

**DEP Permit # E65-973
 DEP Permit HDD Reference # PA-WM1-0023.0000-RD
 DEP HDD # S1B-0190
 Township – Sewickley
 County - Westmoreland
 HDD Site Name – Hildenbrand Road Crossing**

2nd Public Comment Period

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1. Comment:

On January 4, 2018, Sunoco submitted a letter to the Department in response to the Department’s requests for additional information regarding horizontal directional drilling (“HDD”) Site PA-WM1-0023.0000-RD. 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 have reviewed Sunoco’s response to the Department’s thoughtful questions and find the answers unsatisfactory and in some places entirely absent.

For example, Sunoco's own reevaluation states that open bedrock structural features are associated with the occurrence of IR's and that such features are present at this site. Yet when the Department asks Sunoco what measures have been taken to identify and avoid these open bedrock features, Sunoco merely responds that HDD often crosses such structural features. In essence, Sunoco disregards the Department's question entirely.

One problem with Sunoco's supplemental information is that throughout its response it refers to the fracture trace analysis in a wholly contradictory manner. On one hand, Sunoco cites to the fracture trace analysis as an indication that it has conducted sufficient geotechnical survey methods and may now safely drill. It also states that "Photo linear mapping is useful for controlling IR risk, managing LORs, and in some cases addressing water supply complaints." On the other hand, it emphasizes that the findings of the study--which reveals three potential zones of fracture concentrations--need not be explored further because of the unreliable nature of the analysis.

In response to question 1(b), Sunoco again evades the Department's question. Sunoco simply reiterates the geotechnical survey methods presented in their reevaluation. Then Sunoco goes on to say that there are, indeed, "other methods" that could be used but declines to state what those methods are. Instead, Sunoco implies that other geotechnical surveys are irrelevant because even if the three potential fracture concentrations were confirmed, it would have no effect on whether the HDD should be relocated. Sunoco says:

"Other methods could be used to verify whether a particular photo linear actually represents a zone of fracturing; **however, once verified the information is not determinative as to whether or not the HDD should be rerouted.**"

Yet the question posed by the Department does not even mention rerouting the pipeline. The question simply states: "Please identify and describe any geotechnical survey method that were or could be used to identify these [fracture trace] features?" Not only is Sunoco's response to the question incomplete and evasive, it attempts a justification that is irrelevant to the Department's question.

When the Department does ask if a reroute was considered in order to avoid the potentially hazardous open bedrock features, Sunoco fails to answer entirely. Sunoco merely reiterates that the fracture trace analysis or "photo linears" are not necessarily representative and that HDD is often conducted through open bedrock features. It may be the case that HDD is often conducted through zones of fractured rock, but that does not make it inherently safe. In fact, Sunoco itself blamed fractured rock on a series of Mariner East 2 IRs into Chester Creek in Delaware County over the spring of 2017. *See* attached notice. Sunoco cannot credibly argue that fractures are not a factor in IR risk.

In question 1(d), the Department asks what measures will be implemented to mitigate the risks associated with the open bedrock and fracture features and Sunoco once more, fails to answer the Department's question. Sunoco instead presents "an approach that *can* be applied." The "approach" appears different from usual procedure in that it alerts the site foreman to the presence and significance of the concerning features. The "approach" also includes measures Sunoco was already required to take per the HDD IR PPC Plan. Sunoco fails not only to say what protective measures *will* be implemented but also fails to convey any clear intent to adopt this "approach", merely stating that these measures "can" be applied to mitigate risks.

In its discussion of risks to water wells, Sunoco explains that drilling may "result in transport of diluted drilling fluids towards the withdrawn zone for individual wells." Sunoco also incredibly claims that, "while this does not present a health hazard, it can be unsightly to users and could affect taste." This claim is false. Bacterial contamination is known to result from drilling fluids or other sediment in drinking water. In fact, water contamination from Sunoco's HDD has already caused bacterial contamination in wells of residents in Exton, PA and in Berks County near the Joanna Road HDD Site. The resident by the Joanna Road HDD Site experienced severe health problems due to the contamination and previously commented to the Department on the re-evaluation.

The Department asks Sunoco to answer whether landowners within 450 feet were 1) informed of potential impacts to their water supplies and 2) offered alternative water supplies during the HDD. Sunoco provides irrelevant and superfluous answers that evade the Department's question. The permittee's response is primarily a restatement of its attempts to identify wells and ignores the Department's question regarding impacts or alternative supplies entirely.

Sunoco does say they intend to make additional communications to those landowners with identified wells that are within 150 feet of the HDD profiles. But again, this is not the question asked by the Department which is regarding notice of possible impacts to landowners within 450 feet. Furthermore, Sunoco's proposed additional communication with landowners only includes those within an inadequate 150-foot radius. Wells outside of that radius have already been contaminated by Sunoco's HDD for Mariner East 2. For example, Scavello's Car Care in Exton, PA had its water contaminated at a distance of about 450 feet from Sunoco's drilling. Finally, the response merely presents a future intent and no provides no evidence of any such action.

Sunoco failed to answer the question of whether residents were given notice of the risks to water supplies but then bewilderingly also points out how useful that notice would be in order to avoid impacts. Sunoco state that in regards to one of the most at risk water wells, "Non-use of this well during the HDD is the best method to prevent impact." There is no evidence that this has been conveyed to that or any other landowner, nor any evidence that Sunoco has the intent to present this critical

information. Moreover, residents nearby Sunoco's operations should not be presented with the burden of dealing with illegal conduct such as Sunoco's pollution of their wells. They are innocent bystanders. The Department has a legal obligation to not permit illegal pollution such as water well contamination, and may not approve construction techniques that are likely to result in such contamination.

Sunoco claims that although the drill site is located close to six gas wells, both conventional and unconventional, that there is no potential for communication between the wells and the HDD. Their argument is based on the bald assertion that regulatory requirements were met by the other well operators and the unsupported conclusion that meeting the requirement, specifically on well casing, should prevent any chance of communication. However, even if Sunoco were to provide evidence of compliance by the well operators, it is commonly known that cement casing can and does fail. Simply because the regulatory requirements were met, this does not negate the possibility of flammable gas communication. Particularly in an area so heavily undermined and prone to subsidence, cracking and failure of cement casing is even more likely. Sunoco must take additional precautions to prevent the release of harmful gases.

Sunoco ignores the Department's request to address the geology of the Hildenbrand Rd. site in comparison with other nearby sites that suffered from complications during HDD. A conservation district representative observed that the "groundwater discharge" at the neighboring Sewickley Creek site contained iron. (*See* Joint Comment, Attachment B). Although Sunoco attempts to paint the discharge in a harmless light, it is apparent that the "groundwater discharge" has resulted in mine drainage pollution. This points to relevant and comparable geologic concerns that are still not addressed by the permittee.

Sunoco also confesses complete ignorance of the nearby Tenaska IR and makes no indication of any intent to gather additional information. Per Sunoco's geologic analysis, it has identified the Hildenbrand Rd. crossing to be a particularly risky HDD site. The impetus should be on Sunoco to research IR's that have occurred at nearby and similarly situated sites. Here, Sunoco disregards the need to analyze similar sites as a part of its reevaluation. This is reason by itself to deny Sunoco's proposal until such time as Sunoco learns from the failures of other operators.

Because of the glaring lack of information provided, Sunoco should not be allowed to continue drilling at this site until it has thoroughly addressed the Department's requests for more information.

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

Letter – [Clean Air Council – 1-9-18, Hildenbrand Road Crossing](#)