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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
ENVIRONMENTAL RESOURCES AND ENERGY
HUMAN SERVICES

June 23, 2021

Department of Environmental Protection
Southeast Regional Office
Waterways and Wetlands Program

Submitted via email to: RA-EPWW-SERO@pa.gov

RE: Public Comment on HDD S3-0290 / Mariner East II
Chapter 102 Permit No. ESG0100015001 and Chapter 105 Permit No. E15-862

Thank you for the opportunity to comment on Sunoco Pipeline LP's major amendment applications for the Mariner East 2 Pipeline at HDD290 in Upper Uwchlan Township, Chester County. I have serious concerns about several aspects of Sunoco's proposed reroute of the pipeline, and I urge the DEP to deny these applications.

First and foremost is the fact that Sunoco has yet to complete the cleanup of its August 10, 2020, spill of more than 8,000 gallons of drilling fluid into the wetland, two tributaries, and the lake at Marsh Creek State Park, which led DEP to halt construction at the site and require a reroute. It has been more than 10 months since this most recent inadvertent return, and drilling mud still sits on the bottom of the lake, impacting aquatic habitats and wildlife and rendering 33 acres of the lake still unusable to the public as we enter a new summer season. It is irresponsible for the DEP to even consider allowing Sunoco to move forward at HDD290 while its prior mess remains unaddressed.

In its Administrative Order of September 11, 2020, DEP ordered Sunoco to reroute the pipeline away from Marsh Creek Lake, but the new proposed route takes the pipeline closer to the lake than any of alternatives Sunoco has presented. While the proposed switch from HDD to open trench drilling will reduce the possibility of inadvertent returns such as occurred last year, this approach carries its own risks. The proposed new route would require trenching through a wetland and diverting two streams during the construction. By Sunoco's own admission, the wetland mapping for this route was conducted via "desktop review" rather than field studies.

Residents adjacent to HDD290 have dealt with flooding and standing water in their back yards since drilling first began at this site, resulting in the loss of trees. With construction suspended, the ground has begun to return to its normal state. Sunoco has taken no steps to remediate these water issues or address the potential for further impacts to groundwater or private property if construction is permitted to resume.

I would also reinforce the many concerns expressed by my constituents during the public hearing on June 16, 2021, and throughout this public comment process, over the continuing damage and disruption this project has caused. The reroute requirement is a direct result of Sunoco's repeated failure to operate safely at HDD290. Why would we expect this time to be any different?

The latest proposed reroute may be the most convenient and profitable for Sunoco, but the applicant has provided no evidence to demonstrate that it offers the least impact to the surrounding environment, neighboring private properties or state park lands, or the waters of the Commonwealth.

The people of Pennsylvania have a constitutional right to "clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment." It is the DEP's job to protect those natural resources from pollution, not to maximize profits or ease the path of a multi-billion-dollar corporation.

The citizens of Pennsylvania cannot continue to bear the consequences of Sunoco's careless and negligent operation.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Danielle Friel Otten". The signature is written in a cursive style with a large, stylized initial 'D'.

Danielle Friel Otten
State Representative
155th Legislative District