

October 21, 2017

By Email

ra-eppipelines@pa.gov



Re: Sunoco's Responses to DEP's request for information for HDDs PA-HU-0078.000-WX and PA-HU-0078.000-WX-16

Dear Mr. Williamson:

On October 12, 2017, Sunoco submitted a letter to the Department in response to the Department's requests for additional information regarding a horizontal directional drilling site, HDDs PA-HU-0078.000-WX and PA-HU-0078.000-WX-16. 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 in reply.

First, thank you for holding Sunoco to the re-evaluation requirements of the Order. The HDD re-evaluation process that was ordered by the Environmental Hearing Board is critical to protecting drinking water supplies and natural resources across Pennsylvania. Appellants very much appreciate that the Department is treating the process with the seriousness it is due.

Appellants provide their comments on Sunoco's responses serially below, using the numbering employed by the Department in its letter response of October 3, 2017:

- 1) Appellants note that the provided cross-sections and profiles are accompanied by changes in the design of the re-evaluated drilling plans. These may be good changes. However, no explanation is provided for them, nor is it clear what spurred these changes. There is no explanation of how these changes will provide protections for those people and natural resources near the HDD Site. These changes should be accompanied by revised analysis conforming with the requirements of Paragraph 4 in particular of the Order, e.g., "geologic strength at profile depth," and "overburden strength."
- 2) Sunoco provides measures of rock recoveries, rock-quality designations, and fracturing in place of geologic strength at profile depth and overburden strength. While these measures may factor into the parameters in the Order, it is not clear that they suffice to replace them. Also, as noted above, the profile depth has now changed, but Sunoco provides no new geologic analysis.

- 3) Appellants are concerned that despite the apparent probability of an inadvertent return at the HDD Site, Sunoco plans to move ahead with drilling. Given the water resources the HDD is slated to cross, an inadvertent return has a high likelihood of violating the Clean Streams Law as an unlawful discharge of industrial waste into a water of the Commonwealth. Violations should be avoided, not managed. Appellants reiterate here their request that this re-evaluation proposal be denied due to the dangers it poses.
- 4) Appellants have no comments on Sunoco's response to the Department's fourth point.

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

Sincerely,

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