

May 27, 2019



By Email

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Re: Sunoco's response to the Department's request for information on PA-DA-0056.0000-RD-16 (HDD# S3-0080-16)

Dear Mr. Williamson,

On March 22, 2019, the Department requested additional information from Sunoco regarding its reevaluation ("Report") of the horizontal directional drilling ("HDD") indicated by drawing number PA-DA-0056.0000-RD-16 (the "HDD Site"). Sunoco responded to the March 22, 2019 letter on May 22, 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 Sunoco's May 22, 2019 supplemental response ("May Response"). The comments are numbered to correspond to the numbering in the Department's March 22, 2019 requests and the May Response.

1. Justification of Drilling Path

The Department made a number of requests related to Sunoco's lack of explanation or justification for the specifications it is proposing for the 16-inch profile. First, the Department pointed out that Sunoco "failed to fully utilize information gathered during the HDD of the 20-inch bore as part of the HDD Re-evaluation for the 16-inch pipeline." The Department requested Sunoco gather this information, and, specifically that Sunoco include "geologic and drilling information collected by various site personnel during the drilling of the 20-inch bore that can be used to provide a summary confirmation of the geology at the site." In the Report, Sunoco had claimed that it relied on the complete geologic record from the drilling of the 20-inch HDD. This makes it especially important that Sunoco provide the full geological profile from the 20-inch HDD and discuss how that data informed its plans for the 16-inch line.

Despite the Department specifically calling this out, Sunoco has still failed to provide the full geologic profile from the drilling of the 20-inch line or to discuss how it was used in any meaningful detail. In its May Response, Sunoco argues that it provided "cross section views" of IR events. While those data points were a helpful addition, it is not the same as or a substitute for the full geologic profile for the 20-inch drill. Sunoco needs to explain and provide the data to support what specific geological conditions it encountered along the entire path of the 20-inch

drill. Without that information, Sunoco's claim that it relied on the geologic profile from the 20-inch profile and that no additional geotechnical information is needed remains baseless. Sunoco should be required to provide this information as the Department requested, or if it cannot or refuses to, Sunoco should be required to conduct additional geotechnical testing.

Similarly, Sunoco refers to having relied upon daily drilling and HDD inspection reports. Sunoco does not provide any of them or their content, only general statements about what it considered. Sunoco also describes relying on review of annular pressure. What specific observations, findings, or other information from these sources was used in designing the new 16-inch profile? How did that specific information inform the design of the 16-inch profile? Again, the Department asks for such a discussion and Sunoco has failed to provide it.

Finally, Sunoco also ignores the Department's request to explain why the proposed bore path for the 16-inch line was chosen. A satisfactory response would discuss factors such as the integrity of the bedrock at the specific depth that was chosen for the horizontal run as compared to the integrity of the bedrock at other potential depths. No such discussion is provided.

Sunoco's continued refusal to provide specific, data-driven support for its plans suggests that a well-reasoned justification for its proposal simply may not exist and that it is approaching the reevaluation of this site with the same disregard for detail and risk that has spurred destruction across the state.

2. Water Supplies

The Department asked Sunoco to evaluate and discuss how the proposal for the 16-inch profile will "minimize the potential for IR's and impacts to water supplies." Sunoco provides no such evaluation or discussion. Instead, it merely attaches summary tables of well testing results. Those results raise additional concerns.

First, despite Sunoco's claims that this information about wells was considered before submitting the proposal, it does not appear the well testing results were shared with or used by Sunoco's hydrogeologists. The Geological and Hydrogeological Evaluation Report prepared by Sunoco's consultant, Skelly and Loy, does not even acknowledge that these tests were done, much less discuss the results. The May Response discusses elevated analyte concentrations that Sunoco had previously failed to disclose, but still does not illuminate what if anything Sunoco has done to protect private water supplies in its proposal. Given the focus of the Department and the public on the threat Sunoco's construction practices poses to private water supplies, it is unclear why Sunoco would not take advantage of an opportunity to demonstrate that it fully accounted for these concerns if it had indeed done so.

Second, Sunoco only identifies that one of the seven locations received testing before, during, and after drilling. The rest of those residents have not received a complete picture. Several of the residents had bacterial contamination detected in their water sources during drilling operations, as compared to none before drilling commencement, which is concerning and which Sunoco did not discuss at all in the May Response. How will Sunoco protect these water supplies during drilling of the 16-inch? Additional data is needed to establish baseline readings before drilling for the 16-inch line can commence. Per the Order, residents also need to be

offered water testing before, during, and after the drilling of 16-inch line. Sunoco should make clear that it intends to follow through on this obligation.

Thank you for considering these comments. Please keep Appellants apprised of any next steps.

Sincerely,

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