

August 31, 2018

By Email

ra-eppipelines@pa.gov



Re: Comments on Report for PA-YO-0063.0000-RR-16 (HDD# S2-0280)

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-YO-0063.0000-RR-16 (the “HDD Site”).¹

The Department’s Review

Pennsylvanians rely on the Department of Environmental Protection to protect them from dangerous activities that threaten their air, water, land, and health. The Department has recognized that the construction of Mariner East 2 has done damage to the public already. The purpose of Sunoco’s re-evaluations of certain HDD sites is so that it does a better job avoiding

¹ The Order reads, in pertinent part:

§ 6(ii) “For all recommendations for which a minor permit modification is required, including, but not limited to, certain changes from HDD to an open cut or certain changes to the Limit of Disturbance (“LOD”), the Department will have 21 days to review the submission and render a determination with respect to such minor permit modification, unless Sunoco agrees to extend the 21-day time period. *Appellants and private water supply landowners, who have received notice pursuant to Paragraph 7 below, shall submit comments, if any, within 14 days of the Department's posting of Sunoco's Reports on the Department's Pennsylvania Pipeline Portal website...The Department shall consider comments received and document such consideration.*” Emphasis added.

§ 6(iii) “For all other recommendations, including, but not limited to, recommendations of no change or of changes that do not require a minor permit modification, the Department will have 21 days to review the submission and render a determination with respect thereto, unless Sunoco agrees to extend the 21-day time period. *Appellants and private water supply landowners who have received notice pursuant to Paragraph 7 below, shall submit comments, if any, within 14 days of the Department's posting of Sunoco's Reports on the Department's Pennsylvania Pipeline Portal website...The Department shall consider comments received and document such consideration.*” Emphasis added.

harm to the public and the environment in its HDD construction. The Department's role is to review and assess Sunoco's Report before deciding what action to take on it.

It is the Department's duty to review and assess the Report with protecting the public and the environment placed first and foremost. Looking at the individual circumstances at the site in question is key. Critically important is accounting for input from those who live nearby, who have a deeper connection with and greater knowledge about the land than the foreign company building the pipelines through it.

A meaningful, objective and substantive review and assessment by the Department will ensure that new or further HDD operations at the re-evaluated sites will cause minimal, if any, harm to the public and the environment. Anything less than a full, careful, and objective review would endanger the public and the environment. Pennsylvanians place their trust in the Department to do a thorough, science-based assessment, taking into account these and other comments, and approving Sunoco's recommendation only if it would protect the public and the environment from any further harm.

Comments on HDD PA-YO-0063.0000-RR-16

1. Vigilant inspection and clear, site-specific plan for responding to IRs is needed.

Sunoco's revisions to its HDD profile are appropriate measures to reduce the likelihood of inadvertent returns. The Department should take an active and vigilant role in inspecting this HDD operation due to its history of inadvertent returns and the high likelihood that future returns will flow directly into the Susquehanna River, quite possibly in a location that is not readily visible. In addition to increased inspections by the Department, Sunoco should be required to have a site-specific plan for identifying and responding to IRs. This site presents unique complexities because of the size and depth of the Susquehanna. Sunoco must ensure that all equipment necessary for inspection (watercrafts, etc.) and containment is readily available and can be deployed quickly if there is a loss of circulation. Similarly, Sunoco should have in place a schedule for increased, regular inspections, appropriately adapted to the logistics of this site.

2. The Department should note that other statements made by Sunoco, though not material to the propriety of this re-evaluation, are incorrect.

Although geophysics may not be crucial at this location, the Department should note that Sunoco's suggestion in Section 7.0 of the hydrogeological report that geophysics is not useful below 50 feet below ground surface should not be taken at face value. See <https://spectrum-geophysics.com/bedrock.html>. In fact, Sunoco contradicts itself; in an earlier letter to the Department, it wrote, "At the five karst locations, the results of the geophysics provided usable data to a depth of 15 ft to 60 ft bgs." See May 12, 2018 Sunoco letter to DEP, http://files.dep.state.pa.us/ProgramIntegration/PA%20Pipeline%20Portal/MarinerEastII/HDD_Reevaluation_Reports/Sunoco_Response/Sunoco%27s%20Response%20to%20DEP%20-%205-12-18%20-%20Strasburg%20Road-Bow%20Tree%20Drive%20Crossing.pdf, at page 4.

Sunoco has also contradicted itself in its discussion of the limitations of conventional auger boring. Again, that is not feasible for crossing the Susquehanna River. However, Sunoco states in the Report at the unnumbered sixth page that “conventional auger bore is technically limited to less than 200 linear ft. at a time varying by the underlying substrate.” Sunoco’s Trenchless Construction Feasibility Analysis states at Section 4.1.2 that “the current maximum extent for a CAB installation of a 16” or 20” diameter pipeline is approximately 390 feet.” See <http://files.dep.state.pa.us/ProgramIntegration/PA%20Pipeline%20Portal/MarinerEastII/Cambria/11%20-%20EAF/Encl%20E%20-%20Comp%20Env%20Eval/Part%203%20-%20Alternatives%20Analysis/Appendix%20B%20-%20Trenchless%20Feasibility%20Analysis%20%202016-11-29-FINAL.pdf>. And Sunoco’s revised re-evaluation report attached to its letter to the Department dated August 24, 2018 stated “conventional auger bore is technically limited to less than 300 linear ft of relatively flat land surface at a single attempt.” It is unclear why Sunoco came up with three separate limits for conventional auger boring, but the Department should carefully vet Sunoco’s statements given its penchant for inaccuracy and contradiction.

Conclusion

Appellants agree that the changes Sunoco introduces in this re-evaluation are appropriate, and request that the Department be vigilant in inspecting to ensure that Sunoco performs this HDD appropriately.

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

Sincerely,

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