

September 12, 2017

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 7001 2510 0006 1770 9994

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 Nos. E23-524 and ESG 01 000 15 001
Middletown Township
Delaware County

Dear Mr. Gordon:

On September 2, 2017, the Department of Environmental Protection (“DEP”) received notice of an inadvertent release of drilling solution near the staging area of HDD 620 located in the vicinity of 224 Martins Lane in Middletown Township, Delaware County. On September 2, 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-12), 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.

Additionally, Sunoco submitted its Initial Incident Report on September 8, 2017, 6 days after the incident. This late submission constitutes a violation of the Permits and the revised Inadvertent Return Contingency Plan; the submission was due to DEP within 24 hours of the incident.

DEP acknowledges your response to the above-referenced violation. 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 additional enforcement actions.

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
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)250-10