

November 27, 2017

**NOTICE OF VIOLATION**

**CERTIFIED MAIL NO. 7015 1520 0002 1486 2910**

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 November 17, 2017, the Department of Environmental Protection (“DEP”) received the interim report for HDD Site S-3-0471 Village Square Drive in East Goshen Township, Chester County. A review of the report revealed that the site had a loss of 1,500 gallons of bentonite drilling solution during the drill ream on November 11, 2017, that was not previously reported to DEP.

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.

The IR PPC Plan, and DEP Permits E15-862 and ESG 01 000 15 001, require immediate notification to DEP’s Southeast Regional Office 24-hour Response Line of any loss of circulation. However, DEP has no record of receiving notice of the 1,500-gallon loss of circulation that occurred on November 11, 2017, at HDD 471.

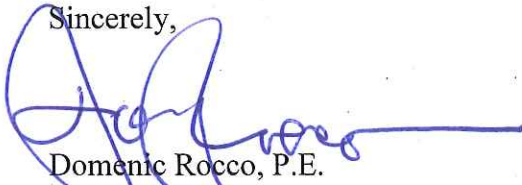
Failing to comply with the IR PPC Plan, DEP Permits E15-862 and ESG 01 000 15 001, and the Order constitutes unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. § 691.611 and Section 18 of the Dam Safety and Encroachment Act, 32 P.S. § 693.18.

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

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)331-1