

August 5, 2019



By Email

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Re: Sunoco's response to the Department's request for information on HDD PA-DE-0104.0008-WX (HDD# S3-0631)

Dear Mr. Hohenstein,

On June 28, 2019, the Department requested additional information from Sunoco regarding its reevaluation ("Report") of the horizontal directional drilling ("HDD") indicated by drawing number HDD PA-DE-0104.0008-WX (the "Site"). Sunoco responded to the June 28, 2019 letter on July 30, 2019, supplementing the Report. 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 Sunoco's July 30, 2019 response ("July Response").

1. Sunoco has not adequately addressed concerns related to steering through magnetite.

The Department rightly pointed out that Sunoco needs to account for the magnetite found at the Site to avoid problems with steering the drill bit. In its July response, Sunoco again admits that its own scientists "noted the concentration of magnetite was sufficient to effect [*sic*] steering of the S3-0631 pilot." Inexplicably, Sunoco then goes on to dismiss this concern, downplaying the observation of its Professional Geologist as an "anecdotal comment." Sunoco's account then seems to contradict the PG; Sunoco claims that its steering tools overwhelmed the naturally occurring interference at the site and there was no issue during the drilling of the first pilot hole. It is unclear how this reconciles with PG's admission that the concentration of magnetite was sufficient to affect steering. Even if the interference caused a deviation that ultimately did not result in the pipe being extended beyond stress allowances, that is no assurance that a greater, more problematic deviation will not occur next time around. Interestingly, Sunoco presents a potential solution in the July Response as well, albeit one that it ignores: adding a Gyro steering system in addition to the "True Track" steering it is currently planning. As Sunoco explains, since a Gyro steering system does not rely on magnetics, it is immune from magnetic interference. Sunoco seems to be inviting the Department to require the use of this technology. The Department should do so.

2. Critical questions remain unanswered about Sunoco's interference with the nearby sewer lines.

On August 8, 2018, the Department issued a Notice of Violation in response to a report that Sunoco had comprised a sewage lateral. The Department confirmed that Sunoco caused the damage. Not only did Sunoco damage the sewage pipe, it caused sewage to run into waters of the Commonwealth. As Appellants pointed out in previous comments on this Site, this incident corresponds to a massive, 272 day delay in completing the first drill. All of this suggests that the damage Sunoco caused was substantial, costly, and, most importantly, potentially a serious threat to human health and the environment. What happened to the sewage line and how a similar problem will be prevented going forward should be central to this reevaluation. Appellants are deeply concerned that the Department seems to be on course to approve the plans for the Site without fully addressing this problem. The Report glossed over the incident and the Department's response ignored it entirely. Sunoco should be required to share and discuss the results of any investigation of the sewage incident as part of the Report. Sunoco should also prove that it has accurately identified the locations of all utility lines, that steering can be safely controlled on the planned path, and that any other problems that may have contributed to Sunoco's destruction of the sewer line have been resolved.

3. The Report continues to lack basic information and analysis regarding water supplies.

As Appellants previously pointed out, Sunoco has identified two private water supplies within close proximity to the proposed drilling alignment but has offered no plan for protecting these water supplies or analysis of the well production zones that supply them. In previous reevaluations, the Department has pressed Sunoco on such violations of the Order and required more information. Here, the Department seems poised to let Sunoco get away with cutting corners. Sunoco has demonstrated time and again that it will take full advantage of any lack of oversight. It is incumbent upon the Department to maintain the integrity of this reevaluation process and to put a stop to Sunoco's attempts to get away with providing increasingly less information. The Department should require Sunoco to provide additional information regarding the water supplies at the Site, including details regarding water testing requests and results, an analysis of the well production zones, a plan for protecting these water supplies, and a commitment to conduct testing in association with the installation of the 20-inch pipe.

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

Sincerely,

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