



July 20, 2017

**NOTICE OF VIOLATION**

**CERTIFIED MAIL NO. 7001 2510 0006 1771 0013**

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 No. E23-524  
Middletown Township  
Delaware County

Dear Mr. Gordon:

On July 17, 2017, the Department of Environmental Protection (“DEP”) received notice of an inadvertent release of drilling solution near HDD 620 Staging Area at Glen Riddle Road in Middletown Township, Delaware County. On July 18, 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-13), a water of the Commonwealth. Drilling solution is an “industrial waste” under Section 301 of the Clean Streams Law, 35 P.S. § 691.301. The discharge of industrial waste to waters of the Commonwealth is a violation of the Clean Streams Law.

DEP acknowledges your response to the above-referenced violation. Moving forward, DEP requests that you make the following adjustments to improve communications:

Following an inadvertent return, immediate telephone notification should be made to DEP, closely followed by written notification utilizing the Initial IR form as provided to you by Ms. Ann Roda effective July 18, 2017. Telephone notification needs to be made to a live person or to DEP’s 24-hour Emergency Line at 484.250.5999). In this case, there was significant lag time before DEP received the Initial IR form despite our understanding that this form is completed by your contractor(s)/employee(s) within 30 minutes of the incident. We strongly suggest that you give your Lead Environmental Inspector(s) the authority to send these reports to DEP as soon as they are available.

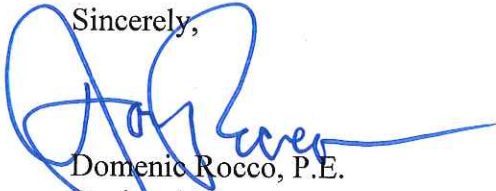
July 20, 2017

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 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  
Middletown Township  
Re 30 (GJS17WAW)201-26



DEP Data Records	Inspection Record #
Complaint Record #	Enforcement Record #
Permit # E23-524	



**WATER OBSTRUCTION AND ENCROACHMENT INSPECTION REPORT**

DEP/CCD Office	SERO	Phone 484-250-5160	Project Type:	PA Pipeline Project / Mariner East 2
Address	2 East Main Street		Location:	HDD 620 Staging Area
	Norristown		County:	Delaware
Owner/Permittee	Sunoco Pipeline L.P. (SPLP)	Phone 610-670-3284	Municipality:	Middletown
Mailing Address	535 Fritztown Road		Water Course or Body of Water:	UNT Chester Creek / Chester Creek
	Sinking Spring, PA		Latitude:	39.893700° N
	19608		Longitude:	-75.431215° W

Type of Inspection:

<input type="checkbox"/> ADMIN - Administrative / File Review	<input checked="" type="checkbox"/> CONST - Construction Progress	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> CEI - Compliance Evaluation	<input type="checkbox"/> FUI - Follow-up Inspection	
<input type="checkbox"/> COMPL - Complaint Inspection	<input checked="" type="checkbox"/> INCDT - Incident response	

**INSPECTION FINDINGS**

Failure to:	Violation? (Check if yes)	Failure to:	Violation? (Check if yes)
Obtain a Chapter 105 permit	<input type="checkbox"/> [105.11] 693.6/18	Perform work according to specifications	<input type="checkbox"/> [105.44] 693.18
Operate or maintain permitted project	<input type="checkbox"/> [105.51] 693.13/18	Implement Erosion and Sediment Control Plan	<input type="checkbox"/> [105.46] 693.18
Acknowledge permit conditions	<input type="checkbox"/> [105.42] 693.18	Obtain Department approval for Environmental Assessment	<input type="checkbox"/> [105.15] 693.18
Maintain a valid permit	<input type="checkbox"/> [105.43] 693.18	Other:	<input checked="" type="checkbox"/> [Discharge Under CSL]

Inspection Results Code:

<input type="checkbox"/> NOVIO (No violations noted)	<input type="checkbox"/> OUTST (Outstanding violations)	<input type="checkbox"/> RECUR (Recurring violations)
<input type="checkbox"/> VIOIC (Violations noted and immediately corrected)	<input checked="" type="checkbox"/> VIOLS (Violation(s) noted)	<input type="checkbox"/> VOV (New and outstanding violations noted)
		<input type="checkbox"/> VRV (New and recurring violations noted)

Describe site conditions and violations, including all pertinent dimensions and the actual or planned impacts to watercourses or bodies of water. For permitted work, confirm compliance or specify violations.

The Department conducted an inspection in response to a reported Inadvertent Return (IR) in an unnamed tributary (UNT) to Chester Creek which occurred on 7-17-2017. The IR discharge to the UNT is a violation of the Clean Streams Law, 35 P.S. Section 691.301. DEP SERO WAW staff, John Hohenstein, Jason Oseredzuk and Paul Suanlarm were met on site by Josh Prosceno the Environmental Inspector for Tetra Tech. The staging area is located at a low point in the local terrain with the drilling direction going from the low point at the UNT upslope to the north. The team observed the IR site in the UNT was contained by sand bags and flow from the IR containing drilling fluid was being collected and pumped to a holding tank. Drilling was continuing because the operation was receiving high groundwater return flows and if the process was halted these flows (150-200 Gal/min) would return back down the bore hole and overwhelm the controls at the IR location. The process currently underway involves reaming of the bore to the final 16" diameter and installing a 16 inch pipe sleeve that will span the IR location. At this point the reamer will be removed and the additional groundwater flows will be collected in a controlled manner away from the IR location. The clean up of the UNT involved the installation of additional coffer dams in the stream and by-pass pumps installed to pump clean water around the IR impacted site. The 600 LF impacted section of the UNT had been cleaned and the coffer dams removed by this inspection. The re-introduction of flow to the impacted area re-suspended the silty streambed material and a small plume resulted into Chester Creek. Turbidity curtain was installed by 3:45 and Chester Creek was reported Clear by 5:15.

(Continued on page 2)

Sketch attached?  Yes  No      Photos taken?  Yes  No      Additional information attached?  Yes  No

Inspector name (print): John Hohenstein	Inspector Signature: 	Date and Time: 07-18-2017
Inspector was accompanied by: <input type="checkbox"/> Owner <input type="checkbox"/> Permittee <input checked="" type="checkbox"/> Other: Environmental Inspector, Tetra Tech	Signature of Owner/Permittee:  Print Name: Josh Prosceno	Date: 7-18-2017

The Owner/Permittee's signature acknowledges that they have read the report and received a copy and that they were given the opportunity to discuss it with the inspector. The signature does not necessarily mean that they agree with the report.



<b>DEP Data Records</b>	Inspection Record #
Complaint Record #	Enforcement Record #
Permit #	

## WATER OBSTRUCTION AND ENCROACHMENT INSPECTION REPORT

<b>Owner/Permittee:</b>	Sunoco Pipeline L.P. (SPLP)		
<b>Project:</b>	PA Pipeline Project / Mariner East 2		
<b>Permit No.:</b>	E23-524	<b>Date:</b>	7/18/2017
		<b>Location:</b>	HDD 620 Staging Area
<b>Municipality:</b>	Middletown Township	<b>County:</b>	Delaware County
<b>DEP Inspector:</b>	John Hohenstein		

**Comments Continued:**



**HDD 620 Staging Area**



**IR Location in UNT to Chester Creek – Sandbag Containment & Pump**



**Coffer Dam and pump around in UNT to Chester Creek**



**Re-suspended sediment plume in Chester Creek**