

March 7, 2019



By Email

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Re: Comments on Report for HDD PA-YO-0016.0000-RD-16 (HDD# S2-0260-16)

To whom it may concern:

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 on Sunoco Pipeline L.P.'s ("Sunoco") re-evaluation report ("Report") for the horizontal directional drilling ("HDD") indicated by drawing number PA-YO-0106.0000-RD-16 (the "HDD Site").

1. The Report regards protection of water supplies as an afterthought.

A troubling pattern has become apparent in Sunoco's recent rush of HDD reevaluations: Sunoco is reporting less information regarding the water supplies in proximity to HDD sites and it is unclear whether Sunoco has been following required protocols for identifying wells and offering water supply testing. The present Report is one of multiple examples.

First, the Report does not provide a timeline for when it reached out to landowners, stating generally:

SPLP identified all landowners with property located within 450 feet of the HDD alignment and provided these landowners with a notice via both certified and first-class mail that included an offer to sample the landowner's private water supply/well in accordance with the terms of the Order and the Water Supply Assessment, Preparedness, Prevention and Contingency Plan.

The Geology and Hydrogeological Evaluation Report ("Geology Report") notes that subcontractors "researched" private water supplies in January and February 2019, but it is unclear whether the "research" referenced was the direct landowner contact mentioned in the Report. Water testing should have been offered in conjunction with the restart of drilling for the 20-inch line and offered again in association with the 16-inch line. With the minimal information provided in the Report, it is unclear what actually took place.

Second, there is no discussion of whether any residents wanted their water tested, whether they wanted replacement water during drilling, whether there had been any water supply complaints during the 20-inch drill, or other such details related to specific water supplies. The Well Location Map indicates that Sunoco does not even know the depths of the vast majority of the wells in the vicinity of the HDD Site. (This, despite the claim in the Geology Report that: “All of the private water supply wells identified in the vicinity of the HDD are constructed in bedrock, indicating that none of the domestic wells relies on the shallow unconsolidated overburden as a source of groundwater supply.”) Such information helps provide a more complete picture of the risks to water supplies and is instructive as to whether Sunoco’s plans for the Site are sufficiently protective. The Department should require Sunoco to update the Report with details on when landowners were contacted, where water supply testing was requested and performed, well depths and other relevant details about specific wells, as well as any issues that arose regarding water supplies during drilling for the 20-inch line.

Third, a review of dates throughout the Report suggests that actual water supplies were not even taken into account when Sunoco redesigned the 16-inch line. The Well Location map was prepared 2/1/19. Well locations were reportedly researched in January and February of 2019. And yet, the profile for the 16-inch line was updated to the new design before all of that, on 12/13/18. It may be the case that the new design was evaluated again after wells were located and that Sunoco determined the plan was still the most protective, but this seems unlikely and there is no such discussion in the Report. As it stands, it appears water supplies were merely an afterthought.

Sunoco’s increasingly lax approach toward reporting specifics on water supplies and considering them in its plans is drifting even further from both the requirements of the Order, which mandates Sunoco to evaluate well production zones, and one of the course purposes of the reevaluation process, which is to protect water supplies. The Department must not let this continue.

2. The Report does not adequately address the previous, serious problems at the Site with loss of returns and a stream pollution incident.

Construction of the 20-inch pipeline at the Site involved multiple problems with loss of returns, including two incidents of 100% loss of returns. Sunoco also caused what it termed a “groundwater flowback” event which it described as follows: “On June 3, 2017, during reaming of the 20-inch pilot hole, groundwater flowback overflowed the entry mud pit, passed through the erosion control devices, and entered an adjacent storm drain. This release of groundwater to the storm drain occurred during the night; however, no evidence of erosion was reported.”. The Report does not explain why these problems occurred, what the impacts were, or how the new plan for the Site will avoid them happening again. In fact, the Department’s own records showing an incident more damaging than Sunoco acknowledges. Contemporaneous Departmental emails describe an release of 500 gallons of groundwater mixed with drill-pit mud that affected Stream H63 at the Site. *See* attached emails Bates-stamped SCRO 003787-003788 and 003889-003891.

Even assuming no environmental harm resulted from these particular incidents – which Appellants do not know to be the case – an LOR event can lead to damaging and illegal

inadvertent returns, and the groundwater in this area is clearly linked to Yellow Breeches Creek and private water supplies. These risks, and how they will be mitigated, need to be fully addressed in the context of the new plan. The general approach of lengthening and deepening the drill profile may ultimately be appropriate and protective for this site, but without more discussion, and specific consideration of the incidents at this location, it is premature to reach that conclusion.

Similarly, the Geology Report does not even discuss the BMPs Sunoco intends to use at the Site. The BMPs listed in the Report (without discussion) are mostly the same boilerplate BMPs that have proven inadequate at other sites. Sunoco should explain how particular BMPs will address the problems with stream contamination and LOR that occurred during the drilling of the 20-inch pipe. This discussion belongs in the Geology Report. The Department should not allow Sunoco to shortcut the reevaluation process with incomplete analysis.

3. The Report appears to not comply with paragraph 5.i of the Order requiring that it “document in detail the information considered for the re-evaluation of the design of the HDD.”

The Report states: “SPLP possesses a complete geologic profile from the drilling of the 20-inch pipeline and vertical geotechnical data. No additional information is needed to evaluate the HDD for the 16-inch pipeline.” If that is the case, then the Report does not comply with the Order, which specifies at paragraph 5.i that “The Report shall document in detail the information considered for the re-evaluation of the design of the HDD at that site.” This “complete geologic profile” is nowhere to be found in the Report. Moreover, it does not appear to have been made available to Sunoco’s hydrogeologists, who do not describe knowing what that “full geologic profile” is.

Sincerely,

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