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By Email

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Re: Comments on Report for HDD PA-DA-0063.0000-RD-16 (HDD# S3-0081)

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-DA-0063.0000-RD-16 (the "HDD Site").

1. The Report regards protection of water supplies as an afterthought.

Like several other recent reevaluations from Sunoco, the present Report does not provide necessary detail regarding water supplies and water supply testing. There is a high concentration of water wells around this HDD, all of which must be protected. The Report does not demonstrate that Sunoco is prepared to do this.

First, the Report asserts that 51 wells were identified within 450 feet of the HDD alignment. Curiously, the Hydrogeologic Reevaluation also claims "water quality samples were collected by GES from 51 wells located within 450 feet of the HDD drill path," suggesting a 100% response rate from landowners. Yet, Attachment 3 to the Report, which depicts well locations, indicates multiple properties within 450 feet of the HDD alignment where testing was refused. Sunoco should provide additional information to clear up this discrepancy of very basic facts.

Sunoco should also clarify when testing was offered and completed. In reevaluations of other sites, Sunoco has attempted to rely on water testing that took place before August 2017 and did not include pathogen testing. Such testing does not satisfy the requirements of the Order. Here, Sunoco has not provided enough information in the Report to demonstrate that its testing was adequate.

Other details about water supplies and testing, including well depths, whether there were any incidents related to the drilling of the 20-inch line, and whether landowners are being provided temporary water supplies should be included in the Report as well. Such information helps provide a more complete picture of the risks to water supplies and is instructive as to whether Sunoco's plans for the Site are sufficiently protective.

Finally, given the number of wells in close proximity to the Site, it would be prudent to conduct groundwater modeling. Sunoco has not done this and should be required to do so. Instead, Sunoco seems to suggest residents should give up their private water and turn to public water supplies, bemoaning the fact that “connection to the public water supply is currently voluntary and not required.” The Report notes multiple times that public water hookup is available to part of the neighborhood near the Site. That is of little moment and certainly does not absolve Sunoco of its responsibility to avoid destruction or interference with private water supplies.

Sunoco’s increasingly lax approach toward reporting specifics on water supplies and considering them in its plans is drifting even further from both the requirements of the Order, which mandates Sunoco to evaluate well production zones, and one of the basic purposes of the reevaluation process, which is to protect water supplies. The Department must not let this continue.

2. Sunoco’s Alternatives Analysis is inadequate.

In its alternatives analysis, Sunoco admits the use of auger boring is a feasible alternative, but summarily dismisses it, explaining landowner permission and potential legal action would be needed to acquire the necessary work space. While these considerations may be relevant, they cannot replace an analysis of the relative environmental impacts of using auger boring. Sunoco completely ignores environmental impacts and does not provide any quantitative information even about its own logistical concerns to justify its preference. Ultimately, HDD might be the less environmentally harmful option for the Site, but Sunoco must provide enough analysis to support that decision.

3. The new drilling profile does not seem to address the most problematic portion of the drilling alignment.

The proposed redesign of the 16-inch profile is slightly deeper and longer than the original profile. This may be an improvement in terms of reducing overall risks of inadvertent returns at the Site, but there is no specific discussion in the Report of the chosen depth and length of the profile to support such a conclusion. The new profile also seems to do little to mitigate the risks of inadvertent returns at the portion of the profile that proved most problematic during the drilling of the 20-inch pipeline. A series of inadvertent returns were triggered by the drilling of one particular portion of the 20-inch profile. Despite the proposed 16-inch profile being deeper overall, the portion of the 16-inch profile that passes by where the inadvertent returns previously occurred remains relatively close to the 20-inch profile. Sunoco should have focused on improving—and possibly deepening—this particular portion of the 16-inch profile. If, for example, the 16-inch profile were lengthened, it could pass further below the problem area. The Department should require Sunoco to justify the specific profile depth it chose, especially in relation to the area where there were previous inadvertent returns.

Sunoco’s lack of analysis is made even more problematic by the contradictions between its main Report and the Hydrogeologic Report. In its main Report, it writes that “The four IR events during the installation of the 20-inch diameter pipeline resulted from drilling fluid traveling along bed rock fractures and bedding planes from the HDD annulus and through soft overburden soils to the land surface. All four IRs occurred within 110 ft of the exit point.” Section 6.0 of the Hydrogeologic Report documents six IRs rather than four. Moreover, it

records them as taking place within 170 feet of the exit, not 110 feet. The Hydrogeologic Report makes clear that the drilling fluid spills were worse than reported in the Main Report, and took place within a deeper part of the profile. Figures 1 and 2 also diverge in illustrating where the IRs took place along the profile, showing both differing locations and differing numbers of IRs.

The Hydrogeologic Report further emphasizes in Section 9.0 that “The proposed 16-inch HDD profile is relatively shallow when compared with the land surface and extends entirely within both the shallow unconsolidated regolith materials and weathered to unweathered bedrock.”

Clearly this is a site where analysis of depth of cover is required rather than boilerplate that deepening the profile will fix the problem.

4. Figure 1 is not the permitted plan and profile, despite saying it is.

As with some other recent reports, there are discrepancies between the plan and profile as permitted and as represented in Figure 1 in the Report. Figure 1 bills itself as “Figure 1. Permitted 16-Inch HDD Plan and Profile with 20-Inch IR Data.” However, a review of the actual permitted plan on the Department’s website shows significant differences. See <http://files.dep.state.pa.us/ProgramIntegration/PA%20Pipeline%20Portal/MarinerEastII/Dauphin/07%20-%20Site%20Plans/Tab%207B%20HDDs/PA-DA-0063.0000-RD-16.pdf>. The revision history is different, indicating a different drawing. The text of the “Design and Construction” section differs as well. For example, in Figure 1 the Internal Design Pressure is listed as 2100 PSIG, very different from the 1480 PSIG that the Department permitted.

As a result, it is not clear the meaning of Figure 1 or what it represents.

5. The Report appears to not comply with paragraph 5.i of the Order requiring that it “document in detail the information considered for the re-evaluation of the design of the HDD.”

The Report states: “SPLP possesses a full geologic profile from the drilling of the 20-inch pipeline and vertical geotechnical core data. No additional information is needed to evaluate the 16-inch HDD.” If that is the case, then the Report does not comply with the Order, which specifies at paragraph 5.i that “The Report shall document in detail the information considered for the re-evaluation of the design of the HDD at that site.” This “complete geologic profile” is nowhere to be found in the Report. Moreover, it does not appear to have been made available to Sunoco’s hydrogeologists, who do not describe knowing what that “full geologic profile” is.

Sincerely,

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