

September 4, 2019



By Email

ra-eppipelines@pa.gov
kyordy@pa.gov



Re: Sunoco's response to the Department's request for information on HDD PA-BL-0001.0031-RD-16 (HDD # S2-0109)

Dear Mr. Williamson,

On August 21, 2019, a conference call took place between the Department and Sunoco regarding outstanding issues with Sunoco's reevaluation of the horizontal directional ("HDD") plans indicated by drawing number PA-BL-0001.0031-RD-16. 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 the August Response.

First, Appellants must note that because the specifics of the August 21, 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. Most importantly, the August response still does not address the concerns raised by Appellants and the Department in previous rounds of comments.

Sunoco has still not provided complete and consistent information regarding water supplies. As Appellants pointed out in previous comments, Sunoco concluded that for all water quality tests, "none of the parameters typically identified in samples impacted by drilling fluids (i.e., turbidity, total suspended solids, iron and manganese) were identified in these samples at concentrations exceeding the Department's established primary and secondary drinking water standards (MCLs/SMCLs)." The results themselves do not bear this out. For at least one well, the iron levels far exceeded the safe drinking water standard. Sunoco also has not explained why one well had to be purged, which potentially could reflect serious damage related to Sunoco's drilling. Both of these issues need to be addressed in the reevaluation. In addition, Sunoco has still not complied with the Department's requests regarding integration of water supply data into the reevaluation, including the Department's request that Sunoco demonstrate the proposed redesign will minimize impacts to water supplies.

A number of other issues also remain outstanding. For example, Sunoco has still not provided or explained the content of the logs, reports, and investigations it claims to have relied on in redesigning its profile. Likewise, Sunoco has not provided a detailed justification for why

its chosen profile is the best option. As Appellants pointed out previously, a satisfactory response would discuss factors such as the integrity of the bedrock at the specific depth that was chosen for the horizontal run as compared to the integrity of the bedrock at other potential depths and tie that discussion to quantitative measures. That has not been provided.

In light of the above, the reevaluation remains incomplete and it would not be appropriate or in the public interest to approve it at this time. Thank you for considering these comments. Please keep Appellants apprised of any further developments.

Sincerely,

s/ Melissa Marshall, Esq.
Melissa Marshall, Esq.
PA ID No. 323241
Mountain Watershed Association
P.O. Box 408
1414-B Indian Creek Valley Road
Melcroft, PA 15462
Tel: 724.455.4200
mwa@mtwatershed.com

s/ Maya K. van Rossum
Maya K. van Rossum
The Delaware Riverkeeper
Delaware Riverkeeper Network
925 Canal Street, 7th Floor, Suite 3701
Bristol, PA 19007
Tel: 215.369.1188
keepermaya@delawareriverkeeper.org

s/ Joseph Otis Minott, Esq.
Joseph Otis Minott, Esq.
Executive Director & Chief Counsel
PA ID No. 36463
joe_minott@cleanair.org

Alexander G. Bomstein, Esq.
PA ID No. 206983
abomstein@cleanair.org

Kathryn L. Urbanowicz, Esq.
PA ID No. 310618
kurbanowicz@cleanair.org

Clean Air Council
135 South 19th Street, Suite 300
Philadelphia, PA 19103
Tel: (215) 567-4004

cc: jrinde@mankogold.com
dsilva@mankogold.com
ntaber@pa.gov