping of aquifer systems has resulted in permanent subsidence and related ground failures. In some systems, when large amounts of water are pumped, the subsoil compacts, thus reducing in size and number the open pore spaces in the soil the previously held water.

As the Department is aware, land subsidence poses risk of catastrophic failure in pipelines, with hillside locations being particularly vulnerable as evidenced in the September 2018 explosion of the Revolution Pipeline in Beaver County, PA, which caused a massive fireball, engulfing a home and burning section of land over 500 feet from the site of subsidence. In the heart of Exton, Chester County, a similar incident would cause catastrophic loss of life and property. As you are also aware, this area has been plagued with land subsidence events that have caused five families to have to move away from their homes and neighborhood at Lisa Drive in Exton. Route 30, one of Chester County’s busiest thoroughfares, has had over a dozen land subsidence events since June of 2020 and as recently as last week, new subsidence features have been discovered at this valve site location.

Along with the land subsidence issues in West Whiteland township, very close to this specific drilling location, nearby East Goshen township is currently investigating a subsidence feature revealed in a recent whistleblower report near the Bow Tree Development and HDD location. A subsidence feature was discovered in a wetland during the Marsh Creek spill clean up in August of this year and this week, in addition to these locations, land subsidence features were reported in nearby Upper Uwchlan Township and also in Wallace Township. The one thing all of these features have in common is that they are in the path of the Mariner East Pipeline creating additional risk to our local communities.

In addition to the obvious concerns about growing issues with land subsidence in and around Chester County related to this pipeline project, I have serious concerns about the reliability of the information provided to the Department by Sunoco LLP/Energy Transfer and their contracting partners. The recent whistleblower report by a licensed professional geologist has raised suspicion and concern about the systemic suppression of vital geologic information by this operator. This most recent claim adds to the doubt that has already been cast by a weld inspector pleading guilty to falsifying weld reports on this project in Western PA as well as two PA state constables being indicted for misusing their public office in a private contracting agreement with

this operator. A pattern of disregard for the law, our regulations and for the public raise incredible doubt in our ability to trust the information provided by this operator on this project.

Protection of Private Property and Environment

Given the proximity to privately owned homes, this project's history of property damage, noise, and vibration exceeds reasonable standards for construction in a residential community. Construction along this segment, which runs through densely populated neighborhoods, has been detrimental to residents' safety and quality of life and has created an involuntary risk for residents who do not have easement agreements with SPLP.

My legislative office regularly fields complaints from constituents who live along the pipeline easement near Devon Drive and Colonial Drive, at the opposite end of the segment from Shoen Road.

We have received reports of intolerable noise, vibration, fumes, and odors during construction. Constituents describe the fumes as "nauseating, with a burning smell," and the noise as "a rhythmic, pulsating bang," causing headaches and making it impossible to work or school from home, as many residents have been forced to do since March 2020. Homes are "bouncing" and vibrating throughout the duration of the construction day.

Erosion, Sediment, Dust, and Airborne Particle Control

We receive regular complaints from constituents who have observed pipeline street sweepers stirring up dust in the face of pedestrians, and trucks rolling off the easement with no effort at dust suppression. As we enter the winter months, dust becomes an even greater concern, as PennDOT prevents workers from spraying water for dust suppression when temperatures fall below 40° F.

This operator is neither reliable nor trustworthy, and this project is neither safe nor suitable for a heavily populated residential area. I urge the DEP to consider the above factors and the comments of other public stakeholders in its review of Sunoco's report.

Sincerely,

A handwritten signature in black ink that reads "Danielle Friel Otten". The signature is written in a cursive, flowing style.

Danielle Friel Otten
State Representative
155th Legislative District