

**DEP Permit # E06-701  
 DEP Permit HDD Reference # PA-BR-00181.0000-RD  
 DEP HDD # S3-0250  
 Township – Caernarvon  
 County – Berks  
 HDD Site Name – Joanna Road Crossing**

**2<sup>nd</sup> Public Comment Period**

<b>Commentator ID #</b>	<b>Name and Address</b>	<b>Affiliation</b>
1.	David Anspach 609 Joanna Road Morgantown, PA 19543	
2.	Melissa Marshall, Esq. P.O. Box 408 1414-B Indian Creek Valley Road Melcroft, PA 15462	Mountain Watershed Association
3.	Aaron J. Stemplewicz, Esq. 925 Canal Street 7 <sup>th</sup> Floor, Suite 3 Bristol, PA 19007	Delaware Riverkeeper Network
4.	Joseph Otis Minott, Esq. 135 South 19 <sup>th</sup> Street, Suite 300 Philadelphia, PA 19103	Clean Air Council
5.	Alexander G. Bomstein, Esq. 135 South 19 <sup>th</sup> Street, Suite 300 Philadelphia, PA 19103	Clean Air Council
6.	Kathryn L. Urbanowicz, Esq. 135 South 19 <sup>th</sup> Street, Suite 300 Philadelphia, PA 19103	Clean Air Council

**1. Comment:**

I am again posting my comments on the ME2 pipeline project. I would also like to report that the Information attached on the website does not correspond to the correct project. The information for HDD 3-0090 is confused with that of HDD 3-0250. A minor oversight to more technologically capable but could cause considerable complications to those less familiar with the computer. I would also like to recognize that a vast majority of the population is not up and running on computers in general and the DEP and Sunoco fail to recognize these people and their potential comments by limiting all information to computer based applications. Had I not had a personal interest and or an inside connection to knowing a comment period was open I was not notified otherwise. The DEP and Sunoco are discriminating against those whom are not technology based.

For the reanalysis I feel I can keep it rather short and to the point and an attachment is not necessary. The basis of my concern is that my well water is still not drinkable. It has been 78 days identified that the water was polluted and yet Sunoco has failed to address the issue, provide assistance, or even deny their responsibility. I have received no information and no assistance. I have personally spoke with Andrea Blosser of the DEP on 2 different occasions and had been promised an **"inside connection"** was going to be reached out to, an agent of Sunoco and they would be in touch. This still has not occurred. It also, quiet frankly, speaks to the exact situation the Attorney General is investigating in regard to departmental impropriety and ethics concerns.

The initial well test results were drawn on August 14th, the results confirming well contamination were returned September 30th. Had I not run my own independent testing, I could have been consuming polluted water for an additional 45 days before Sunoco and Percheron Llc notified me of my results. Furthermore, I received a large package of well testing results with a multitude of information I can neither read nor understand. I explained as much to both Andrea Blosser and my Right of Way Agent Scarlett Jackson and still no one provided an answer or explanation as to what the results mean to me. A second round of water tests were drawn on October 19th, these results still have not been returned, nor any other action has been taken to provide assistance to myself and or my family.

I have incurred medical bills and missed work due to illness due to drinking contaminated drinking water, prior to knowing it was polluted. Testing without results and or explanation is useless. Failure to act knowing that this project has caused similar contamination in every county in the Commonwealth of Pennsylvania that is passes through but it has been failed to be recognized is an utter disgrace. Inadvertent returns have continually plagued every HDD as well. This particular HDD is in proximity of 324 feet to my well and has caused pollution to a 5 year old well. Prior to me building my home the well was tested and confirmed free and clear of contaminates, this is no longer true.

I have asked for assistance from every authority and have gotten no response. My own Township Secretary, Randy Miller, has failed to respond in any manner or forward my concerns to the Board of Supervisors for assistance. I have reached out to County Commissioners, Representatives, Congressmen and Senators alike. I have begged and pleaded, but because I am only one small landowner effected in the southern tip of Berks County at the confluence of Berks, Lancaster and Chester Counties, I have fallen through the cracks and not been assisted in any manner, but should I fail to pay my taxes surely they would be at my door kicking me to the street and claiming my home. I rarely pulled this card but, as a veteran I deserve better, as a tax payer I deserve better, as a HUMAN I DESERVE BETTER. I can hardly imagine that this many elected officials can fail their constituents, and it must be them all and not just me.

Bottom line, I can't drink my water no matter how many tests Sunoco has performed. No action is required beyond testing, maybe I can lite their reports on fire and use it to sterilize my water!

I hope that there is a drastic change in how this project is being over sought and managed because at this moment it is Big Business throwing around it's pocketbook without a care for public health and safety. (1)

**2. Comment:**

In reviewing my previous comment and knowing my Grandfather, David Anspach Sr. is not computer savvy, I spoke to him about the available review and comment period. His property is located on 605 Joanna Road has also had his property utilized by the pipeline and received information regarding well testing and alignment of the HDD. He called the point of contact listed as the right of way agent in his documentation package and left a message on her phone. Unfortunately, this document is the same as mine and is misleading as it states (see attached):

Numerous times in this correspondence it states that Amy Johnson is the right of way agent, on both my and my Grandfathers documentation. This is not the case as Scarlett Jackson is our right of way agent, her phone number is (516) 780-1773. Secondly, he noted that none of these provided notification notices actually prove more than they were mailed. There are no signatures of receipt attached to any of the Sunoco documents that were returned in the comment rebuttal period. Is it sufficient enough that the organization provided evidence that they printed a paper without any evidence it was received by a landowner or effected well user?

Ultimately, my Grandfather, an 85 year old man, whom requested to have his well water tested received no testing or any response from Sunoco when he requested it. This continues to show the disregard Sunoco and Percheron have in managing the health and safety of the general public and especially those whom are directly effected by the construction efforts. (1)  
Attachment – [David Anspach – 11-1-17](#)

**3. Comment:**

On October 30, 2017, Sunoco submitted a letter to the Department in response to the Department's requests for additional information regarding horizontal directional drilling sites PA-BR-0181.0000-RD, PA-BR-0181.0000-RD-16, PA-BR-0183.0000, PA-LE-0001.0000-SR & PA-LE-0001.0000-SR-16. Pursuant to the Corrected Stipulated Order entered on EHB Docket No. 2017-009-L on August 10, 2017 ("Order"), and on behalf of Clean Air Council, Mountain Watershed Association, Inc., and the Delaware Riverkeeper Network ("Appellants"), please accept these comments in reply.

Thank you for holding Sunoco to the re-evaluation requirements of the Order. The HDD reevaluation process that was ordered by the Environmental Hearing Board is critical to protecting drinking water supplies and natural resources across

Pennsylvania and Appellants very much appreciate that the Department is treating the process with the seriousness it is due.

Appellants provide their comments on Sunoco's responses serially below, using the numbering employed by the Department:

1. Sunoco appears to have provided the Department the certified mail receipts from the letters it sent to residents within 450 feet of these drill locations. As no further documentation was provided in response to the Department's request, Appellants assume these letters represent the full extent of Sunoco's outreach to residents. This is concerning because the date on the letters, October 16, 2017, is well after the re-evaluation reports for these sites were sent to Department, October 5, 2017. It is thus clear that Sunoco did not even attempt to consider the locations of private water supplies as part of these reevaluations. Verifying locations of private water supplies is not merely some box to check, it is a critical step to protecting those water supplies.

2. Appellants strongly support the Department's request for information regarding the risks that the permitted activity poses to drinking water supplies. These requests are not only appropriate and unquestionably within the Department's authority, but really go to the heart and intent of Chapter 105 permitting and the Department's responsibilities to public.

Sunoco's drilling practices have contaminated water supplies across the state. At least one well, Mr. David Anspach's, was contaminated near the Berks County site that is the subject of one of the present re-evaluations. Sunoco has still not addressed that contamination and drilling should not be permitted to resume unless and until the Department understands exactly what happened to Mr. Anspach's well and all necessary measures are taken to remediate existing, and prevent future, contamination.

Sunoco's blanket refusal to respond to the Department's request for information regarding potential risks to private water supplies is unacceptable and defies both the terms and intent of the Order. The Order requires a re-route analysis, which cannot be complete in this context without first understanding where water wells are located relative to route options and then determining the risks any given route would pose to those water supplies. The Order also requires Sunoco discuss actions it will take to eliminate, reduce, or control impacts to water supplies. Any such actions are rendered meaningless—and impossible for the Department to evaluate—if not based on a discussion of the risks those actions seek to address. Even more explicit is that the Order requires an “analysis of well production zones.” Sunoco has not provided that analysis. Without that analysis, Sunoco's submittal does not meet the completeness standard set in the Order, and is not ready for Departmental evaluation.

Appellants urge the Department to stand by its requests and that the Department withhold approval of the newly submitted plans until they are complete and satisfactory information has been provided by Sunoco.

Thank you for considering these comments. Please keep us apprised of your next steps on the HDD Site. (2-6)

Letter – [Clean Air Council – 11-5-17 – Joanna Road Crossing](#)