November 2, 2018

By Email

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Re: Sunoco's October 31, 2018 letter regarding PA-DE-0032.0000-RD

Dear Mr. Hohenstein:

On October 31, 2018, Sunoco submitted a supplemental letter to the Department in response to the Department's June 12, 2018 request for additional information regarding horizontal directional drilling ("HDD") Site PA-DE-0032.0000-RD ("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"), we respectfully submit these comments in reply. Our comments first address point by point Sunoco's letter, then discuss additional matters.

Point 1

Though very late in the game, Sunoco's commitment to conduct surface geophysics at the Site is an important step in the right direction. It is critical, however, that the Department ensure the geophysical surveys are adequate in scope and the results are fully incorporated into the construction plans for the Site. Sunoco has a history of ignoring and obscuring the findings and recommendations of its own scientists in the context of these HDD reevaluations. Commenters and the Department have identified this practice on multiple occasions. Sunoco also cannot be trusted to fully utilize the results of geophysical studies when it has vehemently rejected the usefulness of precisely such studies: in its previous revised Reevaluation Report for this Site, Sunoco claimed, "the use of geophysics assessments was not conducted because the results from these types of assessments would provide no data to assist in the redesign of these HDDs."

To avoid Sunoco undermining the value of the geophysical surveying, both the raw data and the expert analysis of the results (including recommendations regarding construction) must be made available to the public with an opportunity to comment. There is also no reason such studies should not be shared, according to the sworn testimony of Sunoco's Geologist, David Demko. May 12, 2018 Hearing Transcript, *Pennsylvania State Senator Andrew E. Dinnman v. Sunoco Pipeline L.P.*, Pennsylvania Public Utility Commission Docket No. P-2018-3001453, 700: 2-4.

While Sunoco has committed to perform *surface* geophysics, it is still ignoring the Department's request to perform a suite of *downhole* geophysics and caliper testing at the Site. These are different survey techniques that provide different data and Sunoco still has neither agreed to perform these additional tests nor provided a valid reason as to why they cannot be performed. The Department should continue to require Sunoco to conduct downhole testing.

Point 2

The proactive measures Sunoco describes in point 2 are not "supplemental" to Sunoco's previous, inadequate submissions, but merely a recitation of practices that Sunoco is already required to use, has committed to using, or both. The HDD IR Plan plainly requires the use of APM: "The following requirements shall be placed upon each HDD contractor with respect to drilling fluid control: Instrumentation – The HDD contractor shall monitor the annulus pressure of returns during the HDD pilot hole phase of HDD using an annular pressure monitor." Sunoco also already wrote in the latest version of its Reevaluation Report that "SPLP will mandate and enforce annular pressure monitoring during the drilling of the pilot hole."

Similarly, the explanations of "tool face pressure" and "tracking of cuttings removal," are not new or additional preventative measures; they are standard operating procedures that, while necessary, have proven inadequate by themselves.

Point 3

In point 3, Sunoco describes two grouting measures it may generally use at HDDs, under the heading "Proactive Treatment by Annulus Grouting." These grouting plans appear to conflict with earlier grouting plans Sunoco described to the Department, which involve the injection of bentonite chips rather than cement or sand/cement. It is unclear if both protocols will co-exist or this is intended to supplant the old protocol. If both protocols will co-exist, it is unclear when one will be used versus the other. They conflict, and so cannot both be operative. For example, Sunoco previously indicated that minor loss of circulation events can be effectively treated with loss control materials. Here, Sunoco says that they "are less effective below 70 ft of the ground surface," which is where "[m]any of SPLP's HDD profiles are." Sunoco should clarify what it intends to follow.

Additional Comments

As explained in Appellants' joint comment letter of March 16, 2018, this is a particularly dangerous location for Sunoco to build its pipelines given the pre-existing Sunoco petroleum contamination, the difficult bedrock type, the well water reliance, the development along the route, and the high risk of inadvertent return. The Department should not authorize what is surely going to be a disaster for this neighborhood.

Though it is a small point, Sunoco's continued misspelling of Edgmont Township in its submissions to the Department is indicative of the level of care to detail Sunoco is paying this work. Every neighborhood is different, and Sunoco needs to acknowledge that this particular

community in Delaware County is not a safe or appropriate location for its project.

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

Sincerely,

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