



January 24, 2018

Mr. Matthew Gordon
Sunoco Pipeline, L.P.
535 Fritztown Road
Sinking Springs, PA 16908

Re: Request for Relief from January 3, 2018 Administrative Order

Dear Mr. Gordon,

This letter is in response to Sunoco Pipeline, L.P.'s (SPLP) January 12, 2018 letter (supplemented on January 22, 2018) requesting relief from certain requirements of the Pennsylvania Department of Environmental Protection's (DEP) January 3, 2018 Administrative Order. Specifically, this letter addresses SPLP's request for relief regarding the completion of trench backfilling as set forth in your letter of January 12, 2018, and the accompanying Excel spreadsheet which was subsequently supplemented by your letter of January 22, 2018 and the revised Excel spreadsheet attached to that letter (revised Exhibit F).

SPLP has requested the extension to backfill trenches due to the winter weather conditions that Sunoco asserts have created safety issues with regard to operating equipment in the vicinity of the open trenches described in the Excel spreadsheet. Due to these site conditions, pursuant to Paragraph 10 of the January 3, 2018 Administrative Order, DEP extends the time for backfilling trenches with the following conditions:

1. All trenches must be backfilled as soon as the weather related condition asserted in the Excel spreadsheet becomes favorable for backfilling activities at each specified location.
2. SPLP will provide written notice to DEP when it begins backfilling any of the trenches identified on the Excel spreadsheet.
3. Notice shall be provided in the manner specified below in Paragraph 8.
4. SPLP will provide written notice to DEP when it completes backfilling any of the trenches identified on the Excel spreadsheet. Notice shall be provided in the manner specified below in Paragraph 8.

5. If the time for backfilling any trench exceeds the Projected Date of Backfill Completion provided on the Excel spreadsheet, SPLP shall provide a detailed explanation for the exceedance of its Projected Date of Backfill Completion as soon as it becomes aware that it will exceed the projected time.
6. SPLP will provide an updated Excel spreadsheet by 12:00 p.m. each Monday documenting the trenches remaining to be backfilled and the reason those trenches have not been backfilled.
7. SPLP will monitor conditions, and the performance of Best Management Practices (BMP), in the vicinity of any open trench to ensure that water that might be exiting the trench is not causing erosion and/or sedimentation issues or otherwise causing environmental impacts. At a minimum, monitoring will occur on a weekly basis and after any storm exceeding 0.25 inch of rainfall or the occurrence of snowmelt significant to cause a discharge; and will include photographic documentation of current site conditions. SPLP must maintain records of each inspection and, upon request, provide those records to DEP or the appropriate County Conservation District within 24 hours.
8. By 12:00 p.m. each Monday, SPLP will provide monitoring reports as described in item 6, above, for any location where the downgradient end of an open trench is within 100 yards of a Water of the Commonwealth.
9. Upon completion of backfilling, SPLP shall temporarily stabilize all disturbed areas in accordance with the approved Erosion and Sedimentation (E&S) Plans and in compliance with 25 Pa. Code § 102.22(b) or as otherwise allowed following receipt of written approval from either DEP or the appropriate County Conservation District. SPLP shall continue routine monitoring of the installed BMPs and shall perform all necessary ongoing operation and maintenance activities to ensure the BMPs continue to perform as designed, in accordance with the approved E&S Plans and permits.
10. All submissions shall be made electronically to DEP through the previously established FTP site.


DEP has extended the backfilling deadlines set forth in Paragraph 10 of the January 3, 2018 Administrative Order based upon the safety concerns expressed by SPLP. In the event DEP determines that SPLP has misrepresented existing conditions at any site set forth in the Excel spreadsheet, DEP's extension as to that site shall be void. Should that occur, SPLP must commence backfilling at any such identified site within 24 hours of written notification from DEP.

In addition, to confirm SPLP's representation at the meeting held on January 19, 2018, SPLP will begin filing a daily activities log with DEP to document the work it anticipates performing on the following day. The work to be described in that log will describe work that is either permitted under the January 3, 2018 Administrative Order or work that is not regulated under the Chapter 102 or 105 permits. SPLP will identify any anticipated backfilling of trenches on that log. SPLP should follow the instructions set forth in Paragraph 8, above, when it submits those logs.

This letter only modifies DEP's January 3, 2018 Administrative Order as set forth herein. In all other aspects, the January 3, 2018 Administrative Order remains in full force and effect.

If you have any questions, please feel free to contact Mr. Domenic Rocco, Acting Program Manager for the Regional Permit Coordination Office at drocco@pa.gov or 484.250.5815.

Respectfully,



Aneca Y. Atkinson

Director

Office of Program Integration

cc: Ramez Ziadeh, DEP
Domenic Rocco, DEP

bcc: Dana Drake, DEP SWRO
Abbey Owoc, DEP SWRO
Scott Williamson, DEP SCRO
Andrea Blosser, DEP SCRO
John Hohenstein, DEP SERO
Desiree Henning-Dudley, DEP SERO