

May 9, 2017

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 7015 0640 0002 3145 0400

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 II)
Permit No. E23-524
Brookhaven Borough
Delaware County

Dear Mr. Gordon:

On May 3, 2017, the Department of Environmental Protection (DEP) received notice of an inadvertent release of drilling solution near 5005 Chester Creek Road in Brookhaven Borough, Delaware County. On May 4, 2017, DEP conducted a follow-up inspection; a copy of the inspection report is enclosed. Drilling solution by definition is an industrial waste which was discharged to Chester Creek, a water of the Commonwealth (Warm Water Fisheries). The discharge of industrial waste to waters of the Commonwealth is a violation of Section 301 of the Clean Streams Law, 35 P.S. Section 691.301.

DEP acknowledges your timely response to the above-referenced violation. Moving forward, please be advised that upon the occurrence of any incidents resulting in discharges into "Waters of this Commonwealth," Sunoco shall:

- A. Immediately notify the pertinent DEP Regional Office 24-hour Emergency Response Line. For the Southeast Regional Office, the telephone number is 484.250.5900.
- B. Within 5 business days, submit a written response to this office (to the attention of Mr. John Hohenstein by e-mail at jhohenste@pa.gov), including the following information:
 1. A complete list of materials used in the drilling fluids utilized at this site and an estimation of the amount of drilling fluid released.

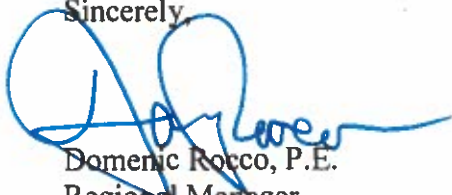
2. A description of immediate actions taken by Sunoco to contain and remove this discharge from waters of this Commonwealth.
3. A discussion of any revisions and/or updates to your Inadvertent Return (IR) Contingency Plan that can be implemented to prevent and respond to future discharges.
4. A detailed analysis/explanation of the root cause or causes of the unpermitted discharges.
5. A plan to monitor these areas to determine if there are secondary impacts to the aquatic ecosystem and hydrology.

Please be advised that DEP and/or the Delaware County Conservation District will conduct additional inspections of the site. If future inspections reveal that required 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
Brookhaven Borough
Re 30 (GJS17WAW)129