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Senate of Pennsylvania

September 23, 2019

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The Honorable Patrick McDonnell
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Secretary McDonnell,

Please accept the following comments in response to the reanalysis of the HDD installation of a 20-inch pipeline under the Exton Bypass submitted by Sunoco Pipeline, L.P. for DEP Permit number E15-862, HDD Reference number PA-CH-0256.0000-RR filed on September 17, 2019.

Following my review of this report, I have a number of significant concerns related to the stated environmental, safety and quality of life impacts for citizens in West Whiteland Township (Chester County). I was slightly confused by the fact the DEP deviated from the traditional public comment protocol by not publicly publishing the Departments response to Sunoco's submission and subsequent public comment. Rather, Sunoco indicated that the DEP sent an email on August 13, 2019 requesting additional information concerning the Direct Pipe Bore replacement construction plan. It is assumed that the comments provided by Sunoco represent a full listing of Department concern; however, without being able to view a full list of questions, this can not be confirmed. As transparency is crucial given past issues related to this project, I request that the DEP make public any and all communication, complete with all questions to Sunoco, and extend the public comment period following publication. Afterall, how can the Department expect sincere and comprehensive public comment when internal communications are being conducted behind closed doors.

This region of Chester County has experienced significant harm directly due to Sunoco's lack of due diligence. Construction activity that resulted in sinkholes rendered a community unlivable and forced the relocation of individuals who have lived in their family homes for generations. Sunoco points to the presence of the Marctic Thrust Fault zone as a direct

contributor to the formation of these sinkholes. I agree that the existence of this fault, exacerbated by poor planning on behalf of Sunoco, led to the development of significant subsidence and the eviction of Chester County citizens from their homes. With this in mind, I am baffled by Sunoco's claim that alternative routes are impractical and strongly insist that the Department require sincere consideration of abandoning this region from further construction disturbance. Further, I was surprised to note that, while the Marctic Thrust Fault zone was listed in documentation presented by Sunoco on May 30, 2019, this fault line was not indicated on any of the engineering displays provided with the more recent filing.

Finally, I was concerned that while the DEP requested the use of electrical resistivity method to identify subsurface conditions, documentation provided by Gannett Fleming explained that such an investigation could not occur as the existing 8" and 12" pipelines in the ROW would interfere with results. They continue to explain that alternative methods to identify subsurface conditions may be impractical due to the fact they would need to be conducted outside of the pipeline right-of-way. While I am concerned with this response, I am not surprised. Time and time again, Sunoco has responded to direct requests from the DEP with avoidance or excuses. The result of which has led to a growing number of sinkholes, inadvertent returns, damaged wells, and homeowners being evicted. With this in mind, I request the DEP refuse to approve any permits submitted by Sunoco until such time that requested geophysical investigations are complete.

While Sunoco has gone through the motions of reevaluation, it is clear that the information provided is insufficient. It is my strong recommendation that the Department reject this report as incomplete, require Sunoco to perform complete impact evaluations to ensure construction activities do not cause permanent and irreparable harm to the environment and safety of citizens in West Whiteland Township, and conduct a full public comment process.

Sincerely,



Andrew E. Dinniman
State Senator – 19th District