



July 20, 2017

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 7001 2510 0006 1771 0013

Mr. Mathew L. Gordon
Sunoco Pipeline, L.P.
535 Fritztown Road
Sinking Springs, PA 16908

Re: Violations of the Clean Stream Law
Pennsylvania Pipeline Project (a.k.a. Mariner East 2)
Permit No. E23-524
Middletown Township
Delaware County

Dear Mr. Gordon:

On July 17, 2017, the Department of Environmental Protection (“DEP”) received notice of an inadvertent release of drilling solution near HDD 620 Staging Area at Glen Riddle Road in Middletown Township, Delaware County. On July 18, 2017, DEP conducted an inspection of this area; a copy of the inspection report is enclosed. The drilling solution was discharged to an unnamed tributary to Chester Creek (SC-13), a water of the Commonwealth. Drilling solution is an “industrial waste” under Section 301 of the Clean Streams Law, 35 P.S. § 691.301. The discharge of industrial waste to waters of the Commonwealth is a violation of the Clean Streams Law.

DEP acknowledges your response to the above-referenced violation. Moving forward, DEP requests that you make the following adjustments to improve communications:

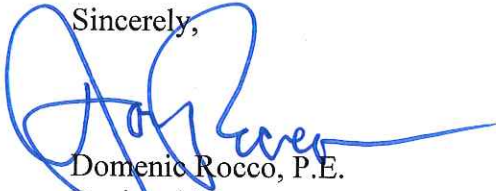
Following an inadvertent return, immediate telephone notification should be made to DEP, closely followed by written notification utilizing the Initial IR form as provided to you by Ms. Ann Roda effective July 18, 2017. Telephone notification needs to be made to a live person or to DEP’s 24-hour Emergency Line at 484.250.5999). In this case, there was significant lag time before DEP received the Initial IR form despite our understanding that this form is completed by your contractor(s)/employee(s) within 30 minutes of the incident. We strongly suggest that you give your Lead Environmental Inspector(s) the authority to send these reports to DEP as soon as they are available.

Please be advised that DEP and/or the Delaware County Conservation District will conduct additional inspections of the site. If future inspections reveal that corrective actions have not been made and/or additional violations have occurred, DEP may initiate enforcement action.

This Notice of Violation is neither an order nor any other final action of DEP. It neither imposes nor waives any enforcement action available to DEP under any of its statutes. If DEP determines that an enforcement action is appropriate, you will be notified of the action.

I look forward to your cooperation in this matter. If you have any questions, please call my office at the telephone number located in the first page footer.

Sincerely,



Domenic Rocco, P.E.
Regional Manager
Waterways and Wetlands

Enclosure(s): DEP Inspection Report

cc: Mr. Embry – Sunoco Pipeline
Mr. Prosceno – TetraTech
Ms. Wheeler – Delaware County Conservation District
PA Fish and Boat Commission, Southeast Office
Mr. Caplan – U.S. Army Corps of Engineers, Philadelphia District
Middletown Township
Re 30 (GJS17WAW)201-26