

September 4, 2019



By Email

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Re: Sunoco's response to the Department's request for information on HDD PA-LE-0005.0000-RD-16 (HDD # S3-0091)

Dear Mr. Williamson,

On August 15, 2019, a conference call took place between the Department and Sunoco regarding outstanding issues with Sunoco's reevaluation of the horizontal directional ("HDD") plans indicated by drawing number PA-LE-0005.0000-RD-16. Following that call, Sunoco has submitted a brief supplement ("August Response"). 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 the August Response.

First, Appellants must note that because the specifics of the August 15, 2019 call between Sunoco and the Department were not made available to the public, the public is not able to fully discern the nature of the Department's outstanding concern. This makes it difficult to evaluate the adequacy of Sunoco's response. Nevertheless, Appellants are able to address the August Response to the extent it is facially flawed.

Most importantly, the August response still does not address the concerns raised by Appellants and the Department in previous rounds of comments. Sunoco has failed to provide a plan for protecting the two water supplies it has found in the vicinity of the site, analysis of the well production zones for those supplies, and details regarding water testing requests and results. Protecting water supplies was one of the key purposes of the Order and all this information is critical to the reevaluation process. Likewise, while the August Response does provide some additional detail regarding previous IRs at the site, it has still not justified its specific drilling path. The reevaluation remains incomplete.

Appellants also have some concern about the IR inspection protocol Sunoco employs. If the presence of roots and shrubs prevents Sunoco from detecting IRs in its routine observation during drilling, the Department should require Sunoco to step up its efforts and inspect more closely.

Thank you for considering these comments. Please keep Appellants apprised of any further developments.

Sincerely,

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