

September 3, 2019



By Email

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Re: Sunoco's response to the Department's request for information on HDD PA-CU-0136.0003-RD-16 (HDD# S2-0220-16)

Dear Mr. Williamson,

On April 11, 2019, the Department requested additional information from Sunoco regarding its reevaluation ("Report") of the horizontal directional drilling ("HDD") indicated by drawing number HDD PA-CU-0136.0003-RD-16 (the "Site"). Sunoco responded on June 17, 2019 ("June Response"), supplementing the Report. On August 15, 2019, a conference call took place between the Department and Sunoco, presumably regarding outstanding issues with the Report. Following that call, Sunoco has submitted a brief supplement ("August Response"). 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 Department's request and the August Response.

First, Appellants must note that because the specifics of the August 15, 2019 call between Sunoco and the Department were not made available to the public, the public is not able to fully discern the nature of the Department's outstanding concern. This makes it difficult to evaluate the adequacy of Sunoco's response. Nevertheless, Appellants are able to address the August Response to the extent it is facially flawed.

The August Response makes two troubling admissions. First, Sunoco admits "no corrective actions" were implemented during any of the drilling for the 20-inch line at the Site. Sunoco's failure to use best management practices or to mitigate the risks associated with drilling through the karst at the site is highly irresponsible and likely a permit violation. Similarly, for Sunoco not to have used annular pressure monitoring until it was specifically forced to through litigation highlights the need for every aspect of Sunoco's plan to be inspected and every safety precaution to be spelled out. This is yet more evidence that Sunoco will not voluntarily do what is needed to protect the public and the environment. The Department is right to continue pressing Sunoco for specifics.

In terms of the redesign of the 16-inch line, Sunoco's failure to use any BMPs at the Site previously means a critical opportunity was missed for gathering information about effective drilling fluid control at the Site. In theory, the installation of a second pipeline at the same site should be safer than the first installation because lessons learned from the first installation can be

incorporated into the redesign for the second pipe. Here, BMPs are not being refined and improved, they are being used for the first time, making their effectiveness even less certain.

Even more problematic though, is Sunoco's second key admission: "Although the redesigned HDD profile for the 16-inch pipeline is deeper than the original, it is likely that similar drilling conditions will be encountered during both the pilot phase and small diameter stage reaming phase." Sunoco has seemingly deepened the drilling profile for the 16-inch as a perfunctory means of being able to claim it has changed its plans in order to satisfy the reevaluation process. Sunoco has yet to justify the specific depth it has chosen, and it appears it cannot do so. More to the point, Sunoco cannot demonstrate the profile it has designed will be safe. In fact, the August Response cautions just the opposite, that we can expect more of the same problems that were encountered during the drilling of the 20-inch line.

For all these reasons, it is nearly certain that Sunoco's plans for drilling at this Site will result in mess for the public and the environment. Sunoco may eventually end up paying another fine, and is probably even counting on it as the cost of doing business. That does not help the public or prevent or remedy the harm to the environment. If the Department approves the plans, harm will surely result. Appellants urge the Department to continue pushing Sunoco, as it did in its letter of June 17, to plan a profile that avoids the low velocity features it is currently planning to drill through. It is unacceptable for Sunoco to continue on a course that resulted in persistent and significant loss of circulation and inadvertent returns throughout the duration of the 20-inch drill.

Sincerely,

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