

December 15, 2017

By Email

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Re: Sunoco’s response to DEP’s request for information and changes to the plans for HDD PA-BL-0122.0000-WX & PA-BL-0122.0000-WX-16

Dear Mr. Muzic,

On December 11, 2017, Sunoco submitted a letter and updated materials to the Department in response to the Department’s requests regarding horizontal directional drilling sites PA-BL-0122.0000-WX, and PA-BL-0122.0000-WX-16 (“Site”). 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.

One of the greatest concerns at this HDD site is the potential for disruption of groundwater due to the large difference in elevation between the proposed HDD entry and exit points. To help address the problem of groundwater flow back, DEP requested Sunoco provide “a plan and schedule that identifies that all necessary water collection, treatment and ancillary facilities be on site and operational prior to advancing the HDD bore to an elevation that exceeds the surface elevation of the HDD launch pad on the east side of the river.” Appellants support this request and believe it is important that Sunoco have a detailed, DEP-approved plan in place to protect and manage groundwater at the Site. Appellants also strongly support DEP’s requests for revised E&S Site Plans; without them, any protective measures Sunoco proposes will be less likely to be implemented in the field, and there will be less certainty about what Sunoco’s contractors will do.

The supplemental material Sunoco has provided only partially addresses DEP’s requests. What is now Attachment 3 to Sunoco’s re-evaluation report for the Site includes information on a single product, Biostar-CH Flocc 500, a diagram of a hay bale flocculation structure, and a page of the E&S Site Plan. This falls short of identifying all necessary equipment and ancillary facilities Sunoco will use collect and treat the groundwater, and nowhere has Sunoco provided the requested schedule that will ensure the equipment is timely installed.

Biostar-CH Flocc 500 is used for water filtration in conjunction with other equipment, including a

pump and a water containment structure, such as a tank or sediment basin. It is unclear from the information Sunoco has provided what equipment it intends to use and where it will locate this equipment at the Site. Included in the information on Biostar-CH Flocc 500 is a diagram of a typical dewatering setup. The E&S Site Plan appears to have been revised to include a blue rectangle that is similar in dimension to a large structure depicted in typical dewatering setup, but the rectangle is unlabeled. A blue arrow has also been added to the E&S Site Plan, but it too is unlabeled. As drawn, the arrow may indicate that a structure will be installed outside the limit of disturbance. Aside from the blue rectangle and arrow, it does not appear any other changes have been made to the E&S Site Plan to address treating and managing groundwater, or to show where the treated groundwater will be discharged. No baffles, riprap, or other means of calming overflow discharge are visible around the apparent dewatering structure in the Plan. Appellants are concerned that the location where the arrow is pointing to is close to and upgradient from the crossed unnamed tributary to the Frankstown Branch of the Juniata River.

The last revision date on the E&S Plan is from August 25, 2017, when Sunoco wanted to increase its limit of disturbance. Equipment for *test* water pumping, storage, and discharge have been part of the plans since November 2016 and does not appear to be related to groundwater treatment.

Also notably missing from the information provided by Sunoco is any discussion or calculations regarding the amount or characteristics of groundwater that will be disrupted during drilling. The quantity of water that needs to be treated will influence what equipment and how much equipment is needed. As indicated in the manufacturer information, a unit of Biostar-CH Flocc 500 is only effective up to a certain quantity of water, and there is a limit on the turbidity of the water it can treat. Sunoco has not run the numbers to ensure it will have enough filtration material on site, or that it has even chosen the appropriate product. Similarly, the size of the containment and dewatering structure needed for water that has already been through the Biostar-CH Flocc 500 processes is dependent on the quantity and flow of water to be treated. The risk of overflowing the containment structure is not abstract. While drilling for Mariner East II in Delaware County, Sunoco hit a significant groundwater supply it had not identified prior to the start of drilling, causing a large stream of water to come to the surface. Sunoco set up a hay bale containment structure there as well. Sunoco's containment attempt failed because it was not prepared to deal with the amount of water it had disrupted. *See* photos in attached Affidavit of Faith Zerbe.

Based on the forgoing, Appellants are concerned that the information Sunoco provided is indicative of an incomplete planning process that could result in significant problems with groundwater treatment and management at the Site. As DEP has requested, Sunoco should describe "all necessary equipment and ancillary facilities" that will be needed at the Site. That list must be informed by data on the quantity and characteristics of the water to be treated. Sunoco should also provide the schedule requested by DEP; having the proper equipment is of little value if it is not on hand when needed. Finally, the E&S Site Plan Sunoco has provided must be updated; the sheet Sunoco has submitted lacks even the most basic information and thus can neither be assessed nor implemented.

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

Sincerely,

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AFFIDAVIT OF FAITH ZERBE

Pursuant to 18 Pa. C.S. §4904, I, Faith Zerbe, state as follows:

1. I have personal knowledge of the statements contained herein and could competently testify to them if called as a witness.

2. I work for the Delaware Riverkeeper Network as Water Watch Director. In my capacity as a biologist, I have been coordinating DRN's environmental monitoring program since February of 1999.

3. I earned a Bachelor of Science degree in Biology from Ursinus College in 1996.

4. Prior to working for DRN, I worked for Entrix, Inc. for two years as an environmental consultant. At Entrix, I served as an assistant staff scientist conducting assessments for Natural Resource Damage Assessments.

5. Since the summer of 2011, I have performed visual assessments and environmental quality monitoring of several large linear gas pipeline projects and in my capacity at DRN, recruit, train, and coordinate volunteer monitors to document conditions along the ROW before, during and after construction.

6. In obtaining environmental data and reaching conclusions based upon my observations, I have employed principles and methods that are generally accepted in

the scientific community. The observations and conclusions that I offer herein are made with a reasonable degree of scientific certainty.

7. On July 18, 2017, I traveled to the location within Middletown Township, Delaware County, off of Glen Riddle Road, where Sunoco Pipeline had recently released drilling fluid that went into Chester Creek.

8. At that location, I observed cloudy brown sediment-laden water in a containment pond, and overflowing from that pond down the right-of-way and into vegetation off of the right-of-way. I observed sediment and silver substance from the drilling fluids in the water and on the ground on and adjacent to the pipeline right-of-way.

9. A second containment pond was being built downhill and adjacent from the first overflowing dewatering structure.

10. From the top of the hill off landowner's property using binoculars I observed another dewater structure that was empty near the base of the hill near Chester Creek. I observed sediment laden water on the ground around the empty basin adjacent Chester Creek. I observed non-deployed blue compost filter socks that were piled up near the basin. I observed wooden timber matting across Chester creek that had sediment on it likely from vehicles tracking mud or from the HDD

release. I observed what appears to be two temporary work spaces on both sides of the ROW adjacent Chester Creek. The pipeline company gated and locked the access road off Martins Lane so close inspection was not possible at the time.

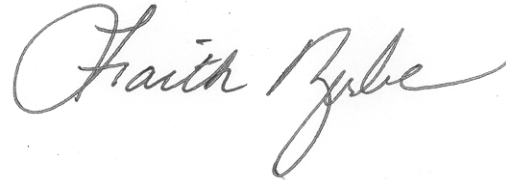
11. I observed other potential Erosion and Sedimentation (E&S) deficiencies in the vicinity of the detention ponds including: lack of adequate straw mulch on disturbed steep slopes and soils; compromised compost filter socks with evident erosion gullies near the adjacent stream; compromised silt fencing along timbers crossing the adjacent intermittent stream, lack of signage and potentially lack of proper stockpiling of topsoil and subsoil depending on permit requirements, and the continued use of “temporary work spaces” that include clearing of mature forest on sensitive steep slopes.

12. I observed along the pipeline access road, Martins Lane, and Glen Riddle Road tracked clumps of mud from construction vehicles and sediment staining and tracks on the adjacent roads located off of the ROW. I observed a street sweeper sweeping up some of the mud tracks and clumps. I observed compost filter socks on the pipeline access road off of Martins Lane with holes and the need for maintenance.

13. I took photographs and video of what I observed and have attached some of them to this affidavit.

I, Faith Zerbe, declare that the foregoing is true and correct to the best of my knowledge, information, and belief. I understand that any false statements made are subject to the penalties of 18 Pa C.S. § 4904 relating to unsworn falsification to authorities.

Executed on July 19, 2017.



FILED
07/30/2017



APPROVED
CONTRACT
LOCATION



**APPROVED
DEWATER
LOCATION**





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07/19/2017

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