

October 6, 2019



By Email

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**Re: Sunoco's response to the Department's request for information on HDD PA-BL-0001.0048-RR (HDD# S2-0121)**

Dear Mr. Williamson,

On April 30 2019, the Department requested additional information from Sunoco regarding its reevaluation ("Report") of the horizontal directional drilling indicated by drawing number HDD PA-BL-0001.0048-RR. Sunoco has submitted a response to that request ("September Response"), supplementing the Report. Pursuant to the Corrected Stipulated Order entered on EHB Docket No. 2017-009-L on August 10, 2017 ("Order"), and on behalf of Clean Air Council, Mountain Watershed Association, Inc., and the Delaware Riverkeeper Network ("Appellants"), please accept these comments regarding the September Response. As a number of the issues addressed in the September Response were closely related, these comments are organized by topic instead of responding point by point. Appellants also incorporate by reference their comments of July 1, 2019, submitted during the public comment period on Sunoco's proposed major modification for the site.

**1. Sunoco has not provided adequate information on IRs or their impacts.**

The Department asked Sunoco to synthesize a comprehensive history of the IRs, LOC, and sinkhole incidents that happened at the site during the installation of the first pipe. Sunoco has provided some information regarding the cause of these incidents but has not done enough to describe their extent or their environmental impacts. As Appellants have previously commented, inadvertent returns are not the only threat Sunoco's construction poses to wetlands. The impact of any given inadvertent return depends on its volume, the characteristics of the waterbody or land area where it emerges, how quickly it is identified, and how and if it can be cleaned up, among other factors. Here, Sunoco is proposing to open cut through W-BB58 without any discussion whatsoever of the relative impacts on the wetland of open cutting verses inadvertent returns. It is likely less expensive and faster for Sunoco to open cut through the wetland than to use trenchless technology; it is crucial that the proposal be judged not solely by its financial benefit to Sunoco, but by comparing environmental impacts. Sunoco has not provided the data or analysis to support a conclusion that open cutting through the entire length of W-BB58 would be any less harmful than the inadvertent returns that may occur if using trenchless technology. Indeed, given the amount of surface destruction required for open cut, in the absence of more

information, it is reasonable assume that this would be the more harmful alternative in terms of wetland impacts.

**2. Sunoco has not adequately explained why the HDD cannot be extended at the new greater depth to avoid wetland impacts.**

Despite the void-riddled geology, Sunoco claims to have modified the portion of the redesigned profile that is still being installed through HDD so it will be situated below excellent integrity bedrock, with recovery values of 100 and RQD values of 100. If Sunoco's assessment of the geology at this new depth is accurate, it is unclear why the horizontal run of the HDD cannot be extended at this depth to pass under W-BB58 and Reservoir Road with minimal incidents as well, instead of creating the additional surface damage associated with open cut. It does not appear extending the HDD would exceed the physical limitations of the technology. Sunoco should explain in detail any changes in the bedrock that may justify its decision to cut the HDD short. Sunoco's suggestion that the switch to open cut and auger boring is justified because of saturated surface conditions on either side of Reservoir Road is not sufficient as currently presented. Such conditions can pose a challenge regardless of installation method and Sunoco's use of auger boring has resulted in advertent returns at other locations. Given the shallower depth of the auger bore, which would pass through or closer to the saturation zone than the newly proposed HDD, and the fact that fluids are still used, Sunoco's plan does not ensure that this switch will avoid subsidence or inadvertent returns. More discussion is needed regarding the eastern end of the site. Providing a meaningful discussion may require that Sunoco collect more test bore data.

**3. Sunoco has provided conflicting and incomplete information on water wells.**

In response to the Department's request the Sunoco add nearby water supplies to the diagram of the revised HDD profile, Sunoco claims "Since no water wells fall along or near the proposed HDD profile, no water wells have been added to the figure." This is misleading. Elsewhere in the Report, Sunoco makes clear that there are several water supply wells in the vicinity of the Site. Though they are mostly concentrated toward the eastern end of the Site, where Sunoco now does not wish to use HDD, there are wells near the western end as well. Moreover, experience from Sunoco's previous contamination incidents makes clear that wells are not immune from impacts simply by being outside of Sunoco's 450-foot radius. The wells that are concentrated at the eastern end of the site are still at risk and still need to be protected.

In terms of water supply testing, Sunoco claims in the revised summary portion of the Report to have provided testing before, during, and after drilling. But the testing results show that is not the case. Sunoco also claims that the elevated levels of parameters associated with construction contamination were not present in the test results. This too is inaccurate. Well WL-02022018-634-02 was tested three times, but the first test was not conducted until eight months after drilling began. The remaining two tests were also conducted while drilling was ongoing. All three tests show elevated readings for parameters associated with drilling interference, and given the timing of the tests and the lack of a baseline for comparison, Sunoco's culpability cannot be ruled out. Well WL-09082017-615-03 was also tested three times during drilling (not before and after) and revealed contamination which could be associated with Sunoco's construction, including significant bacterial contamination. The same is true of WL-09072017-614-01, which

was tested four times during drilling. This is a troubling pattern and demands further discussion. The Department specifically asked Sunoco to use and evaluate the data collected from water supply testing to demonstrate that its redesign will minimize impacts to water supplies. Not only has Sunoco defied this request, it cannot even acknowledge the test results. The information Sunoco has now disclosed suggests wells are indeed at risk and that Sunoco does not have a plan to protect them.

#### **4. Sunoco has failed to incorporate its own geophysical testing into its plans.**

After initially refusing to conduct geophysical testing, Sunoco performed a suite of geophysical surveys in August 2019. However, those results do not appear to have been considered in Sunoco's analysis or redesign. The updated summary portion of the Report that is included with the September Response references the geophysical surveying. But the attached "Geology and Hydrogeologic Evaluation Report," which provides the more detailed analysis, and has a revision date of September 18, 2019 and claims no geophysical surveying was conducted. The geophysical survey results and the Geology and Hydrogeologic Evaluation Report both appear to have been prepared by the same Sunoco contractor, Rettew, but different individuals signed each document. Having undertaken the work of conducting geophysical surveys, it is nonsensical that there would not be coordination or communication about the results, and yet, it is evident that is the case. Sunoco has consistently treated geophysical surveying as a check box to appease the Department instead of as a tool to improve design. To make the most of the surveys, Sunoco should juxtapose the graphical version of the results with the profile diagram. The Department should also ensure that Sunoco discusses in the context of the redesign specific findings from the surveys, such as the locations of particular anomalies, instead of merely providing a broad generalization of the results.

### **Conclusion**

Due to Sunoco's incomplete responses to the Department's concerns, lack of supporting data and analysis, and ongoing threats to water supplies and wetlands, it is not appropriate to approve this reevaluation as currently submitted. Thank you for considering these comments. Please keep us apprised of your next steps on the HDD Site.

Sincerely,

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