

Sunoco Pipeline, L.P.
Pennsylvania Pipeline Project
Unanticipated Discovery Plan

Introduction

The purpose of archaeological surveys during the planning of pipeline projects is to determine the presence and disposition of historic and prehistoric cultural resources within the project area. These archaeological studies are conducted to comply with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966 (16 USC 470f), as amended, implementing regulations of the Advisory Council on Historic Preservation (36 CFR 800). All work is undertaken pursuant to the *Secretary of the Interior Standards for Archaeology and Historic Preservation* (48 Federal Regulations 44716-42 [1983]), the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation (SHPO) *Guidelines for Archaeological Investigations in Pennsylvania* (2008), and the Environmental Rights Amendment, Article 1, Section 27 of the Pennsylvania History Code (37 Pa. Cons. Stat. Section 507 *et. seq.*).

Sunoco Pipeline, L.P. (SPLP) recognizes that it is possible for unanticipated cultural resources or human remains to be discovered during construction. Strict compliance with state and federal regulations is required regarding any unanticipated discoveries.

Unanticipated discoveries that trigger the following procedures include:

- Building foundations or other historic structures with subsurface remains,
- Concentrations of artifacts or evidence of human occupation, and
- Human remains.

Part of the SPLP environmental inspectors' routine duties will involve examination of trenches, building excavations, and/or spoil piles for evidence of artifacts, structures, or human remains.

Identification/Training

The identification of archaeological resources requires basic training in order to recognize potential sites. SPLP requires that its employees and contractors have a basic understanding of the nature of cultural resources. As a result, all SPLP inspectors and construction contractor personnel will be given basic training in cultural resource site recognition.

The purpose of this training will be to inform these personnel of SPLP's commitments regarding cultural resource compliance and to provide an overview of the general cultural history of each project area, so that both SPLP and construction personnel will be aware of the kinds of archaeological resources that may be encountered in the field. In addition, the training program will emphasize the exact procedures to be followed, as outlined in this plan, regarding actions to be taken and notification required in the event of a significant site discovery, such as a discovery of human remains, during construction.

Notification Procedures

The following procedures will be required by SPLP to be initiated in the event of a potential discovery of cultural resources during construction.

1. In the event that suspected artifacts are uncovered during a construction activity, the activity in that area will immediately be halted until it can be determined whether those materials are cultural and, if so, whether they represent a potentially significant site. If contractor construction personnel identify artifacts, activities in that area that could affect the integrity of the cultural materials will be suspended immediately, and the contractor's construction foreman will be notified immediately. The foreman, in turn, will notify SPLP's Project Supervisor. Notification will include the specific construction area (*e.g.*, trench wall, spoil pile, foundation excavation) in which the potential site is located. If SPLP personnel identify artifacts, they will direct the contractor to stop work on activities in the area that could affect the integrity of the resource, and will inform SPLP's Environmental Department.
2. Upon notification or discovery of a possible site, SPLP will contact its cultural resource consultants. An archaeologist then will be called to review the material. Onsite SPLP personnel will discuss with the archaeologist the location and type of artifacts. If the archaeologist is not in the immediate site vicinity and further work in the excavation area is not imminent, photographs or drawings of the artifacts may be faxed to the archaeologist for review. Based on the information provided, the archaeologist will determine if a visit to the area is required and, if so, he or she will be expected to have crews onsite within 24 hours after notification. If on-site archaeological investigations are required, the SPLP chief inspector will inform the construction contractor. No construction work at that location that could affect the artifacts will be performed until the archaeologists review the site. The site will be flagged as being off-limits for work, but will not be identified as an archaeological site *per se* in order to protect the resources.
3. The archaeologists will conduct a review of the site and will test the site as necessary. Since the area will have already been partially disturbed by construction activities, the objective of any cultural resource investigations will be to recover data quickly so that construction at the site can continue in a timely manner.
4. The archaeologists will determine, based on the artifacts found and on the cultural sensitivity of the area in general, whether the site is potentially significant and whether the SHPO will require immediate notification by telephone or email. If not, data regarding the site will be faxed or sent by express mail to the SHPO in order to ensure a quick site clearance. If the discovery is deemed NRHP-eligible, SPLP would produce a Treatment Plan for review and approval of the SHPO.
5. If the discovery is determined not NRHP-eligible, SPLP and its archaeologists will work with the SHPO to ensure that the site is cleared without affecting the construction schedule, if possible.

HDD Frac-Out Event

In the event that an HDD frac-out occurs, the following protocol will be implemented:

1. Notifications procedures as outlined above will be followed depending on whether the frac-out occurs within a known cultural resource or reveals an unanticipated discovery.
2. If a release occurs in an upland area of a known archaeological site or reveals an unanticipated discovery in an upland area, the HDD contractor will take appropriate reasonable actions to reduce, eliminate, or control the release. The actions may include constructing a sandbag coffer around the release point, installing a section of silt fence and/or straw bales to trap as much drilling fluids as possible, and placing a pump hose in the pit to pump the drilling fluid back to the bore site or temporary holding area or vessels (i.e. vac truck). However, contractors should not attempt to construct a small pit around the release point; this is not the preferred method of containment within a known archaeological site. Additional measures detailed in the Frac-out Contingency Plan may also be implemented.
3. If a release occurs in a wetland within the vicinity of a known archaeological site or reveals an unanticipated discovery in a wetland, efforts will be made to minimize ground disturbance while accessing the frac-out area. Contractors will utilize swamp mats and lightweight equipment, such as bobcats and pick-up trucks, and attempt to minimize travel into and out of the wetland. These measures will help reduce impacts to the known archaeological site.

Plan for Unanticipated Discovery of Human Remains

In the event that human remains are encountered during construction or archaeological investigations, the following protocol will be implemented:

- At all times human remains must be treated with the utmost dignity and respect. Should human remains be encountered, work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
- Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
- SPLP will immediately contact county coroner and local law enforcement as well as the appropriate SHPO. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archeological. If the remains are archeological in nature, a bioarchaeologist will confirm the identification as human. If the remains are not modern or the result of a crime, SPLP will produce a Treatment Plan, in consultation with the appropriate SHPO, interested Native American tribes, or likely

descendants, that details appropriate measures to be implemented, which may include, but are not limited to avoidance, excavation, study, reburial, or repatriation. In no situation would human remains be permanently curated.

- If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their protection or removal can be generated. SPLP will contact interested Native American tribes and the Pennsylvania Advisory Committee on Human Remains. The involved agency will consult SHPO and appropriate Native American groups to determine a plan of action. SPLP may have to make arrangements for interested Native Americans to visit the site prior to the production of a Treatment Plan.
- If human remains are determined to be Euro-American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. SPLP will make an effort to identify and contact the nearest relations or likely descendants, ethnic group, or community affiliated with remains. Consultation with the SHPO and other appropriate parties will be required to determine a plan of action. In Pennsylvania, a permit will be obtained from the State archaeologist prior to excavations. SPLP may have to make arrangements for likely descendants to visit the site prior to the production of a Treatment Plan.
- SPLP will be responsible for all cultural resources costs including evaluation, data recovery, and curation.