



June 7, 2021

Via Electronic Mail – tmagge@pa.gov

Thomas Magge
Environmental Program Manager
Bureau of Clean Water
Pennsylvania Department of Environmental
Protection
Southeast Regional Office
2 East Main Street
Norristown, PA 19401

Re: Violations of the Clean Stream Law and Temporary Discharge Approval
Pennsylvania Pipeline Project (a.k.a. Mariner East 2)
West Whiteland Township
Chester County

Dear Mr. Magge,

On June 4, 2021, Sunoco Pipeline LP (“SPLP”) received a Notice of Violation (“NOV”) from the Department concerning the dewatering activity at the Wetland B71 (Briar Rd.) location, in West Whiteland Township, Chester County (the “Wetland Bore”). The NOV asserts that the Wetland Bore dewatering activity has resulted in violations of Sections 401 and 611 of the Clean Streams Law, 35 P.S. § 691.401 and § 691.611 and violation of the Temporary Discharge Approval. SPLP responds to the NOV as follows.

DEP requested that SPLP submit a restart and contingency plan for DEP’s review and approval before SPLP resumes operation of the dewatering system and related temporary treatment system at site. DEP directed that the written plans should include the following information. SPLP lists each request below together with SPLP’s response.

1. A description of the circumstances causing the incident and how the circumstances were determined.

SPLP Response: *On June 3, 2021, just before 12:00 pm it was observed that turbidity levels had increased in the discharged water coming from the dewatering structure. Earlier in the day, the bore pit water turbidity began to increase as the bore advanced from rock to soil which resulted in a heavier loading of solids in the raw water. In response to*

those observations, onsite personnel adjusted the system which included modifying the water treatment concentrations being added. Due to the continuation of discolored water, SPLP proactively shut down the system at approximately 1:15 pm to allow for additional troubleshooting. A DEP representative arrived onsite at approximately 3:05 pm and remained on site for just over an hour. While onsite, inspections of the discharge area, treatment system and wetland area were conducted. The DEP representative did not identify any violations, communicate any concerns at the time nor advise there were any other items to be addressed prior to resuming the discharge. It was discussed onsite that SPLP would provide a courtesy notification to the Department, to advise when the discharge would resume. As such, SPLP contacted Mr. John Hohenstein and Mr. Robert Bauer of the PADEP as well as the PA Fish and Boat shortly after 5:00pm. Just before 6:00pm, Mr. Hohenstein returned SPLP's call and indicated that Department approval was required prior to resuming discharge offsite at which time SPLP proceeded to cease the discharge.

2. Description and estimated quantity, by weight, volume, or measurement of materials or wastes involved.

SPLP Response: *The estimated discharge rate at the time of the increase in turbidity was approximately 250 gpm and the contractor ran the pumps for approximately 90 minutes when the turbidity was temporarily increased, resulting in an estimated volume of 22,500 gallons of treated groundwater with suspended native sediments.*

3. An assessment of any contamination of land, water, or air that has occurred due to the incident.

SPLP Response: *In accordance with the Wetland B71 Direct Pipe Bore Monitoring Plan approved by the PADEP on May 11, 2021, the wetland and streams, including the reference areas have been and will continue to be inspected at least twice a day during the discharge operation by the Environmental Inspection (EI) team. In addition, as committed to within the Monitoring Plan, daily Current Conditions Reports are to be prepared. The Current Conditions Report are to include a photographic log with pictures taken from established stations that will be depicted and keyed on an included map. Detailed notes will be taken regarding the location of observations; existence, and description of any inflows to the streams or wetlands (such as discharges and/or IRs); description of and areal extent of any sediment deposits; (including photographs and a map key of photograph locations) within Valley Creek and its tributary and the wetlands that receive turbid discharges. Please see Attachment A for copies of daily Current Conditions Reports from June 3-5, 2021 documenting site conditions for which there was no observed deposition of native sediments beyond the discharge point.*

4. Estimated quantity and disposition of all recovered materials or wastes that resulted from the incident and plans for ultimate disposal.

SPLP Response: *As noted in response 3, SPLP did not observe any disposition of native sediments beyond the discharge point that would need to be recovered or the subject to any remedial action. All areas were inspected, and photo logged by the EI and also PADEP Southeast Regional Office personnel after operations at the work location were stopped on 6/3/2021. These inspections and photologs confirm that there was no disposition of any sediment material in the wetland or stream as a result of the temporary increase in turbidity on 6/3/2021.*

5. A detailed description of what actions were taken and are intended to be implemented (date and time of implementation), and how these actions will prevent a similar occurrence in the future.

SPLP Response: *As stated in response 1, SPLP proactively shut down the system at approximately 1:15 pm to allow for additional adjustments and maintenance. Onsite personnel continued to adjust the system between 1:15 and 4:30 pm. These adjustments included changing out the sand/filter media, replacing filter bags, cleaning out weir tanks and adjusting water treatment chemical concentrations. The water was recirculated through the system and pumped back into the bore pit until it reached a visual clarity level indicating it was acceptable for discharge, which occurred at approximately 4:50 pm. At that point the water was allowed to flow into the filter bag in preparation to resume discharge into the wetland, per SPLP's temporary discharge approval. A courtesy notification was made to the Department, as discussed with DEP onsite field representative's and NTU's were monitored while this discharge was taking place. The Department verbally ordered SPLP to discontinue discharging at approximately 5:52 pm. To address potential heavier solids loading of the raw water while actively boring, an additional heavy sediment removal step is proposed where pumped water will first pass through two over/under weir tanks in parallel as pretreatment prior to introduction to the water treatment system. A revised flow diagram is attached (Attachment B).*

6. An outline of the steps Sunoco will take, including action items, if a similar event were to happen in the future.

SPLP Response: *If a similar event were to occur in the future, where turbidity increases to a level that potentially exceeds the temporary discharge permit limits based upon visual observation and field NTU measurements, SPLP will cease discharge to the wetland area as safely and quickly as possible. SPLP will evaluate the potential cause and make adjustments and or perform system maintenance such as water treatment chemical injection rates and conduct system maintenance while circulating water through the filtration system discharging back to the bore pit or frac tanks to verify corrective actions were successful based upon visual observation and field NTU measurements of the discharge. Once water is visually clear, the discharge will be redirected back to the filter bags and perimeter controls, and discharge to the wetland area will resume.*

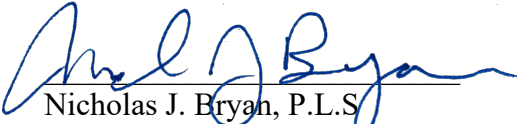
7. A description of how Sunoco intends to provide adequate notice to DEP to ensure that a DEP inspector can be present on site when operations resume at the site.

SPLP Response: Upon approval to resume dewatering, SPLP agrees to provide Mr. Magge at least 12 hours advance notice to allow adequate time for the DEP to have a representative onsite.

Please note that nothing in this response should be construed either as an admission of any of the legal conclusions set forth by the Department in the NOV or as a waiver of any legal defenses SPLP may possess.

If you have any questions or need additional information regarding this supplemental response and the enclosed documents, please contact me at (570) 505-3740 or via email at Nick.Bryan@EnergyTransfer.com.

Thank you,



Nicholas J. Bryan, P.L.S.
Sr. Director – E&C Environmental
Energy Transfer

Attachments

Cc: Patrick Patterson (via email)
John Hohenstein (via email)
Robert Bauer (via email)

Attachment A - Current Conditions Reports

**Sunoco Pipeline L.P.
Pennsylvania Pipeline Project
Current Conditions Report**

PPP 6 – Wetland WL-B71 Bore
West Whiteland Township, Chester County, Pennsylvania

CURRENT CONDITION PHOTOS (JUNE 3, 2021 AT ~10:45 AM)

View looking southwest of section 1. Visual field observation noted no change in suspended sediment in discharge flow path.



View looking north of section 2. Visual field observation noted no change in suspended sediment in discharge flow path.



View looking north of section 3. Visual field observation noted no change in suspended sediment in discharge flow path.



View looking north of section 4. Visual field observation noted no change in suspended sediment in discharge flow path.



View looking west of section 5. Visual field observation noted no change in suspended sediment in discharge flow path.



View looking south of section 6.



View looking east of section 7.



View looking east of section 8.



View looking south of section 9.



View looking east of section 10.



View looking east of section 11.



**Sunoco Pipeline L.P.
Pennsylvania Pipeline Project
Current Conditions Report**

PPP 6 – Wetland WL-B71 Bore
West Whiteland Township, Chester County, Pennsylvania

CURRENT CONDITION PHOTOS (JUNE 4, 2021)

View looking southwest of section 1. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 2. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 3. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 4. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 5. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking south of section 6.



View looking east of section 7.



View looking east of section 8.



View looking south of section 9.



View looking east of section 10.



View looking east of section 11.



**Sunoco Pipeline L.P.
Pennsylvania Pipeline Project
Current Conditions Report**

PPP 6 – Wetland WL-B71 Bore
West Whiteland Township, Chester County, Pennsylvania

CURRENT CONDITION PHOTOS (JUNE 5, 2021)

View looking southwest of section 1. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 2. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 3. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 4. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking southwest of section 5. Visual field observation noted no evidence of newly deposited sediment from increased turbidity on June 3, 2021.



View looking south of section 6.



View looking east of section 7.



View looking east of section 8.



View looking south of section 9.



View looking east of section 10.



View looking east of section 11.



Attachment B - Flow Diagram

