

Concerned Citizens of Lebanon County
P.O. Box 275
Mt. Gretna, PA 17064
March 6, 2020

By Email

Ra-eppipelines@pa.gov

kyordy@pa.gov

scwilliams@pa.gov

ntaber@pa.gov

curtsulliv@pa.gov

RE: Sunoco Pipeline, LP Hydrogeologic HDD Re-Evaluation Report
Snitz Creek/North Zinns Mill Road Crossing
PA-LE-005.0000-RD-16 (HDD# S3-0101-16)
PADEP Section 105 Permit No. E38-194
West Cornwall Township, Lebanon County

Dear Mr. Williamson:

On behalf of the Concerned Citizens of Lebanon County (CCLC), we respectfully submit these comments on the above-referenced Sunoco Pipeline, LP (SPLP) Hydrogeologic HDD Re-Evaluation Report for the Snitz Creek/North Zinns Mill Road Crossing site in West Cornwall Township, Lebanon County. According to the PA DEP's HDD Re-Evaluation Report Table, Sunoco's HDD Re-Evaluation Report for this site was submitted and posted on the PADEP Mariner East II pipeline portal webpage on February 5 and 7, 2019. Supplemental analysis and revisions to the HDD Report were submitted by SPLP and posted on the webpage on August 29, 2019, and March 2, 2020. The current comment period ends on March 7, 2020.

We have two major concerns regarding Sunoco's Re-Evaluation Report and supplemental information/revisions for the Snitz Creek/North Zinns Mill Road HDD site. One concern relates to the impact on private water supplies from the 20-inch and 16-inch HDD pipelines at this site. Like many rural areas in Pennsylvania and Lebanon County, no public water supply is available in the vicinity of the Snitz Creek/North Zinns Mill Road HDD site. All residences are dependent on unregulated private wells. Another concern relates to the significant revision of the length and depth of this 16-inch pipeline HDD and its impact on water resources.

1. Sunoco fails to adequately evaluate impact to private water supplies.

By letter dated March 19, 2019, PADEP requested information from Sunoco (which was not included in the initial Snitz Creek HDD Re-Evaluation study) regarding three water supply

complaints that were submitted to Sunoco during construction of the 20-inch HDD. The PADEP also asked for any data obtained in the vicinity of the proposed 16-inch HDD to be discussed in the re-evaluation report. In its initial Re-Evaluation Report, not only did Sunoco not include a discussion about the three complaints but it falsely claimed: “No water supply well complaints were received during drilling of the 20-inch pipeline.” PADEP’s 3/19/19 letter stated:

“5. ... The re-evaluation fails to include mention of the three water supply complaints that were submitted to SPLP or the information and data gained during investigation of those complaints. Any private or public water supply data obtained within 450 feet or otherwise obtained in the vicinity of the 20-inch or proposed 16-inch HDD should be used and discussed as part of this HDD re-evaluation. This data should include but not be limited to: any applicable water supply sampling data and any water supply complaints that SPLP may have obtained and received for water supplies within 450 of the HDD or within the general vicinity during construction of the 20-inch pipeline. The results of the SPLP's water supply sampling program, investigation, disposition of the complaint, and any correlation or non-correlation to SPLP's construction activities should be evaluated and discussed in the HDD re-evaluation report and used to demonstrate that the proposed 16-inch HDD activity will minimize the potential for IR's and impacts to water supplies. Please revise the re-evaluation report to include this information.”

Sunoco responded to this request in its submission to PADEP dated August 29, 2019, but only discussed two water supply complaints. By its letter to Sunoco dated December 12, 2019, PADEP again requested information about water supply data and complaints. PADEP’s 12/12/19 letter advised SPLP:

“5. ... The re-evaluation only includes two of three water supply complaints that were submitted to SPLP and is missing any of the information and data gained during investigation of the third complaint. In addition, given the substantial change to the proposed drilling profile at this site and the number of private water supplies within 450 feet of the HDD, SPLP should evaluate and discuss how the proposed 16-inch bore path and profile will minimize impacts to these private water supplies.” (emphasis added.)

In its most recent submission to PADEP, Sunoco stated, “The absence of the third water well complaint was an unintentional oversight ...” and then described the third private well investigation undertaken. It summarized, “Based on the investigation results for the three water well complaints received during completion of the 20-inch HDD, no direct impact to water well quality can be associated with pipeline construction activities.” PADEP did not agree with this assumption but said there was not enough evidence to make that conclusion. Three water well complaints out of 26 private wells near the 20-inch HDD is significant. Why did it take Sunoco a year and two letters from DEP to clarify this information in its Re-Evaluation Report?

Sunoco also pointed to its “Water Supply Assessment, Preparedness, Prevention and Contingency Plan” (2016-17) and the increased depth of the redesigned 16-inch profile, and concluded, “Taken on the whole, these design and engineering modifications will make

construction-related impacts to a water well unlikely.” But the plan has not prevented impacts to private water wells; it simply sets a protocol for dealing with such complaints. And we know such impacts (diminution and contamination of private drinking water wells) have occurred during the Mariner East pipeline construction across the state. SPLP has proposed no reliable way of preventing these impacts nor has PADEP required SPLP to ensure a reliable solution be implemented.

Sunoco has not done what PADEP requested in its letters dated 3/19/19 and 12/12/19. In submissions for the Snitz Creek/North Zinns Mill Road HDD Re-Evaluation study, SPLP did NOT “evaluate and discuss how the proposed 16-inch bore path and profile will prevent or minimize impacts to these private water supplies.” Sunoco’s conclusion that impacts are “unlikely” is not based on any evaluation of the proposed extended and deepened 16-inch HDD. For instance, the number and depth of any additional water wells near the revised lengthened 16-inch HDD have not been identified or evaluated. Sunoco’s conclusion is without a scientific basis.

2. Sunoco fails to show that extending the length and deepening the 16-inch pipeline HDD will protect water resources and eliminate inadvertent returns.

Sunoco’s attempts to cross Snitz Creek using HDD have resulted in more Inadvertent Returns (IRs) than almost any of its other troubled HDD sites requiring re-evaluation reports. The RETTEW Geology and Hydrogeological Evaluation Report dated February 4, 2019, at page 7 (attachment 1 to the Re-Evaluation Report), recounted the history of at least a half dozen or more IRs at the Snitz Creek HDD site during construction of the 20-inch pipe. On page 9 of its report, RETTEW stated the HDD site is “a complex karst fracture system” and “is susceptible to the inadvertent return of drilling fluids during HDD operations.” Now SPLP proposes a deeper and substantially longer profile for the 16-inch pipeline in the same right-of-way as the 20-inch pipe.

According to the initial Snitz Creek Re-Evaluation Report, the original HDD design for the 16-inch pipe called for the horizontal length of 1,180 feet, the maximum depth of cover of 90 feet and the depth under Snitz Creek of 8 feet. The recommended revised parameters call for a horizontal length of 3,050 feet, a maximum depth of cover of 137 feet and the depth below Snitz Creek of 115 feet. The Report candidly stated in its Conclusion section, “The redesign of the HDD will not prevent all IRs. IRs are common on entry and exit of the drilling tool and other measures are required to minimize IR potential.” The Report then lists the “HDD best management practices” that Sunoco will employ from its April 2018 Plan, practices which were presumably employed during the 20-inch pipe installation to no avail.

Just as the Snitz Creek/North Zinns Mill Road HDD Re-Evaluation report proposes to extend the length of the 16-inch pipeline HDD to facilitate a deeper HDD to minimize the potential for IRs in Snitz Creek and impact to water resources and wetlands, so has Sunoco proposed the same “remedy” for many other HDD sites required to have re-evaluation studies done. In a letter dated

January 28, 2020, Mr. Williamson indicated to Sunoco officials DEP's approval of a minor amendment to an Erosion and Sediment Control (E & S) Permit covering 19 HDD sites in 8 counties in PADEP's Southcentral Region (this did not include the Snitz Creek site). Many sites identified in that permit amendment proposed extending the length of the 16-inch pipeline HDD "to facilitate a deeper HDD to minimize the potential for an inadvertent return." One such revised HDD site identified in the 1/28/20 letter is in Conewago Township, Dauphin County, and South Londonderry Township, Lebanon County, called "Wetland J47." Reportedly, nearby landowners have been notified by certified letter from Sunoco that an Inadvertent Return has occurred at that site, although officials from South Londonderry Township who recently met with Sunoco officials apparently were not so informed. The certified letter reportedly explained how "normal" and expected it is to have IRs when HDD is used. We have been unable to confirm this information but it is consistent with the statements in the Snitz Creek HDD Re-Evaluation Report.

It is little comfort to know that the "remedy" of extending and deepening the HDD pipe will not prevent Inadvertent Returns in nearby streams, wetlands or water resources, nor protect nearby private water supplies from interference as a result of HDD pipeline construction. Tripling the Snitz Creek HDD drilling path in limestone bedrock known to have many fissures and voids throughout its profile will likely increase the incidences of IRs. In fact, the HDD re-evaluation report stated that such impacts are to be expected. How is this an acceptable answer to prevent or minimize IRs and subsequent impacts on the groundwater and drinking water wells? The proposed Snitz Creek HDD "revision" should be rejected, and Sunoco should be sent back to the drawing table before they commence one more HDD. Apparently, the fines Sunoco has been assessed have not deterred the harm to water resources that will continue to plague HDD activities on the Mariner East pipeline.

Thank you for considering these comments. Please keep us apprised of any next steps.

Sincerely,

/s/ Pamela Bishop and /s/ Douglas Lorenzen, for
Concerned Citizens of Lebanon County
P.O. Box 275,
Mt. Gretna, PA 17064
(717) 574-6453
Concernedcitizenslebco@gmail.com