

**DEP Permit # E50-258**  
**DEP Permit HDD Reference # PA-PE-0002.0000-RD**  
**DEP HDD # S2-0157**  
**Township – Toboyne**  
**County – Perry**  
**HDD Site Name – Horse Valley Road Crossing**

**2nd Public Comment Period**

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

**1. Comment:**

On January 23, 2018 Sunoco submitted a letter to the Department in response to the Department’s requests for additional information regarding horizontal directional drilling (“HDD”) Sites PA-PE-0002.0000-RD & PA-PE-0002.0000-RD-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”), we respectfully submit these comments in reply.

Thank you for holding Sunoco accountable to the re-evaluation requirements of the Order. The HDD re-evaluation process ordered by the Environmental Hearing Board is critical to protecting drinking water supplies and natural resources across Pennsylvania. Appellants sincerely appreciate that the Department is treating this process with commensurate seriousness and sense of purpose.

Appellants believe that the revised plan is better in several respects than the original. It outlines a potential method for dealing with produced groundwater and provides somewhat better guidance on procedures for avoiding inadvertent returns. However, we find that it is still lacking in three important areas: protection of wells, risk to impoundments, and a full description of how produced groundwater would be handled.

**Sunoco did not adequately analyze risks to the closest private wells.** A well that was 539 feet from the HDD alignment in the original plan is now only 483 feet away in Sunoco's revised plan. It is now identified in hydrogeology Attachment 3 as "GES Test Well." In the text of the hydrogeology report, the only mention of it says that "well construction details were not available." Sunoco should clarify whether this well is in fact used for drinking water and, if not, what the water source is for the adjacent house. If it is a source of drinking water, Sunoco should offer pre-drilling and post-drilling testing to the landowner.

Sunoco identifies two new wells in the revised plan, at distances of 737 feet and 1000 feet from the HDD alignment. The company states that "based upon the understanding of the groundwater levels and movement through the overburden and subsurface bedrock fissures and bedding plane partings as described in the hydrogeology report, SPLP believes that HDD activities could affect individual well use during active drilling for wells located with 150 linear ft. of the profile. Neither of these wells are located within this zone of concern..." But we find no basis in the hydrogeology report for this "zone of concern." On the contrary, the report finds that groundwater in this area moves primarily in "joints, fractures and bedding planes," and these structures are roughly perpendicular to the HDD alignment. That means that groundwater encountered by the drill might well communicate directly with these wells, and with the well mentioned in the previous paragraph.

Furthermore, this 150-foot radius claimed to be based on site-specific information is not credible. Sunoco claimed the same site-specific 150-foot radius in its response to the Southwest Regional Office regarding a Sewickley Township, Westmoreland County crossing,<sup>1</sup> and again in another response to the Southeast Regional Office regarding a crossing straddling Delaware and Chester Counties,<sup>2</sup> all in divergent geologies. 150 feet is unsupported and plainly made up. It is no coincidence that this radius is narrower than the Mariner East 2 project's 200-foot survey corridor. The Department should require Sunoco to actually analyze the well production zones for these wells, as required by Paragraph 4.ii of the Order, to determine what effects the HDD may have on them.

All three of these wells are located on significantly higher ground than the eastern end of the HDD alignment. Because the water level in them was not determined and because the local geology indicates they could communicate directly with groundwater encountered by the HDD drill, there is a possibility that these wells could drain back to the eastern HDD entry point. While Sunoco has described plans

for dealing with produced groundwater at the eastern HDD entry, if it should occur during drilling, it has not addressed the possible effect on wells.

Sunoco should be required to provide a plan for providing these landowners with alternative water sources if their wells fail during drilling.

**Risks to nearby impoundments are still not addressed.** As we noted in our comments to the initial plan, there are two nearby impoundments at the site, of between a third and a half acre each. From Google Earth images, it is clear that one of them abuts directly on the HDD alignment. Before drilling, Sunoco should be required to assess the risk to the stability of these impoundments from drilling vibration other subterranean disruption. It has not yet done so.

**Concerns about handling of produced groundwater.** Sunoco's plans call for discharging produced groundwater to the land surface after filtration. But there is no information about what path that water would take and what the runoff impacts might be. In particular, Sunoco needs to show that this plan will not compromise Stream S-L6, Horse Valley Run, which is a High Quality cold water fishery with migratory fishes, and is in a naturally-reproducing trout watershed.

There is good reason to believe there would be excessive erosion and sedimentation due to the dewatering structure. Note 4 for the typical "Filter Bag Detail Use in Hay Bale Discharge Structure [sic]" explains that the structure will be located "such that it drains to a well-vegetated area with slopes between 1% and 5% toward the receiving water body." Here, the proposed location of the straw bale HDD water dewatering structure is located on a slope with a change in elevation greater than two feet over its 25-foot width, which is thus at least an 8% slope. This location is too steep and will cause an excessive potential for erosion and sedimentation into the receiving UNT to Horse Valley Run. The slope is gentler to the west, which would be a preferable place to locate the structure.

Thank you for considering these comments. Please keep us apprised of your next steps on this HDD Site. (1-5)

Letter – [Clean Air Council – 1-28-18 – Horse Valley Road Crossing](#)

**2. Comment:**

What you are doing will help create jobs and contribute to the economy. (6)