

August 12, 2019



By Email

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Re: Sunoco's response to the Department's request for information on HDD PA-YO-0016.0000-RD (HDD# S2-0260)

Dear Mr. Williamson,

On May 23, 2019, the Department requested additional information from Sunoco regarding its reevaluation ("Report") of the horizontal directional drilling ("HDD") indicated by drawing number HDD PA-YO-0016.0000-RD (the "Site"). Sunoco responded on August 5, 2019, supplementing the Report. 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 5, 2019 response ("August Response").

1. Sunoco does not possess a complete geologic profile from the drilling of the 20-inch line and has still not provided necessary data from that drill.

In the Report, Sunoco was unambiguous about the data it purportedly had available to support its redesign: "SPLP **possesses a complete geologic profile** from the drilling of the 20-inch pipeline and vertical geotechnical data." (Emphasis added). It relied on this assertion to justify not collecting additional data. Now, after the Department pushed Sunoco to actually explain and apply the data from this alleged "complete geologic profile," Sunoco has shamelessly reversed course. Not only does Sunoco not possess the profile it relied on and claimed to have, it now disparages the utility of such data, stating that the cuttings from the 20-inch drill cannot be accurately tied to specific locations in the profile. Sunoco even admits that the majority of the drilling for the 20-inch line was completed before Sunoco had started monitoring drill cuttings at regular intervals. Thus, at best, Sunoco regularly observed only a fraction of cuttings from a fraction of the drilling process, and no record of any such limited observations exists. Quite simply, Sunoco lied. Sunoco admittedly does not possess the data it claimed to possess and rely on. Sunoco's actions are inappropriate and contemptuous and undermine both the Department and the reevaluation process. If the Department allows Sunoco to move forward with these plans, it is condoning that conduct and inviting more of the same at the expense of the public.

Sunoco also claims that “Figure 1 in Attachment 2 represents a graphical presentation of the plan and cross section views of conditions encountered during the completion of this HDD.” First, it is unclear to which figure it refers. Both the Report and the August Response include a Figure 1 in Attachment 2. Consistent with the discussion above, neither of these figures provides the missing cross-sectional data. Figure 1 in Attachment 2 of the Report includes some data from the vertical test bores. That is not the same as presenting a full geologic profile based on conditions encountered during the drill. Moreover, as the Department pointed out, the data from SB-01 is incomplete. Simply changing the numbers after the fact does nothing to resolve doubts that the data was properly considered and incorporated into the redesign process.

Sunoco references two types of documents that could potentially shed light on conditions encountered during the 20-inch drill: daily drilling logs and daily HDD inspection reports. Sunoco claims to have “internally reviewed” these documents in the redesign process. It is that very internal review that is in question in this reevaluation process. Nonetheless, Sunoco has neither provided those documents nor explained what specific facts or observations from those documents informed the redesign.

2. Sunoco has not justified drilling through low integrity bedrock.

The Department rightly pointed out, “There is no evaluation of the data and no data-based correlation for why the revised 16-inch pathway was chosen.” The Department also directed Sunoco to “provide a discussion of how the data presented was used in designing and as support for this proposed HDD bore path and profile.” Sunoco’s August Response is concerning and raises additional questions. Sunoco reports that the below 40 feet bgs, RQD values range from 75-100. The one significant exception it identifies is in the range of 90-95 feet bgs, where the rock is “very broken” and has an RDQ of 0. Sunoco claims, in the August Response, to be installing the 16-inch line beneath this broken zone. However, according to the Report, the maximum depth of cover for the 16-inch line is 94 feet, thus apparently placing much of the line directly in the broken zone. This contradiction requires explanation.

3. Sunoco’s vertical bore data is incomplete and inaccurate.

The Report described five test bores having been conducted at the Site: SB-01, SB-02, SB-03, B-1, and B2. Of these, the first three all terminated at significantly shallower depths than the proposed depth of the 16-inch line. The Department has identified inaccuracies in Sunoco’s reporting of the results of SB-01 and SB-02. B-1, Sunoco now admits, was not even conducted at the Site. Thus only a single test bore, B-2, could actually have been used to inform the ultimate horizontal run of the 16-inch line. The Department has identified issues with the reporting of B-2 as well. In the August Response, Sunoco has deleted references to B-1 and adjusted numbers and references pertaining to the other bores. This misses the larger problem. Having an accurate Report, is, of course, imperative. However, there must be assurance that the correct data was actually considered and incorporated into the redesign. These late corrections to the Report, absent any discussion of how the inconsistencies affected the design, are of little value.

4. Sunoco inexplicably ignored a relevant rock formation.

The Gettysburg Formation Limestone Conglomerate underlies the east central portion of the HDD profile. Sunoco now admits this, but only after the Department specifically admonished Sunoco for having failed to identify the formation. Analysis is still lacking. Sunoco should explain how this apparently new information affects its redesign.

5. The Report continues to lack basic information and analysis regarding water supplies.

Sunoco describes well testing results but has not provided the documentation. It still has no plan for protecting the water supplies in the area and has ignored the Department's pointed request in this regard. This is especially concerning in light of Sunoco's admission that a well was previously contaminated at the Site, having tested positive for bacteria. Sunoco claims the investigation of that contamination is still ongoing. This reevaluation is not complete until Sunoco has fully explained what happened to the contaminated well and made specific plans to ensure it does not happen again.

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

Sincerely,

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