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*By Email*

Pennsylvania Department of Environmental Protection  
Waterways and Wetlands Program  
Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401  
ra-epww-sero@pa.gov

**Re: Comments on Proposed Chapter 102 Permit No. ESG010001500 and Chapter 105 Permit No E15-862 Major Permit Amendment**

Clean Air Council, Delaware Riverkeeper Network, PennFuture, Pipeline Safety Coalition, and Mountain Watershed Association timely submit the following comments with respect to Sunoco Pipeline L.P.'s ("Sunoco") proposed major modifications of Chapter 105 Permit E15-862 and Chapter 102 Permit ESG010001500 ("major modification"). The major modification pertains to plans for the installation of a natural gas liquids pipeline at horizontal directional drilling site S3-0290, in Upper Uwchlan Township, Chester County, adjacent to

Marsh Creek State Park. As the Department is well aware, residents have been raising serious concerns about this site for years. The major modification does not alleviate those concerns. The proposed course of action was plainly chosen to serve Sunoco's interests, not the public, and it guarantees more destruction.

From the start of its disastrous construction of the Mariner East 2 pipeline project, Sunoco has cut corners to bolster its bottom line at the expense of our communities and the natural resources we rely on. This history of HDD S3-0290 provides a telling example. Despite warnings and hundreds of public comments, Sunoco proceeded with its ill-conceived plans for the site and, in August 2020, spilled over 8000 gallons of industrial waste into Marsh Creek Lake, rendering significant portions of this recreational refuge and drinking water source polluted and inaccessible in the middle of a global pandemic. Now, Sunoco appears to be leaning on the fallout from that incident to justify abandoning trenchless construction methods at this site altogether. Instead, it is conveniently proposing the construction method it undoubtedly would have preferred all along: open cutting the land and waterways, which is generally understood to maximize surface destruction, but also to be the cheapest and fastest way to get a pipe in the ground.

Open cutting the entirety of the area in question was one of ten alternatives presented by Sunoco as part of this major modification. At first blush, this may suggest that Sunoco's consideration of options for the site was thorough. It takes only a little bit of inspection, however, to see the alternatives analysis represents quantity over quality. Sunoco relied almost entirely on desktop review, and while it included some simple impact calculations, such as acres of forested land it would level under each option, it is unclear how these numbers were ultimately weighed in its choice of alternative. Further delegitimizing this analysis is the fact that

Sunoco considers the financial cost to itself associated with each option alongside the environmental impact numbers without actually giving any information on the costs. Sunoco does not even rank the options in terms of cost, as it does for other factors, leaving it entirely unclear if an option that provides more protection for a particular resource is nominally more expensive than another option, or triple the cost. Cost was obviously a key consideration, but one for which there is no accountability or validating information.

Perhaps most important with regard to the quality of an alternatives analysis is which alternatives are selected for review. Here, some of the alternatives Sunoco presented for consideration clearly were going to be dismissed out of hand. The use of FlexBor technology, for example, given Sunoco's dismal record with its use, was not going to be deemed appropriate regardless of other factors. Whether other trenchless technology might be appropriate is less clear because it was not thoroughly considered. Direct pipe boring was considered only in two scenarios, but there may be combinations of rerouting and direct pipe bore use that would be less destructive than open cutting the entire path. Sunoco's dismissal of alternatives that involve trenchless technology warrants extra scrutiny as Sunoco has clear incentive to avoid these options to save money.

In terms of the alternative Sunoco is advocating for, while Sunoco has given some estimates of the impacts it would have, Sunoco has failed to demonstrate that those impacts have been minimized. It appears that even a slight shift or reduction of the proposed limit of disturbance might serve to preserve wooded area, but Sunoco has failed to consider this, opting instead for its more destructive, default preferences. In addition, despite Sunoco encountering and creating numerous geohazards since the onset of this project, it has not performed a complete geohazards analysis of the alternatives it presented for this major modification, including the

alternative it ultimately selected. It is relying on desktop review of geohazards and performed only limited field reconnaissance of the area. The public deserves more and safety demands it.

Unfortunately, the predetermined, superficial nature of Sunoco's analysis is exactly what the public has come to expect from Sunoco. A company that repeatedly creates sinkholes, destroys drinking water supplies, spills industrial waste, and continues to willfully violate the law after being put on notice hundreds of times and being fined millions simply cannot be trusted to proceed safely now. If the Department approves this major modification, it is doing so with full knowledge that Sunoco will violate the law again, at the expense of the public and environment. Sunoco must not be permitted to proceed.

Respectfully submitted,



Joseph Otis Minott  
Executive Director and Chief Counsel  
Clean Air Council  
135 S. 19th St., Suite 300  
Philadelphia, PA 19103  
215-567-4004 x116  
joe\_minott@cleanair.org

Kacy Manahan  
Senior Attorney  
Delaware Riverkeeper Network  
925 Canal Street, Suite 3701  
Bristol, PA 19007  
kacy@delawareriverkeeper.org

Lynda Farrell  
President  
Pipeline Safety Coalition  
lynda@pscoalition.org

Jessica O'Neill  
Senior Attorney  
Citizens for Pennsylvania's Future  
1429 Walnut Street, Suite 400  
Philadelphia, PA 19102  
oneill@pennfuture.org

Melissa Marshall, Esq.  
Community Advocate  
Mountain Watershed Association  
1414 Indian Creek Valley Rd,  
Melcroft, PA 15462  
melissa@mtwatershed.com