

November 3, 2017

**NOTICE OF VIOLATION**

**CERTIFIED MAIL NO. 7001 2510 0006 1769 7055**

Mr. Matthew 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 Nos. E15-862 and ESG 01 000 15 001  
East Goshen Township  
Chester County

Dear Mr. Gordon:

On October 25, 2017, the Department of Environmental Protection (“DEP”) received notice of an inadvertent release of drilling solution at HDD Site S-3-0500 near 439 Gateswood Drive in East Goshen Township, Chester County. DEP conducted inspections of this area on October 25, 2017; copies of the inspection reports are enclosed. The drilling solution was discharged to an upland area and traveled to and discharged into a storm sewer inlet, by definition, a water of the Commonwealth. Drilling solution is an “industrial waste” under Section 301 of the Clean Streams Law, 35 P.S. Section 691.301. The discharge of industrial waste to waters of the Commonwealth is a violation of the Clean Streams Law.

DEP Permits E15-862 and ESG 01 000 15 001, and paragraph 15 of the Corrected Stipulated Order (“Order”) entered by the Environmental Hearing Board on August 10, 2017, require permittee(s) to follow their revised “*HDD Inadvertent Return Assessment, Preparedness, Prevention and Contingency Plan* (revised August 8, 2017) (“IR PPC Plan”) that is part of the approved plans in the aforementioned permits to reduce, minimize, or eliminate a pollution event.

DEP acknowledges your response and clean-up efforts to the above-referenced violation. Please be advised that DEP and/or the Chester 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 Mr. Frank De Francesco, Compliance Specialist, at 484.250.5161.

Sincerely,



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


Enclosure(s): DEP Inspection Report

cc: Mr. Embry – Sunoco Pipeline  
Mr. Prosceno – TetraTech  
Mr. Sofranko – Chester County Conservation District  
PA Fish and Boat Commission, Southeast Office  
Mr. Caplan – U.S. Army Corps of Engineers, Philadelphia District  
East Goshen Township  
Re 30 (GJS17WAW)307-4



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

### GENERAL INSPECTION REPORT (Non-NPDES)

Type of Inspection IR Incident follow-up	WQM Permit Number E15-862 & ESG0100015001	County Chester	Municipality East Goshen
Name and Location of Facility or Pollution Incident <b>Mariner East II, Eldrge Drive HDD 500</b>			Entry Time/Date 10/25/17 1500
439 Gateswood Drive, West Chester			Exit Time/Date 10/25/17 1540
Name, Address of Responsible Party <b>Mr. Matt Gordon Reported by Chris Cable</b> Sunoco Pipeline, LP 535 Fritztown Road Sinking Spring, PA 19608		Title	
		Telephone <b>Chris Cable</b> 1 518-956-3436	Contacted Yes xx No <input type="checkbox"/>
<b>SUMMARY OF VIOLATIONS/RECOMMENDATION/COMMENTS:</b>			
<p>At 1351 on October 25, 2017 Sunoco reported an IR at HDD 500. Approximately 500 gallons of drilling solution (DS) was discharged to the rear yard of a home at 439 Gateswood Drive. .</p> <p>At 1500 arrived on site. The cleanup was occurring. It was noted that some DS had traveled from the site, in the rain gutter, to an inlet and was discharged into the inlet. At this time the quantity is unknown. They were going to remove the inlet grate and vacuum the inlet drop box. The point at which the DS met the curb line was sandbagged and a vacuum truck was collecting the DS. A crew was using squeegees and water to clean DS from the grass and area. Once the area is cleaned, they plan to sandbag the point of discharge and have a vacuum truck at the home as a precaution, along with stabilizing the disturbance. Permission to restart the drill has not been given.</p> <p>The IR was reported to Sunoco by East Goshen Township.</p> <p>Left the site at 1540.</p>			
Compliance Assistance Provided <input type="checkbox"/>			
Pollution Prevention Activity <input type="checkbox"/>			
Sample No.	Location	Field Measurements and Observations	
Inspector Name <b>Frank DeFrancesco</b>	Inspector Signature 	Title <b>EP Compliance Spec.</b>	Date 10/26/17 Telephone
Name of Person Interviewed <b>Josh Prosceno, Tetra Tech</b>	Signature of Person Interviewed	Title	Date: Telephone
<p>This document is official notification that a representative of the Department of Environmental Protection, inspected the above facility or site. The findings of this inspection are shown above and on any attached pages.</p> <p>Any violations which were uncovered during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses of the discharge and review of Department records. Notification will be forthcoming, if such violations are noted.</p>			



### GENERAL INSPECTION REPORT (Non-NPDES)

Name and Location of Facility or Pollution Incident <b>Sunoco HDD 500 Gatewood Drive</b>	County Chester	Municipality East Goshen Twp
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Storm inlet with drilling solution



Flow path from discharge point to house



Cleanup process



Vacuum truck and sandbag berm