

August 27, 2019



By Email

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Re: Sunoco's response to the Department's request for information on HDD PA-CU-0136.0002-WX-16 (HDD# S2-0210-16)

Dear Mr. Williamson,

On March 19, 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-0136.0002-WX-16 (the "Site"). Sunoco responded on June 8, 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 Sunoco's August 22, 2019 response ("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.

More than a third of the substance in the short August Response was copied and pasted from the June Response and thus adds nothing. Sunoco's generalized claims about providing additional monitoring were insufficient in June and are insufficient now. Interestingly, the August Response then goes on to reverse course from the June Response in regard to the use of an LCM plug to prevent IRs. In the June Response, Sunoco explained:

...in the event of a LOC or IR, the drilling contractor will install an LCM plug and allow it to cure for an appropriate length of time. Should the LCM plug be determined to be ineffective at sealing off the IR, the drilling contractor will trip the bottom hole assembly (i.e., mud motor, monel and bit/reamer) out of the borehole, install a packer assembly and trip the packer into the interval in which the LOC/IR occurred and pressure grout (cement-grout) the formation. The

cement grout will be allowed to cure 24 hours prior to advancing the pilot bit/reamer through the plug and continue to advance the borehole.

Now, in its August response, Sunoco “concludes that the use of LCMs and bore grout will not be effective to treat losses of circulation or prevent IRs during drilling of the 16-inch profile.” Considering Sunoco’s previous fraught attempts to utilize LCMs and bore grout at the Site, abandoning further attempts may indeed be sensible. Sunoco’s late reversal does, however, beg the question why it did not recognize this flaw in its plans sooner. Presumably, there was a rationale behind Sunoco choosing to continue with LCM and bore grout in earlier versions of its plans for the 16-inch. Sunoco cites the “IR events and corrective actions attempted during the installation of the 20-inch pipeline, and 20-ft separation to the proposed 16-inch profile” in its single-sentence justification for the change. These are not new facts. Sunoco was aware of the history of failure at the Site and the close proximity of the redesigned 16-inch profile to the 20-inch line when it filed the June Response.

Complicating this analysis further, as soon as Sunoco “concludes that the use of LCMs and bore grout will not be effective,” it prescribes just that: “As a result, SPLP will require ... the use of cement grout injections to control losses of circulation and prevention of IRs...” Given this major contradiction, it is unclear what Sunoco is suggesting it do. Thus, Sunoco has not adequately answered the Department’s questions.

The Department should require Sunoco to explain what it is planning to do, why its conclusion regarding LCM and bore grout has changed—if it has—and whether there are additional facts that led Sunoco to abandon the use of LCM and bore grout.

Thank you for considering these comments. Please keep us apprised of your next steps on the HDD Site.

Sincerely,

s/ Melissa Marshall, Esq.
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