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By Email

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Re: Comments on Report for HDD PA-CH-0124.0000-RD (HDD# S3-0310)

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-CH-0124.0000-RD (the “Site”).

1. The Department must not abandon its responsibility to complete a meaningful re-evaluation process.

Appellants and the public have noticed a distressing pattern of the Department seemingly shortcutting the HDD approval process since the lifting of the ban on Sunoco’s permits and approvals. Over the years of previous reevaluations, the Department had responded to the vast majority of reevaluation reports by requesting additional information from Sunoco, making Sunoco’s supplemental submissions available to the public, and opening subsequent comment periods. This approach is protective of the public and the environment and is appropriate and necessary in light of Sunoco’s reckless history and sloppy, incomplete reevaluation reports. For a time -- likely in response to this added Department scrutiny -- Sunoco’s reevaluation reports were showing improvement. Issues that it had repeatedly ignored and repeatedly been challenged on were starting to get addressed. That is no longer the case. Since the lifting of the permit bar, the Department has not publically made any additional requests for information. It has quickly issued numerous approvals without following up on blatant deficiencies in Sunoco’s reports. Sunoco is taking full advantage of this relaxed oversight and failing to provide key information and analysis, as is evident in the present Report. Appellants urge the Department to take responsibility for its role in protecting the public and the environment in this reevaluation process and to demand the Report be completed by addressing the deficiencies described below.

2. Sunoco failed to address the massive sinkhole it created or how to prevent another such incident.

While drilling to install the 16-inch line at the Site, Sunoco created a massive, 25 ft. x 20 ft. x 30 ft. sinkhole. The Report provides no discussion of impacts, no discussion of how another such incident will be prevented, and no best management practices targeted at sinkhole prevention or response. Sunoco attributes the sinkhole to a combination of drilling through unconsolidated overburden, vibration from the drilling, and rain. Nothing in the Report as submitted suggests that drilling of the 20-inch line will not result in another sinkhole. On the contrary, given that the geologic conditions appear to be the same, the drilling will again cause vibrations, and we are headed into rainy months, another sinkhole can be expected. According to Sunoco, the existing, operational 8-inch line that runs through the Site was not exposed by the first sinkhole. But it was only a few yards away. The next sinkhole could expose or otherwise disrupt or destabilize the 8-inch pipe, the newly installed 16-inch pipe, or one of the several public water or sewer lines that crisscrosses the proposed alignment. Sunoco must fully address this significant risk.

3. Sunoco has not addressed the risk of or impacts associated with groundwater discharge.

Sunoco's geologists admit that groundwater was discharged almost continuously during the construction of the 16-inch line and that groundwater discharge can be expected again during the drilling for the 20-inch line. Despite this known risk, Sunoco has not provided any analysis of how groundwater discharge at the Site has already impacted or could impact the water table or a plan to prevent further disruption of groundwater. The Department should ensure that Sunoco incorporates into the Report a full analysis of how Sunoco's drawdown of the water table might affect the adjacent streams and wetlands. Sunoco should also provide a site-specific plan for preventing or minimizing groundwater discharge and for managing any groundwater discharge that does occur.

4. Sunoco's plans do not incorporate pending geophysical surveying.

The Report mentions two "pending" geophysical surveys evaluating either end of the proposed HDD. Without the results of these surveys, the Report is premature. The Department should postpone review of the Report until the results of the geophysical surveys have been submitted, incorporated into the discussion of the new design, and made public. Sunoco has now acknowledged the value of geophysical survey results multiple times throughout other reevaluations. It is nonsensical to proceed with the plans for the Site without this key piece of information.

5. Sunoco has not explained the extensive delay in construction.

Sunoco paused construction of the 16-inch line at the Site for nearly a year and a half. This suggests there may be issues at the Site that could also impact the installation of the 20-inch line. The Report, however, gives no explanation for the delay. The Department should require

Sunoco to provide a detailed discussion of the timeline for the construction of the 16-inch line and any issues encountered along the way, including the extensive delay and Sunoco's decision to reverse the order of pipe installation. Sunoco should also explain how it will avoid encountering similar problems going forward.

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

Regards,

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