

January 7, 2017

By Email

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Re: Sunoco’s response to DEP’s request for information for HDD PA-CH-0421.0000-RD & PA-CH-0421.0000-RD-16

On January 2, 2017, Sunoco submitted a letter and updated materials to the Department in response to the Department’s requests regarding horizontal directional drilling sites PA-CH-0421.0000-RD, and PA-CH-0421.0000-RD-16 (“Site”). 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.

Throughout the re-evaluation process of Mariner East II HDD sites, the Department has consistently sought additional information from Sunoco regarding issues of critical importance, such as impacts to water supplies, that have not been adequately addressed in Sunoco’s reports. The Department has also sought such information for this Site, but the requests have taken a different form. The Department’s letter to Sunoco dated December 22, 2017 provides:

The Department has concluded that supplemental information and evaluations are needed to properly address issues discussed in the Report regarding potential water supply impacts, groundwater flowback and inadvertent returns. We request that this information be provided.

Appellants agree with and support these requests and believe the information the Department seeks is necessary for ensuring the safety of the public and the environment. In contrast to previous Department requests though, these requests have less specificity, thus making it difficult to understand exactly what it is the Department seeks and to determine whether the issues identified by the Department fully address deficiencies raised in the first round of comments. If additional guidance has been provided to Sunoco in regard to these requests, Appellants ask that any such guidance be made available to the public so Appellants and residents near the Site are in the best position possible to

respond. Regardless, the amended re-evaluation for the Site (“Amended Report”) raises serious concerns.

If there was any ambiguity in the initial re-evaluation (“Report”) as to whether the plans for the Site put water supplies at risk, the Amended Report has resolved that ambiguity; Sunoco admits it “believes that HDD activities could affect individual well use during active drilling for wells located within 150 linear ft.” Sunoco goes on to explain:

HDD is an active “pressure event” in the aquifer that pushes upon the static ground water and at a minimum could agitate settled sediments within the water bearing zones, or could result in transport of diluted drilling fluid towards the withdrawn zone for individual wells. As a result, active well use during HDD activities potentially could result in the uptake of turbid water.

This finding is crucial. It is also only a starting point.

First of all, Sunoco provides no explanation as to why it believes only wells within 150 feet of the alignment are at risk. It appears Sunoco has drawn an arbitrary line based on the limited outreach it is willing to conduct, rather than the extent of geologic connectivity at the Site, which is located in a densely populated area where hundreds of residents could potentially be impacted. Furthermore, while Sunoco speaks to the nature of some of the well impacts that might occur, it has failed to address the consequences of that sediment or drilling fluid infiltration. Sunoco provides no basis for concluding that the impacts to well water will only occur “during active drilling.” Previous infiltration events related to Sunoco’s drilling have resulted in wells being rendered permanently unusable; drilling fluid can block the flow of water into a well by sealing off fractures and other channels that connect the well to the surrounding aquifer. There is no reason, based on the Amended Report, to believe the wells at the Site will not suffer the same fate.

Without any scientific support, Sunoco has also concluded that the well infiltration “does not present a health hazard,” positing only “it can be unsightly to users and could affect taste.” This statement is, at best, dangerously misleading. By disrupting the filtration functions of an aquifer, drilling leaves wells vulnerable to any variety of contamination. In particular, bacteria has a tendency to bind to the particulate matter Sunoco admits may infiltrate wells at the Site. Sunoco’s previous drilling has already led to bacterial contamination of wells. As a result, the Order implements an enhanced water testing protocol that includes testing for bacterial pathogens. Yet, Sunoco has made no effort to address or discuss this risk in the Amended Report. It’s solution for dealing with contaminated wells is simply for residents to use other water. The purpose of the re-evaluation process is not for Sunoco to recognize problems then do as it pleases, but to avoid harming the public and environment.

The Amended Report also falls short addressing challenges with steering, which can add to the risk of inadvertent returns, and groundwater flowback. In its first comment on this Site, Appellants pointed out that Sunoco, without explanation, chose not to follow the recommendations of its own scientists. In particular, the hydrogeological report that was part of the initial Report provided the following recommendations:

The only practical solutions for optimizing progress and staying on alignment may be to govern drilling rates and continue to use greater than typical alignment checks to maintain alignment. In addition, consideration should be given to lowering bit pressures, as well as mud pressures... Diamond bits may be beneficial for maintaining the cutting surface and steering through hard rock zones.

This language has simply been removed from the Amended Report. Similarly, the initial hydrologic report suggested “[i]t would be advantageous to intersect north of the intervening hill to better manage groundwater and the southeast entry point.” This language too has simply been removed from the Amended Report. Of course, deleting the recommendations of its scientists does not make them any less applicable. Failing to provide an explanation for not following the recommendations of its scientists, even when given a second opportunity to do so, suggests no scientifically defensible reason for that decision exists.

Sunoco’s Amended Report does not address the concerns raised by the Department or Appellants and it certainly does not establish that its plans for the Site are safe. For the forgoing reasons, Appellants ask that the proposal for the Site not be approved.

Thank you for considering these comments. Please keep us apprised of your next steps on the HDD Site.

Sincerely,

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