

May 31, 2019

Via Electronic Submission

Mr. Scott R. Williamson
Program Manager, Waterways & Wetlands Program
Pennsylvania Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Re: DEP HDD Re-Evaluation Report
Horizontal Directional Drill Location (S3-0250-16)
Permit No. E06-701 Caernarvon Township, Berks County

Dear Mr. Williamson:

I am writing in response to the above mentioned Horizontal Directional Drill (HDD) second evaluation comment period. I have a significant concern, not only for the placement of the 20" NGL pipeline but also the future placement of the 16" NGL pipeline. I have contacted both the PUC and the PaDEP in regard to a newly developed and consistent flow of groundwater around the 20" NGL pipeline, post instillation and site remediation. As proven through a professional independent study, the aquifer has been punctured and is flowing in excess of 12 gallons per minute around the active Mariner East 2 20" NGL pipeline. SPLP has also conducted a study of this aquifer puncture and has failed to mention it in either of their submitted 16" NGL pipeline HDD reanalysis. This "new" groundwater to daylight emergence has a completely different chemical signature than that of surrounding surface waters which confirms that not only is it groundwater but it also presents a significant loss to the aquifer, which is a regulated waterbody of the Commonwealth by PaDEP. This, in my opinion, is the same aquifer that my well is drilled into and therefore is a direct pathway for the contamination of my well as discussed below;

First, there have been no physical examinations performed by Sunoco, SPLP, or the Pennsylvania Department of Environmental Protection, PaDEP, which may have concluded or denied the potential of HDD contamination of my well. There have been no geophysical evaluations or tests, such as cone of influence, performed in any manner by SPLP or PaDEP. The attached drawing, Attachment 1, was the only documentation provided to the PaDEP, by SPLP, seeking exoneration from Special Condition 20b of Permit No. E06-701. This crudely drawn sketch was obtained through Right to Know request and served as the basis of decision by the PaDEP to release SPLP from responsibility. Not only is the drawing less than adequate for such a release it is not accurate to the property, the layout of the construction activities, or the physical properties of the geology and hydrology of the construction site. Only upon continued inquires on the part of the landowner were reports written which conveniently coincided with the original decision and were based entirely from theory and not site observations. In efforts to seek proper

answers, environmental testing and site inspections, I have obtained an independent professional report and it is the subject of pending litigation as well as have been provided in a redacted version to the Attorney General's Office.

Secondly, the reanalysis is accurate to reflect my initial refusal of water supplies. At the onset of the incident I was apprehensive about costs I would personally incur for the water buffalo as well as how the process was to function. These concerns are reflected in Attachment 2. Text messages with my land agent as well as phone conversations illustrate that I wanted to have the return of SPLP's water test results, confirming contamination, prior to accepting a water buffalo. My personal obtained testing initially established the presence of bacteriological contamination on August 16, 2017, these results were conveyed to SPLP Land Agent Scarlett Jackson of Perchereon. Upon being offered a water supply, out of the goodness of their heart, I was skeptical of SPLP's intentions and refused until their, SPLP's, own internal testing drawn by contractor GES were returned. GES samples were taken on August 14, 2017 and results were not returned until September 30, 2017, irrespective that the analyzing lab reported the results were completed and reportable on August 15, 2017. This blatant 47 day time lapse, is presumed to be intentional as it was then utilized against my filing in Environmental Hearing Board Case 2018-010-L seeking SPLP to be held liable for Special Condition 20b.

Moreover, the water supply which was eventually provided, was provided as a condition of the PaDEP's settlement with SPLP that they must provide a water buffalo, free of charge, to those residents within 450 feet of an HDD alignment during HDD activities. Given protections and guarantees by the department, in conjunction with a legally binding agreement with SPLP in reference to damages which may be incurred to my water system and property through the use of a water buffalo, I allowed the instillation. The installed water buffalo has and continues to place

Water buffalos replenished with hauled water are not an appropriate long-term solution to replacing an impacted private groundwater supply well, mainly due to aesthetics and issues of practicality. Most public groundwater supplies are stored in carbon steel above grade-tanks, as are private groundwater supplies. These carbon-steel tanks are continuously replenished with groundwater, at a near constant cool temperature generally equal to the mean [averaged over an entire year] air temperature above the land surface. Conversely, groundwater becomes stagnant when stored in an above-grade plastic vessel, replenished only on occasion with water hauled from an external supply (typically a chlorinated public supply). Due to the stagnation, the water is susceptible to warming and/or cooling depending upon the season.

During the growing season, the stored water rises to a temperature higher-than air, leading to poor plastic taste most especially pronounced on warm and hot days. Consuming from the tap could be like drinking from a plastic bottle of water left in the car on a summer day. Treatment would be necessary to remove the plastic taste and to restore the temperature to one naturally present in a continually-replenished public or private supply. Laundering is also problematic for certain types of clothing that require a cold wash cycle. In winter, weather events can disrupt water delivery service and freezing conditions can seize water from moving freely to the household distribution. Wrapping buffalos in a heating blanket may mitigate freezing water to some measure, but at a cost. Higher electricity and/or fuel consumption costs are necessary to provide this external heat source. During extreme temperature plunges the external heat also can fail to prevent freezing, leading to disrupted water use. Indoor water heaters also consume greater amounts of energy to temper super-cooled water.

Simply put, water buffalos are more appropriately used as a temporary solve to provide water for a period of time between when a well becomes compromised to when a replacement well is drilled and/or a household or point-of-use well water treatment system is added.

undue burden on myself and my family both in quality of life and financially. Below is a professional opinion as to the uses of a water buffalo for a long term water supply;

SPLP initially supplied water buffalo water testing with every delivery (weekly) to confirm the absence of bacteria. These test have not been consistent nor have results been provided to myself, the end user, despite numerous requests of the testing agency, Elk Environmental, the transportation company, Stallion Oilfield Services as well as land agent, Percheron. At least one time during the necessary use of the water buffalo, I was instructed by land agent Toby Resetar **not to drink the water due to potential water buffalo contamination** and bottled water was supplied for personal consumption. Additionally, due to the uses of a water buffalo, I have incurred a continual cost to heat tankage in the winter and at least one point still incurred frozen water supply, due to extreme cold temperatures. These electrical costs, in addition to costs to clean my house and pool after construction activities caused damage to them, have been offered to be covered by SPLP, with no follow through.

Contained within the HDD reanalysis itself is the evidence which correlates SPLP's drilling activity to bacteriological contamination on all sites. Observing the Twin Valley report indicates a presence of Total coliform, 1.0 MPN/100ml, nearest to the drilling in March 2018 a subsequent lapse in contamination while there was a suspension of activity and a resumption of contamination during drilling in September 2018 at 13.4 MPN/100ml. Such a result is also seen in the 512 Joanna Road sampling in March 2018 as well as my personal well reports during the same time frame. Also contained within these reports is the first mention of any descriptive quantification of quality. A column of PaDEP drinking water Maximum Contamination Limit, MCL, was only provided in documentation to the department and not to the homeowner. Numerous times SPLP has been asked to explain what the results of the well testing means but has never responded. The home owner is left to decipher if results are clean or contaminated. According to the results provided in this HDD reanalysis my personal well exceeds MCL numerous times for both Sulfate, Manganese, Iron and Dissolved Solids. Additionally, MCL's for the bacteria related categories are left out, as they should be zero or non-detect, all of my well tests exceed these limits.

This understanding of contamination in conjunction with 2012 PA Act 13; section 3217, which is in relation to gas and oil wells, yet utilizes similar technology, puts the presumption of contamination events occurring due to the drilling and makes the driller responsible for 1 year for any and all contamination events to groundwater supplies. The only exoneration to this would be had the water been testing in a pre-drilled status thereby excluding the contamination occurring as a result of the drilling. This did not occur and therefore the PaDEP should have automatically concluded that the contamination occurred as a result of the drilling and required SPLP to be accountable for Special Condition 20b. This regulation is presumed to also be the source for the PaDEP's current water supply/ water buffalo requirements.

Finally, I will reiterate that I have retained a professional whom has, within a reasonable degree of scientific and professional certainty, definitively linked the aforementioned HDD activities directly with the contamination and potential future diminution of my well water supply. It has also been presumed that due to the aquifer puncture, that not only has it presented the conduit of contamination in the past, it may continue to present the same conduit of

contamination in the future. This aquifer puncture has also contributed to a major change in my property as it now contains a newly formed emergent wetland complete with standing pools harboring a multitude of flora and fauna including mosquitoes.

While the PaDEP does not regulate private drinking wells it does regulate the aquifers into which they are placed and in this case, significant damages and potential permanent diminution to the aquifer may be incurred due to the initial instillation as well as the continued construction of this HDD. I urge the PaDEP to require complete investigation of the aquifer puncture to include the study of impacts by and to the currently installed 20" NGL pipeline, including a review of the constant flow of slightly acidic groundwater upon the design rating of the pipe, a decreased lifespan thereby, and plan for emergency remedial actions necessary as there is an instantaneous potential environmental impact to the local waterways in the event of a failure. Additionally, the PaDEP should require SPLP to conduct studies to identify subsequent impacts to the aquifer which may occur through additional HDD drilling during the 16" NGL pipeline installation. Moreover, the PaDEP should require SPLP to conduct impact studies to the created emergent forested wetlands as this was the site of numerous discharges of drilling mud during the instillation of the 20" NGL pipeline which were the subject of notices of violation.

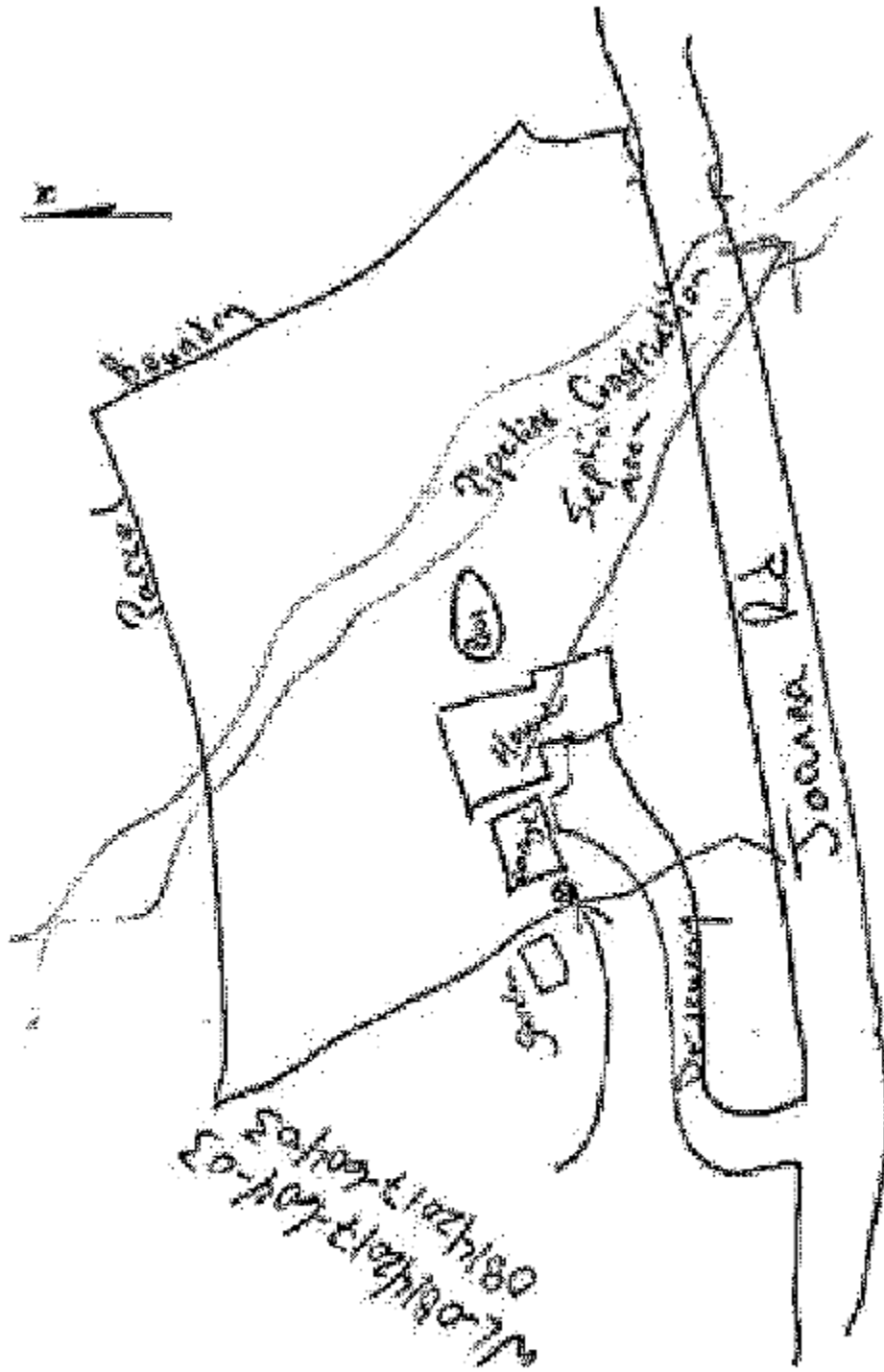
Thank you

David Anspach III
609 Joanna Road
Morgantown, Pa 19543

*** Addendum ***

On May 30, 2019 two species of turtle were observed and recorded nesting on the Mariner East 2 Right of Way, see attachment #3. These turtles, the Eastern Box Turtle and the Snapping Turtle have selected nesting sites which would be destroyed in the event of continued construction. The Snapping Turtle's nest is clearly on top of the termination of the 16" NGL pipeline as depicted in the photographs. The incubation period for the Snapping Turtle is 80 to 120 days and I urge the PaDEP to halt construction to allow these young a chance at survival. The Eastern Box Turtle female has also chosen a nest on the Mariner East 2 Right of way and with an incubation 50 to 70 days her young should hatch prior to that of the Snapping Turtle. The placement of the nests in relation to the creek puts the HDD location in the direct downhill path of travel for the young Snapping Turtles on their trek to their natural habitat. I fear allowing this construction to continue would result in their ultimate demise.

Attachment 1



Attachment 2- Text Messages with land agent-



My messages are in BLUE-

The initial request for water testing was made on 8/10/17 and the text string follows.

Water tests were drawn on 8/14/17.

My skepticism was identified on 8/17/17 asking to have SPLP results and identified the potential for legal assistance.

SPLP Land Agent identified that the water tests must be reviewed by their legal department before letting the effected landowner aware of contamination 9/21/17

9/30/17 results were finally returned.

2017-10-05 16:17:57 [38]
David. Senoko is wanting to test your well again. They have tomorrow available or Monday. Can they test it again?

2017-10-05 16:33:45 [39]
There has been no action from the first set of well test what is to be gained by retesting? No information was conveyed about well that was illegally drilled on the temporary right of way?

2017-10-05 16:38:45 [40]
I don't know why they are wanting to. They just called and asked me to call you abs see if they can retest.

2017-10-05 16:43:54 [41]
I am going to need some information as to why and what course of action is going to be taken by Sunoco before any more testing is done. It was 45 days before the last set of testing was given to me showing my water was contaminated. Nothing has been done since and no communication has occurred except when They want something. The DEP is aware and i still cant drink my water.

2017-10-05 16:47:02 [42]
Percheron nor Sunoco has offered to install treatment systems nor cover my medical expenses, no one has been proactive informing me of processes. I have not been notified in

accordance with the guidelines of the settlement agreement and have communicated as much to the clean air council and dep. The inadvertent returns on my property were never reported either, which i have photos of.

2017-10-05 16:56:54 [43]
I will be expecting to review the geological and engineering reports prior to the restart of the drilling and submitting my comments about the Karst region and extremely sensitive geology in this general area combined with my already obtained well results including periodic testing that has occurred since i built my home and the continued documentation about

2017-10-05 16:56:54 [43]
I will be expecting to review the geological and engineering reports prior to the restart of the drilling and submitting my comments about the Karst region and extremely sensitive geology in this general area combined with my already obtained well results including periodic testing that has occurred since i built my home and the continued documentation about past current and future communications, safety factors, precautionary measures and/or the lack thereof.

2017-10-11 06:12:20 [1]
David if they can test your well Friday is there a time that is good for you

2017-10-11 06:19:03 [2]
I have a meeting with the Mayor at 2pm can we make it for 4pm again?

2017-10-11 06:20:54 [3]
Yes I will make sure it's not before 4.

2017-10-11 06:21:15 [4]
What are you doing for shower water etc

2017-10-11 06:29:40 [5]
My most recent well test came back with a 1 on fecal so i have been shower with it but not consuming it.

2017-10-11 06:43:53 [6]
not happen again. I'm meeting with the crew now and I will be there

2017-10-11 06:43:54 [7]
Ok. Are you working all day today. The construction supervisor want

2017-10-11 06:43:56 [8]
s to apologize if your open to that. Like I said yesterday it will

2017-10-11 06:43:58 [9]
today. All day.

2017-10-11 06:45:17 [10]
I will be home at 4 to meet him

2017-10-11 07:03:56 [11]
Ok

2017-10-11 15:46:04 [12]
Not sure where or when we were to meet

2017-10-11 15:47:10 [13]
They are still working. I ran to another landowners house. I will b

2017-10-11 15:47:12 [14]
e back that way I'm a little while.

2017-10-11 15:53:25 [15]
I spoke to mark he let me know your in dispose mo worries i have had a day i wouldn't mind just taking marks personal appology and moving on.

2017-10-11 15:55:33 [16]
Ok let's leave it with Marks apology. He is truly sorry about yeste

2017-10-11 15:55:35 [17]
smooth and quite.

2017-10-11 15:55:37 [18]
rday. I'll be back as they are shutting down to make sure that goes

2017-10-14 07:39:43 [19]
David I just got out of construction meeting they are planning on w

2017-10-14 07:39:45 [20]
orking tomorrow to get the 16' in the ground. I need to know if tha

2017-10-14 07:39:46 [21]
t's ok with. They will be starting at 7:15. So let me know.

2017-10-14 07:41:14 [22]
Sorry left a word out. I need to know that's ok with you

2017-10-14 07:42:03 [23]
Being woke up at 7:15 on my and childrens only day's off is really not ideal. 7:30 was not nice today at all. Could we make it 8am please?

2017-10-14 07:43:36 [24]
I apologize. Yes I will get the time changed. Thank you

2017-10-17 13:04:20 [25]
Do we know when the next set of water tests are going to be drawn?

2017-10-17 13:05:55 [26]
I called the office this morning. They are waiting on Sunoco to say set it up

2017-10-18 12:01:12 [27]
Davis they are going to test your well tomorrow at 4:30

11/7/17 Land agent offers “more water” which received a challenging rebuttal and identifies a miscomprehension of previous conversations about meeting with supervisors on their schedule which was inconvenient for me.

2017-11-01 07:49:50 [33] Scarlett, it is really difficult for me to understand why Sunoco and Percheron continue to make promises and fail to deliver. Not only did you fail to get me test results or answers the next day you failed to get me anything for over a week now. My water has not been drinkable for 77 days plus the days before test results concluded it was polluted.

2017-11-01 09:00:25 [36] his morning. Yours was not one of them. They told me it would take

2017-11-07 08:08:48 [41] David they mailed your test results but they emailed them to me. Do you want me to email you the results

2017-11-01 09:00:27 [37] 10-15 working days from the day yours was taken on the 19th. So I'm

2017-11-07 08:09:31 [42] I recieved them yesterday well is still contaminated.

2017-10-18 12:03:29 [28] Thank you

2017-11-01 09:00:29 [38] David I just called the office. She received 30 test results back t

2017-11-07 08:11:19 [43] Ok do I need to provide you more drinking water? I know you said y

2017-10-18 12:03:55 [29] Your welcome

2017-11-01 08:58:51 [34] They have ran the test on it - that's just the time frame they gav

2017-11-01 09:00:31 [39] looking for your results by the end of this week or first of next.

2017-11-07 08:11:20 [44] 'all were able to shower in it but not drinking it. Do you want to

2017-10-24 17:29:24 [30] Any thoughts on returned well results?

2017-11-01 08:59:14 [35] his morning. Yours was not one of them. They told me it would take

2017-10-24 17:50:19 [31] ow tomorrow what I find out

2017-11-01 09:00:33 [40] e me to get the results to us.

2017-11-07 08:11:22 [45] be hooked up to a water buffalo

2017-10-24 17:50:21 [32] I will call the office in the morning and find out. I'll let you kn

2017-11-07 08:14:06 [46] I never recieved any water so providing me more isnt really the words i would have choosen. I don't know how a water buffalo is going to connect to the house so i would like more information before we run around getting everyone excited? Also the fecal is in the lines to the house how is that cleaned to make a buffalo's water drinkable?

2017-11-07 08:22:22 [47] If your not totally informed on the topic i would also like to know some information about the s3-0382 swedesford road hdd which is being reengineered to open trench as Aqua and Sunoco recognized the potential to contamination of a public water supply well?

2017-11-07 08:30:46 [48] David you know I wasn't saying I've been providing you with water. I offered to bring water when this all started and when my boss wanted to meet with you. You turned it down. That was the first offer of water. You and I talked about your water also the day of the second well test and you said you said you could shower but not drink it. I offered water then and you said you had it covered. I'm simply asking if you want me to provide it from this point forward. I will get you all the information about the water buffalo so you can made the decision if you want to do it or not.

2017-11-07 08:33:42 [49] we get it resolved. Whatever I need to do. I will. I'm calling to

2017-11-07 08:33:43 [50] I just want to make sure you and your family are taken care of till

2017-11-07 08:33:45 [51] get the water source information now

2017-11-08 10:38:54 [52] Hey David. If I call can you talk

2017-11-08 10:40:15 [53] Not at the moment i am in a meeting. What can i do for you?

2017-11-08 10:40:56 [54]
I'm sitting with my supervisor and she wants us to call and talk

2017-11-08 10:42:41 [55]
Unfortunately, i am in a meeting with people well above my pay grade so i can not get away.

2017-11-08 10:51:34 [56]
It's ok. I'll let her know.
Thank you

2017-11-09 08:26:43 [57]
They have available if you want one

2017-11-09 08:26:45 [58]
David the water buffalo is an 850 gallon tank that has a pump. You turn your well off. And it has a water hose and is hooked up to an electrical outlet.

2017-11-09 13:08:54 [59]
How is the electric costs addressed as well the contamination already in the pipes of my house? Is the tank heated for winter? Where does the water house from the tank connect to the house?

2017-11-09 13:56:30 [60]
Water buffalo is a 850Gallon tank with a pump on the side of it.

2017-11-09 14:39:00 [61]
That did not answer any of my questions. How is the electric charges addressed to power the pump? How does it hook to my home? Is the water buffalo heated for winter? Also, where does the water come from and how is it filled?

2017-11-09 14:46:21 [62]
The hose will connect to any outside water facet that is close to t

2017-11-09 14:46:23 [63]
he tank. You will shut your pump off and this pump will take its pl

2017-11-09 14:46:25 [64]
ace. Should be using the same electricity. No the water buffalo is

2017-11-09 14:46:27 [65]
not heated. But they are heat wrapping them and putting a heated wa

2017-11-09 14:46:29 [66]
ter hose on it. Comes in a tanker truck and the water is city water

2017-11-09 14:46:30 [67]
. The contaminated pipe question is a question I will have to ask

2017-11-09 14:46:32 [68]
my boss and get back with you

2017-11-09 14:48:41 [69]
David just got an email from my Big boss. Are there dates andTimes next week you can meet with him

This is the beginning of the first serious conversations which were held in relation to the instillation of the water buffalo. SPLP land agent could not adequately address my questions and therefore the utilization of the water buffalo was delayed.

Attachment #3

Snapping Turtle Nest, site will be preserved with orange construction fencing supplied by land owner.



Eastern Box Turtle Nesting; Site will be preserved with orange construction fencing supplied by land owner.

