

December 25, 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-CH-0212.0000-RD

Dear Mr. Rocco,

On December 20, 2017, Sunoco submitted a letter to the Department in response to the Department's requests regarding horizontal directional drilling site PA-CH- 0212.0000-RD ("Site"). Pursuant to the Corrected Stipulated Order entered on EHB Docket No. 2017-009-L on August 10, 2017, and on behalf of Clean Air Council, Mountain Watershed Association, Inc., and the Delaware Riverkeeper Network ("Appellants"), please accept these comments in reply.

Appellants strongly support the requests for information and analysis made in the Department's December 6, 2017 letter to Sunoco and believe those requests are consistent with the Department's duty to protect the health and safety of the public and the environment. Sunoco's recalcitrant response does not address the concerns raised by the Department, and certainly provides no basis upon which the public or the Department can assess Sunoco's plans for the Site.

The Department asked Sunoco to "explain what alternatives have been considered." A meaningful analysis requires weighing quantitative and qualitative details about the potential environmental impacts of alternatives. Sunoco's response makes clear it refuses to engage in such an analysis. Sunoco does not actually propose or consider any specific alternative routes. Instead, it relies on generalities about greenfields and practicability that are too vague to verify or examine.

Sunoco also provided no substantive response to the Department's requests for additional information regarding impacts to water resources and avoidance of sinkholes. It only references information it claims to have provided to the Department as part of its Major Modification Permit request on October 17, 2017. Given that the Department's request for additional information was issued over two months later, Appellants have no reason to believe the information the Department has requested was provided to the Department as part of a Major Modification Permit request. Furthermore, as part of the re-evaluation report for the Site that

was submitted on November 8, 2017, Sunoco included what appears to be a copy of its Major Modification Permit request as Attachment 2: PADEP Permit Modification Package. That document plainly does not provide the information and analysis the Department requested. It includes modified maps and site plans but makes no substantive changes to its analysis and mostly reflects changes to dates and headings. If Sunoco did, in fact, submit a more comprehensive document to the Department on October 17th and it addresses the Department's concerns, Appellants request that document be made available to the public for review.

The information and analysis the Department has sought but not yet received is vital for the protection of the public. Please do not back down.

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

Sincerely,

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