

**Sunoco Pipeline, L.P. Environmental Compliance History in Pennsylvania for the Past 5 Years**

Year	Received Date	Facility	Operations Unit	Regulating Agency	Type of Violation	Media	Brief Summary of Claim	Status
2010	4/5/2010 15:31	Twin Oaks Pump Station	Regions 1, 2 & 3 Pipeline	U.S. Coast Guard (USCG)	FOV	Spill	pipeline release	Closed
2010	5/3/2010 11:40	Twin Oaks Pump Station	Regions 1, 2 & 3 Pipeline	PADEP	FOV	Spill	pipeline release	Closed
2010	7/20/2010. NOV issued Sept 2010	Darby Creek	Regions 1, 2 & 3 Pipeline	DELCORA	NOV	Water Quality	oil & grease exceedance.	Closed
2010	9/10/2010	Pipeline (Region 3)	Regions 1, 2 & 3 Pipeline	PA Fish and Boat	FOV	Spill	pipeline release	Closed
2011	9/9/2011	Fort Mifflin Terminal	Regions 1, 2 & 3 Pipeline	PADEP	NOV	Storage Tanks	insulation of the tank was not tight enough and cracking in the foundation	Closed
2011	9/27/2011	Marcus Hook Tank Farm (MHTF)	Regions 1, 2 & 3 Pipeline	PADEP	NOV	Spill	pipeline release	Closed
2011	11/18/2011	MHTF	Regions 1, 2 & 3 Pipeline	PADEP	FOV	Spill	pipeline release	Closed
2011	9/10/2010	Pipeline (Region 3)	Regions 1, 2 & 3 Pipeline		Previously Taken FOV	Spill	pipeline release	Closed
2012	2/3/2012	MHTF			FOV	Spill	pipeline release	Closed
2012	3/16/2012	Darby Creek		DELCORA	NOV	Water	failure to submit a timely Self Monitoring Report of Annual Samples in accordance with permit.	Closed
2012	8/8/2012	Darby Creek		DELCORA	NOV	Water	phenol exceedance	Closed
2012	11/28/2012	Darby Creek		DELCORA	NOV	Water	phenol exceedance	Closed
2012	4/24/2012	Fort Mifflin		PADEP	NOV	Tanks	OOS tank needed repairs prior to return to service.	Closed
2012	12/20/2012	Icedale		PADEP	NOV	Air	late submittal SMOP Air Permit Renewal	Closed
2013	5/20/2013	Twin Oaks Pump Station		PADEP	FOV	Spill	pump station release	Closed
2013	12/20/1013	Pipeline (Reion 2)		PADEP	NOV	Spill	pipeline release	Closed
2014	1/24/2014	Fort Miifflin		PADEP	NOV	Spill	pipeline release	Closed
2014	7/2/2014	Pipeline (Region 2)		PADEP	NOV	Wetland	improper wetland delineation	Closed
2014	7/16/2014	Pipeline (Region 2)		PADEP	NOV	Wetland	improper wetland delineation	Closed
2014	7/18/2014	Pipeline (Region 2)		PADEP	NOV	Wetland	improper wetland delineation	Closed
2014	8/26/2014	Darby Creek		DELCORA	NOV	Water	phenol exceedance	Closed
2014	11/1/2014	Mariner East		PAFBC	FOV	IRTS	bentonite release	Closed
2014	11/14/2015	Fort Mifflin		PADEP	NOV	Tanks	OOS tank needed repair prior to return to service.	Closed
2015	2/5/2015	Darby Creek		DELCORA	NOV	Water	ammonia exceedance	Closed
2015	2/23/2015	Darby Creek		DELCORA	NOV	Water	ammonia exceedance	Closed
2015	3/2/2015	Mariner East		PADEP	FOV	IRTS	bentonite release	Closed
2016	2/3/2016	Pipeline (Region 2)		PADEP	NOV	Water	odor and sheen complaint during 3rd party foreign line installation	Closed



218 Donohoe Road  
Greensburg, PA 15601  
Phone: 724-837-5271  
Fax: 724-837-4127  
www.wcdpa.com

September 27, 2016

Matthew Gordon, Sunoco Pipeline, LP & David Bell, Precision Pipeline, LLC  
535 Fritztown Road 3314 56<sup>th</sup> Street  
Sinking Spring, PA 10608 Eau Claire, WI 54703

Re: Notice of Termination Approval Letter  
Mariner East Pipeline Project-50 miles between Houston, PA to Delmont, PA  
Permit #ESG6513806(2)  
Chartiers, N. Strabane; Nottingham; Forward, Elizabeth, Jeannette, Murrysville, Penn,  
Rostraver, Salem, Sewickley and South Huntingdon Townships  
Washington County, Allegheny County and Westmoreland County

Dear Applicants:

The Westmoreland Conservation District received a Notice of Termination form for the above referenced project as required in accordance with 25 Pa. Code § 102.7. A final site inspection was conducted of the project site on May 6, 2016-Westmoreland Co.; July 29, 2016-Allegheny County; August 26, 2016-Washington Co. and a copy of the Earth Disturbance Inspection Report form is attached to this letter. The site inspection found that the earth disturbance activities authorized by the Erosion and Sediment Control and Stormwater Management Associated With Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (ESCGP2) have been concluded; the site has been stabilized in accordance with the requirements of 25 Pa. Code § 102.22(a)(2) (related to permanent stabilization); Post Construction Stormwater BMPs have been installed or the site restoration or reclamation is complete; and temporary erosion and sediment control BMPs have been removed.

Your permit for stormwater discharges associated with construction activities is hereby terminated effective the date of this letter. Please note that the responsible person(s) identified in Appendix B of the Notice of Termination are now responsible for the long term operation and maintenance of the Post Construction Stormwater Management BMPs installed as part of the approved permit.

If you have additional questions, please contact me at 724-837-5271.

Sincerely,

A handwritten signature in black ink that reads 'Christopher E. Droste'.

Chris Droste  
Senior Erosion Control Specialist

cc: Robert Simcik, Tetra Tech  
Matt Gordon/Jon Burgess-Allegheny Co. Conservation District  
Matt Golden-Washington Co. Conservation District

KF

Attachment: Earth Disturbance Inspection Report Form



PA ESG6513806(3)

**NOTICE OF TERMINATION FOR  
A GENERAL OR INDIVIDUAL NATIONAL POLLUTANT DISCHARGE ELIMINATION  
SYSTEM PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH  
CONSTRUCTION ACTIVITIES**

**- OR -**

**AN EROSION AND SEDIMENT CONTROL PERMIT**

**- OR -**

**AN EROSION AND SEDIMENT CONTROL GENERAL PERMIT FOR EARTH DISTURBANCE  
ASSOCIATED WITH OIL AND GAS EXPLORATION, PRODUCTION, PROCESSING OR  
TREATMENT OPERATIONS OR TRANSMISSION FACILITIES**

**Regulatory Requirement:** This form serves to fulfill the obligations referenced in 25 PA Code §102.7 (related to Permit Termination).

**Applicability:** A permittee or co-permittee presently covered under an Individual National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities, the General NPDES Permit for Stormwater Discharges Associated with Construction Activities (PAG-02), an Erosion and Sediment Control Permit (ESCP), or an Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (ESCGP) shall submit this Notice of Termination (NOT) form to the Department of Environmental Protection (Department) or conservation district for permits submitted **after November 19, 2010**.

Per 25 PA Code §102.7, the NOT form is to be submitted once the following have been achieved: permanent stabilization, per 25 PA Code §102.22(a)(2), of earth disturbance activities; removal of all erosion and sediment control best management practices (BMPs) per the approved Erosion and Sediment Control Plan; and, implementation of post construction stormwater management (PCSM) BMPs per the approved PCSM Plan or site restoration/reclamation via the approved Reclamation/Restoration Plan.

**A copy of the project's record drawings/as-builts shall be attached to this NOT. The permittee shall retain a copy of the record drawings/as-builts and shall also provide a copy, as part of the approved PCSM Plan, to the person(s) identified in Appendix B, as being responsible for the long-term operation and maintenance of the PCSM BMP(s). Additional copies of this NOT and record drawings/as-builts shall also be provided to the local municipality.**

1. PERMIT INFORMATION:

Permit No.: 6513806

2. EARTH DISTURBANCE SITE LOCATION:

Facility/Development Name: Mariner East Pipeline Project

Address: 50 Miles between Houston, PA to Delmont, PA

Municipality: Charitiers, N.Strabane, Nottingham; Forward, Elizabeth; Jennette, Murrysville, Penn, Rostraver, Salem, Seweckley, and S. Hunting. County: Washington, Allegheny, and Westmoreland.

Latitude: 40 ° / 15 ' / 52 " Longitude: 80 ° / 15 ' / 38 "

U.S.G.S. Quad Map Name: Midway, Washington West, Wahsington East, Hackett, Monongahla, Donora, Smithton, Irwin, Murrysville, and Slickville.

3. PERMITTEE/CO-PERMITTEE INFORMATION:

PERMITTEE

CO-PERMITTEE

Name: Matthew Gordon; Sunoco Pipeline, L.P.

Name: David Bell; Precision Pipeline, LLC

Address: 535 Fritztown Road

Address: 3314 56<sup>th</sup> Street

City: Sinking Spring

City: Eau Claire

State: PA Zip Code: 10608

State: WI Zip Code: 54703

Telephone Number: (610) 670-3284 (office)

Telephone Number: (715) 874-4510 (office)

4. LONG-TERM OPERATION AND MAINTANENCE AND RESTORATION/RECLAMATION:

This project involves: (check the appropriate box)

- Installation and subsequent long-term operation and maintenance of PCSM BMPs.

OR

- Restoration or reclamation activities per 25 PA Code §102.8(n).

*Note: For projects solely involving restoration or reclamation activities, proceed to Section 7.*

5. FINAL CERTIFICATION OF LICENSED PROFESSIONAL:

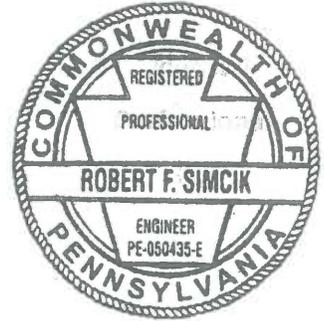
**This section is to be completed by the licensed professional who was onsite and responsible during critical stages of implementation associated with the approved PCSM Plan. The licensed professional is also to complete Appendix A.**

*I, Robert Simcik, do hereby certify pursuant to the penalties of 18 Pa. C.S.A. § 4904 to the best of my knowledge, information and belief, that the accompanying record drawings accurately reflect the as-built conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the approved PCSM Plan, all approved plan changes and accepted construction practices.*

Name and Official Title of Licensed Professional

Robert F. Simcik  
Project Engineer - ESC&P-2 lead

Signature: [Handwritten Signature] 4/29/16



**6. PROOF OF INSTRUMENT FILING WITH THE RECORDER OF DEEDS OFFICE:**

Per 25 PA Code §102.8(m)(2), the instrument will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property. The recorded instrument must identify the PCSM BMP(s), provide for the necessary access related to long-term operation and maintenance of the PCSM BMP(s) and provide notice that the responsibility for long-term operation and maintenance of the PCSM BMP(s) is a covenant that runs with the land that is binding upon and enforceable by subsequent grantees.

*For either Commonwealth or federally-owned property, a covenant that runs with the land is not required until the transfer of the land containing the PCSM BMP(s) occurs. Upon said transfer, the deed must then comply with 25 PA Code § 102.8(m)(2).*

a. Is the project on Commonwealth or federally-owned property?  Yes  No

If the answer to question a., above, is Yes, proceed to Section 7. If the project is not on Commonwealth or federally-owned property, continue with this Section and attach copies of the notice provided to all landowners who have bought, accepted ownership or other legal responsibility for parcels containing PCSM BMPs. In addition, as required by 25 PA Code §102.7 (b)(5), a copy of the Recorder of Deeds Office receipt must be attached to this NOT as proof of instrument filing along with completed Appendices A and B.

I certify, under penalty of law, that I have recorded an instrument with the Recorder of Deeds Office which will assure disclosure of the PCSM BMP(s) and the related obligations in the ordinary course of a title search of the subject property, and which meets the requirements of 25 PA Code §102.8(m)(2).

Name and Official Title of person listed under Section 3:

Matthew Gordon

Sunoco Project Manager

Signature: 

7. **Permit Termination Certification:**

**This Section is to be completed by the person listed in Section 3 and, when applicable, Section 6.**

I, Matthew Gordon, certify under penalty of law that permanent stabilization, under 25 PA Code §102.22(a)(2), of the earth disturbance activities has occurred and either the installation of BMPs in accordance with an approved plan prepared and implemented per §§ 102.4 and 102.8 (relating to erosion and sediment control requirements; and PCSM requirements) has occurred or all approved restoration/reclamation activities have been completed. I understand that by submitting this NOT, I am no longer authorized to conduct earth disturbance activities under the referenced permit and that discharging stormwater from earth disturbance activities to waters of the Commonwealth is unlawful where the discharge is not authorized by a permit. I also understand that the submittal of this NOT does not release a permittee or co-permittee from liability for any violations of the permit, the federal Clean Water Act (if applicable), the Pennsylvania Clean Streams Law and the rules and regulations promulgated thereunder, or from liability for any environmental damages occurring as a result of any earth disturbance activities conducted at the site. I understand that there are significant penalties for submitting false information, including possible fines and imprisonment for knowing violations.

Name and Official Title of person listed under Section 3 and, when applicable, Section 6:

Matthew Gordon

Project Manager: Sunoco Pipeline, L.P.

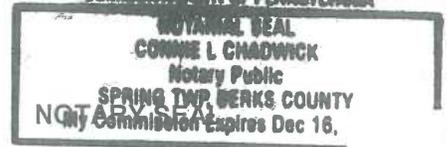
Signature: 

Acknowledgement:

Commonwealth of Pennsylvania  
County of BERKS

On this, the 25 day of April, 2016, before me, a Notary Public, personally appeared Matthew Gordon, having a title of Principal Engineer within the business entity of Succo Logistics known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



Connie L. Chadwick  
Notary Public

My Commission Expires: DEC. 16, 2018

Matthew Gorden

Sunoco Project Manager

Signature: 

**7. Permit Termination Certification:**

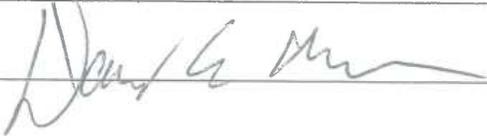
**This Section is to be completed by the person listed in Section 3 and, when applicable, Section 6.**

I, David Bell, certify under penalty of law that permanent stabilization, under 25 PA Code §102.22(a)(2), of the earth disturbance activities has occurred and either the installation of BMPs in accordance with an approved plan prepared and implemented per §§ 102.4 and 102.8 (relating to erosion and sediment control requirements; and PCSM requirements) has occurred or all approved restoration/reclamation activities have been completed. I understand that by submitting this NOT, I am no longer authorized to conduct earth disturbance activities under the referenced permit and that discharging stormwater from earth disturbance activities to waters of the Commonwealth is unlawful where the discharge is not authorized by a permit. I also understand that the submittal of this NOT does not release a permittee or co-permittee from liability for any violations of the permit, the federal Clean Water Act (if applicable), the Pennsylvania Clean Streams Law and the rules and regulations promulgated thereunder, or from liability for any environmental damages occurring as a result of any earth disturbance activities conducted at the site. I understand that there are significant penalties for submitting false information, including possible fines and imprisonment for knowing violations.

Name and Official Title of person listed under Section 3 and, when applicable, Section 6:

David Bell

Vice President: Precision Pipeline, LLC.

Signature: 

Acknowledgement:

*State of WI*  
~~Commonwealth of Pennsylvania~~  
County of *Chippewa*

On this, the *25* day of *April*, 20*16*, before me, a Notary Public, personally appeared *David E. Bell*, having a title of *VP* within the business entity of *Precision Pipeline LLC*, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

NOTARY SEAL

*Karen G Schwenk*  
Notary Public

My Commission Expires: *2/18/18*



APPENDIX A

Summary Table of Installed PCSM BMPS

Check all applicable PCSM BMPS that have been installed or will be implemented as part of the approved PCSM Plan along with their associated function(s).

Note: VC = Volume Control, RC = Rate Control and WQ = Water Quality

BMP		Function(s)				No. of BMPS	Total Acres Treated	Total Volume Treated
<input type="checkbox"/>	Wet Ponds	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Constructed Wetlands	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Retention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Detention Basins	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC			
<input type="checkbox"/>	Underground Detention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC			
<input type="checkbox"/>	Dry Extended Detention Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC			
<input type="checkbox"/>	Sediment Fore Bay	<input type="checkbox"/>	VC			<input type="checkbox"/>	WQ	
<input checked="" type="checkbox"/>	Infiltration Trench	<input checked="" type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	1 0.008 569 cf
<input type="checkbox"/>	Infiltration Berm/Retentive Grading	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Subsurface Infiltration Bed	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Infiltration Basin	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Pervious Pavement	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Dry Well/Seepage Pit	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Bio-Infiltration Areas	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Rain Gardens/Bio-Retention	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Vegetated Swales	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Constructed Filters	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Protect Sensitive & Special Value Features	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Protect/Convert/Establish Riparian Buffers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Restoration: Buffers/Landscape/Floodplain	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Disconnection From Storm Sewers	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Rooftop Disconnections	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Vegetated Roofs	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Runoff Capture/Reuse	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Oil/Grit Separators					<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Water Quality Inserts/Inlets					<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Street Sweeping					<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Soil Amendment/Soil Restoration	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	
<input type="checkbox"/>	Other	<input type="checkbox"/>	VC	<input type="checkbox"/>	RC	<input type="checkbox"/>	WQ	

APPENDIX B

**Person(s) Responsible for Long-Term Operation and Maintenance of PCSM BMPs:**

Statement: I understand and agree with the long-term operation and maintenance responsibilities outlined in the new property owner notification form or other landowner notice and as they apply to the PCSM BMP(s) on the property I am purchasing.

Name	Signature	Phone #	Address	Responsible for the Following PCSM BMPs	Location, including Latitude and Longitude, of each PCSM BMP
Matthew Gordon		(610) 670-3284	535 Fritztown Road Sinking Spring, PA 10608	Infiltration Trench	Adjacent to access road off of Bunola River Road (SR 2001) 40° 13' 47" N 79° 57' 48" W

Attach additional Appendix B Forms as needed.



Permit No. 6513806  
 Report No. 11

## EARTH DISTURBANCE INSPECTION REPORT

**Project Name** Mariner East Pipeline **Inspection Date** 8/26/2016 **Inspection Time** 2:30  
**Weather Conditions** Sunny **Total Project Area** \_\_\_\_\_  
**Location** Various **Total Disturbed Area** \_\_\_\_\_  
**Municipality** Chartiers, S.Strabane, N.Strabane, **County** Washington  
**Receiving Water(s)** Chartiers Cr, Mingo Cr, Little Chartiers **Designated/Existing Use** WWF & HQ-WWF

**Responsible Party(s)** Sunoco Pipeline, LP  
 (name & address) 535 Fritztown Road  
Sinking Spring, PA 16908  
**Phone** (\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

**Site Representative** (name) None **Inspector** (name) M.Golden  
 (title) Mailed (title) E&S Technician - WCCD

**Type of Inspection** (check only one) **Photographs Taken** Yes  No   
 Routine complete  Routine partial  Follow-up  Complaint  Final

**Site Description & Observations** Pipeline right of way has been restored throughout project length. Vegetation well established. E&S BMPs have been removed. No further inspections required.

Continued on page 3 of \_\_\_\_.

Permit and Plan Requirements		Type of Activity (check as many as appropriate)	
Y	N		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pub. Road Constr./Maint. (PRC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Res. Subdivision (RSBD)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Govmt. Facilities (GOV)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities Facilities (UTL)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewer/Water Systems (SWS)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Remediation/Restoration (RRES)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pipeline (PL)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Silviculture (SILV)
		<input checked="" type="checkbox"/>	ESCOP Permit required
		<input type="checkbox"/>	Recreation Facilities (RECF)
		<input type="checkbox"/>	Agricul. Activities (AGA)
		<input type="checkbox"/>	Comm./Indust. Dev. (CMIN)
		<input type="checkbox"/>	Non-Phased Constr.
		<input type="checkbox"/>	Phased Constr.
Permit #: <u>6516806</u>		Exp. Date: <u>4/2/19</u>	



Permit No. 6513806  
 Report No. 11

## EARTH DISTURBANCE INSPECTION REPORT

Project Name Mariner East Pipeline Inspection Date 8/26/2016 Inspection Time 2:30

### Inspection Findings

### Reference

- No violations observed at this time.  (N/A)
  
- a. Failure to develop a written Erosion and Sediment (E&S) Plan.  (102.4)
- b. Failure to have an E&S Plan available onsite.  (102.4)
- c. Failure to submit an E&S Plan as requested.  (102.4)
- d. Failure to implement effective E&S Best Management Practices (BMPs).  (102.4)
- e. Failure to maintain effective E&S BMPs.  (102.4)
- f. Failure to use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters.  (102.4)
- g. Failure to obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities.  (102.5)
- h. Failure to obtain an E&S Permit.  (102.5)
- i. Failure to prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan.  (102.5)
- j. Failure to submit a Notice of Termination (NOT).  (102.7)
- k. Failure to develop a written Post Construction Stormwater Management (PCSM) Plan/Restoration Plan.  (102.8)
- l. Failure to have PCSM Plan/Restoration Plan available onsite.  (102.8)
- m. Failure to submit PCSM Plan/Restoration Plan as requested.  (102.8)
- n. Failure to implement effective PCSM BMPs.  (102.8)
- o. Failure to maintain effective PCSM BMPs.  (102.8)
- p. Failure to perform reporting and recordkeeping as required.  (102.8)
- q. Failure to implement riparian buffer or riparian forest buffer.  (102.14)
- r. Failure to meet regulatory requirements for riparian forest buffer.  (102.14)
- s. Failure to provide temporary stabilization of the earth disturbance site.  (102.22)
- t. Failure to provide permanent stabilization of the earth disturbance site.  (102.22)
- u. Failure to comply with permit conditions.  (402 CSL)
- v. Sediment or other pollutant was discharged into waters of the Commonwealth.  (401 CSL)
- w. Site conditions present a potential for pollution to waters of the Commonwealth.  (402 CSL)
- x. Failure to comply with a Department Order.  (402, 611 CSL)
- y. Failure to comply with PCSM long-term operation and maintenance requirements.  (102.8)
- z. Failure to conduct a preconstruction meeting.  (102.5)
- aa. Failure to provide proof of consultation with the Pennsylvania Natural Heritage Program regarding the presence of a State or Federal threatened or endangered species on a project site requiring a Chapter 102 permit.  (102.6)
- bb. Failure to withhold a building or other permit or approval from those proposing or conducting earth disturbance activities, which require a Department permit, until the Department or conservation district has approved/acknowledged the Chapter 102 permit.  (102.43)

**Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.**  
*Additional information regarding these violations can be found on the back of this page.*



This report is official notification that a representative of the Department of Environmental Protection has conducted an inspection of your earth disturbance activity to determine compliance with Title 25, Chapter 92a, National Pollutant Discharge Elimination System, Title 25, Chapter 102, Erosion and Sediment Control, and the Pennsylvania Clean Streams Law. This representative may be an employee of the local County Conservation District, which by delegation agreement with the Department of Environmental Protection, is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by the Department/Conservation District have been noted on this report form and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law.

There will be no written confirmation of those violations from the Department. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being instituted by the Department of Environmental Protection as defined in Section 602 of the Clean Streams Law of Pennsylvania. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

This report does not constitute an Order or appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

For further information or assistance please contact:



H-8206

Permit No. \_\_\_\_\_  
Report No. NOT Final

## EARTH DISTURBANCE INSPECTION REPORT

**Project Name** Sunoco Pipeline Houston-Delmont ME1 **Inspection Date** 5/6/2016 **Inspection Time** 9-12pm  
**Weather Conditions** Sunny **Total Project Area** 473  
**Location** Rostraver Twp through to Delmont Route 66 **Total Disturbed Area** \_\_\_\_\_  
**Municipality** Rostraver/sewickley/hempfield/penn **County** Westmoreland  
**Receiving Water(s)** Multiple **Designated/Existing Use** \_\_\_\_\_

**Responsible Party(s)** Sunoco Pipeline LP- Matt Gordon  
 (name & address) 525 Fritztown Road  
Sinking Spring, PA 19068  
**Phone** (\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

**Site Representative** (name) Rob Simcik, Tetrattech **Inspector** (name) Chris Droste, CESCO  
 (title) \_\_\_\_\_ (title) Senior Erosion Control Specialist

**Type of Inspection** (check only one) **Photographs Taken** Yes  No   
 Routine complete  Routine partial  Follow-up  Complaint  Final

**Site Description & Observations** We drove around the areas from Rostraver twp, through sewickley twp, hempfield twp and Penn, jeannette, murrysville and then delmont station on Route 66. All areas are stabilized and all E&S controls are removed. No issues to present, all areas are well vegetated and stable. All areas of Boring are restored better than original. stream crossings remain stable.

**Continued on page 3 of 3**

Permit and Plan Requirements	Type of Activity (check as many as appropriate)
Y N <input checked="" type="checkbox"/> <input type="checkbox"/> Written Erosion & Sediment Plan required <input checked="" type="checkbox"/> <input type="checkbox"/> Written Post Construction Stormwater Management Plan required <input type="checkbox"/> <input checked="" type="checkbox"/> Erosion & Sediment Plan requested <input type="checkbox"/> <input checked="" type="checkbox"/> Post Construction Stormwater Management Plan requested <input type="checkbox"/> <input type="checkbox"/> E & S Permit required <input checked="" type="checkbox"/> ESCGP Permit required <input type="checkbox"/> <input checked="" type="checkbox"/> NPDES Permit required <input type="checkbox"/> Phased Constr. <input type="checkbox"/> Non-Phased Constr.	<input type="checkbox"/> Other _____ <input type="checkbox"/> Pub. Road Constr./Maint. (PRC) <input type="checkbox"/> Pvt. Road/Residence (PRRS) <input type="checkbox"/> Res. Subdivision (RSBD) <input type="checkbox"/> Comm./Indust. Dev. (CMIN) <input type="checkbox"/> Govmt. Facilities (GOV) <input type="checkbox"/> Recreation Facilities (RECF) <input type="checkbox"/> Utilities Facilities (UTL) <input type="checkbox"/> Agricul. Activities (AGA) <input type="checkbox"/> Sewer/Water Systems (SWS) <input checked="" type="checkbox"/> Pipeline (PL) <input type="checkbox"/> Remediation/Restoration (RRES) <input type="checkbox"/> Silviculture (SILV)
Permit #: <u>ESG6513806(2)</u> Exp. Date: <u>4/2019</u>	

This report is official notification that a representative of the Department of Environmental Protection has conducted an inspection of your earth disturbance activity to determine compliance with Title 25, Chapter 92a, National Pollutant Discharge Elimination System, Title 25, Chapter 102, Erosion and Sediment Control, and the Pennsylvania Clean Streams Law. This representative may be an employee of the local County Conservation District, which by delegation agreement with the Department of Environmental Protection, is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by the Department/Conservation District have been noted on this report form and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law.

There will be no written confirmation of those violations from the Department. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being instituted by the Department of Environmental Protection as defined in Section 602 of the Clean Streams Law of Pennsylvania. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

This report does not constitute an Order or appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

For further information or assistance please contact:

~~Justin Kane~~ Chris Prosta  
Erosion Control Specialist  
Westmoreland Conservation District  
218 Donohoe Road  
Greensburg, PA 15601  
(724) 837-5271



Permit No. \_\_\_\_\_  
 Report No. NOT-final

## EARTH DISTURBANCE INSPECTION REPORT

Project Name Sunoco Pipeline ME-1 Inspection Date 5/6/2016 Inspection Time 9 to 12p

**Inspection Findings**

**Reference**

No violations observed at this time.

(N/A)

- a. Failure to develop a written Erosion and Sediment (E&S) Plan.  (102.4)
- b. Failure to have an E&S Plan available onsite.  (102.4)
- c. Failure to submit an E&S Plan as requested.  (102.4)
- d. Failure to implement effective E&S Best Management Practices (BMPs).  (102.4)
- e. Failure to maintain effective E&S BMPs.  (102.4)
- f. Failure to use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters.  (102.4)
- g. Failure to obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities.  (102.5)
- h. Failure to obtain an E&S Permit.  (102.5)
- i. Failure to prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan.  (102.5)
- j. Failure to submit a Notice of Termination (NOT).  (102.7)
- k. Failure to develop a written Post Construction Stormwater Management (PCSM) Plan/Restoration Plan.  (102.8)
- l. Failure to have PCSM Plan/Restoration Plan available onsite.  (102.8)
- m. Failure to submit PCSM Plan/Restoration Plan as requested.  (102.8)
- n. Failure to implement effective PCSM BMPs.  (102.8)
- o. Failure to maintain effective PCSM BMPs.  (102.8)
- p. Failure to perform reporting and recordkeeping as required.  (102.8)
- q. Failure to implement riparian buffer or riparian forest buffer.  (102.14)
- r. Failure to meet regulatory requirements for riparian forest buffer.  (102.14)
- s. Failure to provide temporary stabilization of the earth disturbance site.  (102.22)
- t. Failure to provide permanent stabilization of the earth disturbance site.  (102.22)
- u. Failure to comply with permit conditions.  (402 CSL)
- v. Sediment or other pollutant was discharged into waters of the Commonwealth.  (401 CSL)
- w. Site conditions present a potential for pollution to waters of the Commonwealth.  (402 CSL)
- x. Failure to comply with a Department Order.  (402, 611 CSL)
- y. Failure to comply with PCSM long-term operation and maintenance requirements.  (102.8)
- z. Failure to conduct a preconstruction meeting.  (102.5)
- aa. Failure to provide proof of consultation with the Pennsylvania Natural Heritage Program regarding the presence of a State or Federal threatened or endangered species on a project site requiring a Chapter 102 permit.  (102.6)
- bb. Failure to withhold a building or other permit or approval from those proposing or conducting earth disturbance activities, which require a Department permit, until the Department or conservation district has approved/acknowledged the Chapter 102 permit.  (102.43)

Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

*Additional information regarding these violations can be found on the back of this page.*





AUG - 4 2016

Permit No. ESG6513806(2)  
Report No. NOT

### EARTH DISTURBANCE INSPECTION REPORT

Project Name Sunoco Pipeline Houston-Delmont ME1 Inspection Date 7/29/2016 Inspection Time 8AM  
 Weather Conditions 85 degrees F, mostly sunny Total Project Area 473 ac  
 Location Houston - Delmont PA Total Disturbed Area 87 ac  
 Municipality Forward / Elizabeth County Allegheny  
 Receiving Water(s) Multiple Designated/Existing Use Multiple

Responsible Party(s) Sunoco Pipeline LP - Matt Gordon  
 (name & address) 525 Fritztown Road  
Sinking Spring, PA 19068  
 Phone ( ) \_\_\_\_\_ ( ) \_\_\_\_\_

Site Representative (name) \_\_\_\_\_ Inspector (name) Matt Gordon, Jon Burgess  
 (title) \_\_\_\_\_ (title) ACCD

Type of Inspection (check only one) Photographs Taken Yes  No   
 Routine complete  Routine partial  Follow-up  Complaint  Final

Site Description & Observations Final inspection of Allegheny portion of the ME1 transmission line. Approximately 1/3 of the ROW was walked from stations 1006 + 00 to 1447 + 00. The project site is vegetatively stabilized. Temporary perimeter controls have been removed, including those along Church Hollow Road and Miracle Ridge Road. Waterbars are installed throughout the project site and the infiltration trench is installed near the permanent valve site at 1020 + 00. Project is complete.

Continued on page 3 of \_\_\_\_\_.

Permit and Plan Requirements		Type of Activity (check as many as appropriate)	
Y	N	<input type="checkbox"/>	Other _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pub. Road Constr./Maint. (PRC)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Res. Subdivision (RSBD)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Govmt. Facilities (GOV)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Utilities Facilities (UTL)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewer/Water Systems (SWS)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Pipeline (PL)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Remediation/Restoration (RRES)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Silviculture (SILV)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recreation Facilities (RECF)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Agricul. Activities (AGA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Comm./Indust. Dev. (CMIN)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written Erosion & Sediment Plan required
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written Post Construction Stormwater Management Plan required
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Erosion & Sediment Plan requested
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Post Construction Stormwater Management Plan requested
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	E & S Permit required
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ESCOP Permit required
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NPDES Permit required
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Phased Constr.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-Phased Constr.
Permit #: <u>ESG6513806(2)</u>		Exp. Date: <u>4/2019</u>	

Permit No. ESG6513806(2)Report No. NOT

## EARTH DISTURBANCE INSPECTION REPORT

Project Name Sunoco Pipeline Houston-Delmont ME1 Inspection Date 7/29/2016 Inspection Time 8AM

### Inspection Findings

### Reference

No violations observed at this time.

(N/A)

- |  |   |
|--|---|
| a. Failure to develop a written Erosion and Sediment (E&S) Plan.   | <input type="checkbox"/> (102.4)        |
| b. Failure to have an E&S Plan available onsite.   | <input type="checkbox"/> (102.4)        |
| c. Failure to submit an E&S Plan as requested.   | <input type="checkbox"/> (102.4)        |
| d. Failure to implement effective E&S Best Management Practices (BMPs).  | <input type="checkbox"/> (102.4)        |
| e. Failure to maintain effective E&S BMPs.   | <input type="checkbox"/> (102.4)        |
| f. Failure to use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters.  | <input type="checkbox"/> (102.4)        |
| g. Failure to obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities.  | <input type="checkbox"/> (102.5)        |
| h. Failure to obtain an E&S Permit.  | <input type="checkbox"/> (102.5)        |
| i. Failure to prepare and implement a Preparedness, Prevention, and Contingency (PPC) Plan.  | <input type="checkbox"/> (102.5)        |
| j. Failure to submit a Notice of Termination (NOT).  | <input type="checkbox"/> (102.7)        |
| k. Failure to develop a written Post Construction Stormwater Management (PCSM) Plan/Restoration Plan.  | <input type="checkbox"/> (102.8)        |
| l. Failure to have PCSM Plan/Restoration Plan available onsite.  | <input type="checkbox"/> (102.8)        |
| m. Failure to submit PCSM Plan/Restoration Plan as requested.  | <input type="checkbox"/> (102.8)        |
| n. Failure to implement effective PCSM BMPs.   | <input type="checkbox"/> (102.8)        |
| o. Failure to maintain effective PCSM BMPs.  | <input type="checkbox"/> (102.8)        |
| p. Failure to perform reporting and recordkeeping as required.   | <input type="checkbox"/> (102.8)        |
| q. Failure to implement riparian buffer or riparian forest buffer.   | <input type="checkbox"/> (102.14)       |
| r. Failure to meet regulatory requirements for riparian forest buffer.   | <input type="checkbox"/> (102.14)       |
| s. Failure to provide temporary stabilization of the earth disturbance site.   | <input type="checkbox"/> (102.22)       |
| t. Failure to provide permanent stabilization of the earth disturbance site.   | <input type="checkbox"/> (102.22)       |
| u. Failure to comply with permit conditions.   | <input type="checkbox"/> (402 CSL)      |
| v. Sediment or other pollutant was discharged into waters of the Commonwealth.   | <input type="checkbox"/> (401 CSL)      |
| w. Site conditions present a potential for pollution to waters of the Commonwealth.  | <input type="checkbox"/> (402 CSL)      |
| x. Failure to comply with a Department Order.  | <input type="checkbox"/> (402, 611 CSL) |
| y. Failure to comply with PCSM long-term operation and maintenance requirements.   | <input type="checkbox"/> (102.8)        |
| z. Failure to conduct a preconstruction meeting.   | <input type="checkbox"/> (102.5)        |
| aa. Failure to provide proof of consultation with the Pennsylvania Natural Heritage Program regarding the presence of a State or Federal threatened or endangered species on a project site requiring a Chapter 102 permit.  | <input type="checkbox"/> (102.6)        |
| bb. Failure to withhold a building or other permit or approval from those proposing or conducting earth disturbance activities, which require a Department permit, until the Department or conservation district has approved/acknowledged the Chapter 102 permit. | <input type="checkbox"/> (102.43)       |

- Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

*Additional information regarding these violations can be found on the back of this page.*

Page 2 of 4

- White - Inspector       Yellow - Responsible Party       Pink - Department       Goldenrod - Other



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This report is official notification that a representative of the Department of Environmental Protection has conducted an inspection of your earth disturbance activity to determine compliance with Title 25, Chapter 92a, National Pollutant Discharge Elimination System, Title 25, Chapter 102, Erosion and Sediment Control, and the Pennsylvania Clean Streams Law. This representative may be an employee of the local County Conservation District, which by delegation agreement with the Department of Environmental Protection, is authorized to investigate complaints, inspect earth disturbance activities and conduct compliance actions. Any violations observed by the Department/Conservation District have been noted on this report form and constitute unlawful conduct as defined in Section 611 of the Clean Streams Law.

There will be no written confirmation of those violations from the Department. Failure to take corrective actions to resolve the violations may result in administrative, civil and/or criminal penalties being instituted by the Department of Environmental Protection as defined in Section 602 of the Clean Streams Law of Pennsylvania. The Clean Streams Law provides for up to \$10,000 per day in civil penalties, up to \$10,000 in summary criminal penalties, and up to \$25,000 in misdemeanor criminal penalties for each violation.

This report does not constitute an Order or appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

For further information or assistance please contact:

Mr. Matthew Gordon  
Allegheny County Conservation District  
33 Terminal Way, Suite 325B  
Pittsburgh, PA 15219



SOUTHWEST REGIONAL OFFICE

March 2, 2015

**CERTIFIED MAIL NO. 7000 1670 0005 1026 1488**

Mr. Chris Embry, Environmental Coordinator  
Sunoco Logistics Partners, LP  
535 Fritztown Road  
Sinking Spring, PA 19608

Re: Unauthorized Discharges, Inadvertent Releases  
Allegheny, Washington and Westmoreland Counties

Dear Mr. Embry;

From May through November, 2014, construction activities on the Mariner East Project resulted in discharges of sediment and other pollutants into waters of the Commonwealth at various locations in Allegheny, Washington and Westmoreland Counties. These discharges were not authorized by permit or regulation, are violations of the Clean Streams Law and subject you to the penalty provisions therein.

The Department is responsible for the enforcement of the Clean Streams Law, including the recovery of civil penalties for each violation. To avoid litigation, the Department is willing to resolve the matter by accepting a civil penalty settlement in lieu of civil penalty action for the above violations.

Enclosed is a Consent Assessment of Civil Penalty (CACP) document. Please read the enclosed document carefully. If you find this settlement offer acceptable, please have both copies signed appropriately and return them to me by March 30, 2015, along with a check made out to the PA Clean Water Fund for the civil penalty payment. If your attorney does not review and sign the CACP, please write the word "WAIVED" in the space provided for your attorney's signature. You will receive one fully executed copy for your files after the document is dated by and signed on behalf of the Department.

This agreement constitutes an offer of settlement until March 30, 2015, after which this offer becomes void. If I do not receive a response from you by March 30, 2015, I will assume that this offer has been rejected and the Department will pursue other legal remedies.

400 Waterfront Drive, Pittsburgh, PA 15222-4745

Ph. 412.442.4000

FAX 412.442.5885

[www.dep.state.pa.us](http://www.dep.state.pa.us)

Please contact me at 412.442.5807 or email: [sdemanski@pa.gov](mailto:sdemanski@pa.gov) if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Stuart S. Demanski". The signature is written in a cursive style with a large, stylized initial "S".

Stuart S. Demanski  
Compliance Specialist

Enclosure

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**IN THE MATTER OF:**

Sunoco Logistics Partners, LP : Violations of the Clean Streams Law  
Mariner East Pipeline  
Washington County  
Westmoreland County  
Allegheny County

**CONSENT ASSESSMENT OF CIVIL PENALTY**

This Consent Order and Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") and Sunoco Logistics Partners, LP ("Sunoco").

The Department has found and determined the following:

A. The Department is the agency with the duty and authority to administer and enforce The Clean Streams Law, Act of June 22, 1937, P.L. 1987, *as amended*, 35 P.S. §§ 691.1-691.1001 ("Clean Streams Law"); Section 1917-A of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, *as amended*, 71 P.S. § 510-17 ("Administrative Code"); and the rules and regulation promulgated thereunder ("Rules and Regulations").

B. Sunoco is a foreign limited partnership doing business in Pennsylvania and maintains a local mailing address of 535 Fritztown Road, Sinking Spring, PA 19608.

C. Sunoco owns and operates numerous pipelines in Pennsylvania used to transport petroleum and natural gas products. Sunoco is the owner of and is currently constructing a pipeline to carry natural gas liquids from Houston Borough in Washington County to Delmont Borough in Westmoreland County. This pipeline construction project is known as the "Mariner East" Project.

D. Sunoco frequently employs Horizontal Directional Drilling ("HDD") on the Mariner East Project to install pipeline under various geographic and geologic structures such as roads, waterways and wetlands. Unplanned releases of drilling fluids and drilling wastewater to the surface waters may occur during HDD operations. Such an unplanned release is known as an Inadvertent Release.

**Inadvertent Release Incidents**

E. On June 12, 2014, Sunoco was conducting HDD operations under Brush Creek near 1710 Penn Avenue, Jeannette, Westmoreland County and experienced an Inadvertent Release.

Approximately 50 gallons of drilling fluid and wastewater discharged into Brush Creek, a “water of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.

F. On June 13, 2014, Sunoco was conducting HDD operations under an unnamed tributary (“UNT”) to Little Sewickley Creek near 233 Kalamazoo Drive, Hermine, Westmoreland County and experienced an Inadvertent Release. Approximately 1000 gallons of drilling fluid and wastewater was discharged into the UNT, a “water of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.

G. On September 18, 2014, Sunoco was conducting HDD operations under Froman Run near the vicinity of the Mingo Creek Presbyterian Church, Washington County and experienced an Inadvertent Release. An undetermined amount of drilling fluid and wastewater flowed into an UNT to Froman Run, from which it flowed approximately 1.6 mile into Mingo Creek. The UNT, Froman Run and Mingo Creek are all “waters of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.

H. On September 27, 2014, Sunoco was conducting HDD operations under highway Route 51 in Forward Township, Allegheny County and experienced an Inadvertent Release. An undetermined amount of drilling fluid and wastewater was discharged into a UNT to Gillespie Run, a “water of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.

I. On November 7, 2014, Sunoco was conducting HDD operations near the vicinity of 284 Munntown Road, Eighty Four, Washington County and experienced an Inadvertent Release on the stream bank of Peters Creek. An undetermined amount of drilling fluid and wastewater entered Peters Creek, a “water of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1. Sunoco continued HDD operations concurrently with cleanup efforts. Consequently, drilling fluid and wastewater was intermittently discharged to Peters Creek on November 9, 2014, as well.

J. On November 9, 2014, Sunoco was conducting HDD operations near the vicinity of 370 Ross Road, Eighty Four, Washington County and experienced an Inadvertent Release. An undetermined amount of drilling fluid and wastewater was discharged into a wetland and a UNT to Linden Creek. The wetland and the UNT are “waters of the Commonwealth” as that phrase is defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1.

### **Clean Streams Law Violations**

K. The various materials discharged into the waters of the Commonwealth, as described in Paragraphs E, F, G, H, I and J above, constitute industrial waste and pollution pursuant to Section 1 of the Clean Streams Law, 35 P.S. § 691.1, and pollutants pursuant to Section 91.1 of the Rules and Regulations, 25 Pa. Code § 91.1.

L. Sunoco’s failures to take necessary measures to prevent pollutants from reaching waters of the Commonwealth, as described in Paragraphs E, F, G, H, I and J, above, constitutes violations of Section 91.34(a) the Rules and Regulations, 25 Pa. Code § 91.34(a).

M. The discharge of industrial waste and pollutants, as described in Paragraphs E, F, G, H, I and J, above, to the waters of the Commonwealth was not authorized by a NPDES Permit.

N. Sunoco's discharges of the industrial waste and pollutants, as described in Paragraphs E, F, G, H, I and J, above, without authorization or a permit constitute violations of Sections 301 and 307 of the CSL, 35 P.S. §§ 691.301 and 691.307, and constitute unlawful conduct pursuant to Section 611 of the CSL, 35 P.S. § 691.611 and are public nuisances pursuant to Sections 3, 307(c), and 401 of the CSL, 35 P.S. §§ 691.3, 691.307(c) and 691.401.

O. The violations described in Paragraphs L and N, above, subject Sunoco to civil penalty liability under Section 605 of the CSL, 35 P.S. § 691.605.

### **Erosion and Sediment Control Incidents**

P. Pursuant to Section 102.4(b) of the Rules and Regulations, 25 Pa. Code §102.4(b), Sunoco shall implement and maintain Erosion and Sediment Control ("E&S") Best Management Practices ("BMPs") to minimize the potential for accelerated erosion and sedimentation from earth disturbance activities associated with the construction of the Mariner East pipeline.

Q. Pursuant to Section 102.22 of the Rules and Regulations, 25 Pa. Code §102.22, Sunoco shall stabilize earth disturbed areas where cessation of earth disturbance activities will exceed 4 days in order to protect the disturbed area from accelerated erosion and sedimentation.

R. On October 24, 2013, the Department issued Erosion and Sediment Control General Permit 6513806 ("ESCGP") to Sunoco authorizing Sunoco to conduct earth disturbance activities associated with the construction of the Mariner East pipeline. The Department amended the ESCGP on April 2, 2014.

S. The Allegheny County Conservation District ("ACCD") and the Washington County Conservation District (WCCD) are both a public bodies corporate and politic, exercising public powers of the Commonwealth as an agency thereof, as authorized by Section 5 of the Conservation District Law, Act of May 15, 1945, P.L. 547, *as amended*, 3 P.S. §§ 849-864 ("Conservation District Law"), 3 P.S. § 853. Section 9 of the Conservation District Law, 3 P.S. § 857, Powers of Districts and Directors, allows Districts to accept delegated authority from municipal or county governments, the Commonwealth or Federal Government.

T. Sunoco is the "operator" of the Mariner East pipeline, as that term is defined in Section 102.1 of the Regulations, 25 Pa. Code § 102.1, at all times relevant to the matters discussed in this CACP. Sunoco has day-to-day operational control over the earth disturbance activities on the Mariner East pipeline to ensure compliance with ESCGP.

U. Under a delegation from the Department, ACCD and WCCD conduct erosion and sediment control inspection pursuant to the Clean Streams Law and Chapter 102 of the Regulations, 25 Pa. Code Chapter 102.

V. Beginning on May 30, 2014 and continuing through August 27, 2014, ACCD and WCCD conducted inspections of erosion and sedimentation control measures at various locations along the Mariner East pipeline to determine compliance with the ESCGP, the Clean Streams Law and the Erosion and Sediment Control Regulations.

W. During inspections conducted by ACCD on May 30, 2014 and July 7, 2014, ACCD documented that Sunoco failed to implement and/or maintain effective BMPs at various locations along the Mariner East pipeline as approved in its ESCGP, failed to temporarily and/or permanently stabilize areas of earth disturbance at various locations along the Mariner East pipeline, and allowed sediment laden runoff from locations along the Mariner East pipeline to discharge to waters of the Commonwealth contrary to the conditions of its ESCGP.

X. During inspections conducted by WCCD on June 26, 2014 and August 6, 2014, WCCD documented that Sunoco failed to implement and/or maintain effective BMPs at various locations along the Mariner East pipeline as approved in its ESCGP and allowed sediment laden runoff from locations along the Mariner East pipeline to discharge to waters of the Commonwealth contrary to the conditions of its ESCGP.

Y. Sunoco's failures to implement and/or maintain effective BMPs, as described in Paragraphs W and X, above, constitute violations of Section 102.4(b)(1) of the Regulations, 25 Pa. Code § 102.4(b)(1).

Z. Sunoco's failures to stabilize disturbed earth where cessation of earth disturbance activities will exceed 4 days, as described in Paragraph W above, constitute violations of Section 102.22 of the Regulations, 25 Pa. Code § 102.22.

AA. Sunoco conducted earth disturbance activities contrary to the conditions of ESCGP at various locations along the Mariner East pipeline. Sunoco's failures to comply with the conditions of the ESCGP constitute violations of Sections 402 and 611 of the Clean Streams Law, 35 P.S. §§ 691.402 and 691.611.

BB. Sunoco caused "pollution" to "waters of the Commonwealth," as those terms are defined in Section 1 of the Clean Streams Law, 35 P.S. § 691.1, by allowing sediment laden runoff from locations along the Mariner East pipeline to discharge to waters of the Commonwealth contrary to the conditions of its ESCGP. Sunoco's discharges were not authorized by permit or regulation and constitute violations of Section 401 of the Clean Streams Law, 35 P.S. § 691.401.

CC. Sunoco's violations, as described in Paragraphs Y, Z, AA and BB above, constitute unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. § 691.611; statutory nuisances under Sections 401 and 402 of the Clean Streams Law, 35 P.S. §§ 691.401 and 691.402; and subject Sunoco to civil penalty liability under Section 605 of the Clean Streams Law, 35 P.S. § 691.605.

After full and complete negotiation of all matters set forth in this CACP and upon mutual exchange of the covenants herein, the parties desiring to avoid litigation and intending to be legally bound, it is hereby ASSESSED by the Department and AGREED to by Sunoco as follows:

**1. Assessment.** In resolution of the Department's claim for civil penalties, which the Department is authorized to pursue under Section 605 of the Clean Streams Law, 35 P.S. § 691.605, the Department hereby assesses a civil penalty of ONE HUNDRED SEVEN THOUSAND ONE HUNDRED AND THREE DOLLARS (\$107,103), which Sunoco hereby agrees to pay.

**2. Civil Penalty Settlement.** Upon signing this CACP, Sunoco shall pay the civil penalty assessed in Paragraph 1. This payment is in settlement of the Department's claim for civil penalties for the violations set forth in Paragraphs L, N, Y, Z, AA, BB and CC above for the dates set forth therein and no others. The payment shall be by corporate check or the like made payable to the "Commonwealth of Pennsylvania" and sent to the attention of Compliance Specialist, Clean Water Program, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

**3. Conservation District Cost Recovery.** Upon signing this CACP, Sunoco shall pay cost recovery to the Washington County Conservation District and the Allegheny County Conservation District for their costs involved in response to the violations cited in Paragraphs Y, Z, AA, BB and CC above. Payment shall be as follows:

a. Submittal of a corporate check or the like made payable to the "Washington County Conservation District Clean Water Fund" for cost recovery in the amount of ONE THOUSAND TWELVE DOLLARS (\$1,012); and,

b. Submittal of a corporate check or the like made payable to the "Allegheny County Conservation District Clean Water Fund" for cost recovery in the amount of EIGHT HUNDRED NINETY FOUR DOLLARS (\$894).

c. The payments described in Paragraphs 3.a and 3.b, above, shall be to the sent to the attention of Compliance Specialist, Clean Water Program, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

**4. Findings.**

a. Sunoco agrees that the findings in Paragraphs A through CC, above, are true and correct and, in any matter or proceeding involving Sunoco and the Department, Sunoco shall not challenge the accuracy or validity of these findings.

b. The parties do not authorize any other persons to use the findings in this CACP in any matter or proceeding.

**5. Reservation of Rights.** The Department reserves all other rights with respect to any matter addressed by this CACP, including the right to require abatement of any conditions resulting from the events described in the Findings. Sunoco reserves the right to challenge any action which the Department may take, but waives the right to challenge the content or validity of this CACP.

IN WITNESS WHEREOF, the parties hereto have caused this CACP to be executed by their duly authorized representatives. The undersigned representatives of Sunoco certify under penalty of law, as

provided by 18 Pa. C.S. § 4904, that they are authorized to execute this CACP on behalf of Sunoco; that Sunoco consents to the entry of this CACP, and that Sunoco hereby knowingly waives any right to a hearing under the statutes referenced in this CACP; and that Sunoco knowingly waives its right to appeal this CACP, which rights may be available under Section 4 of the Environmental Hearing Board Act, Act of July 13, 1988, P.L. 530, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A, or any other provision of law. Signature by Sunoco's attorney certifies only that the agreement has been signed after consulting with counsel.

**FOR SUNOCO LOGISTICS PARTNERS, LP**

**FOR THE COMMONWEALTH OF  
PENNSYLVANIA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Name:  
Title

\_\_\_\_\_  
Christopher K. Kriley, P.E.  
Program Manager  
Clean Water Program  
Southwest Region

\_\_\_\_\_  
Name:  
Title

As to form and legality

\_\_\_\_\_  
Name:  
Attorney for Sunoco

\_\_\_\_\_  
Mary Martha Truschel  
Assistant Counsel





Permit No. \_\_\_\_\_  
Report No. 6

### EARTH DISTURBANCE INSPECTION REPORT

Project Name Mariner East Pipeline Inspection Date 8/20/2014 Inspection Time 1:30pm

#### Inspection Findings

#### Reference

- 1. No violations observed at this time.  (N/A)
- 2. Failure to (check all that apply).
  - a. develop a written Erosion and Sediment (E&S) Plan.  (102.4)
  - b. have E&S Plan available onsite.  (102.4)
  - c. submit an E&S Plan as requested.  (102.4)
  - d. implement effective E&S Best Management Practices (BMPs).  (102.4)
  - e. maintain effective E&S BMPs.  (102.4)
  - f. use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters.  (102.4)
  - g. obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities.  (102.5)
  - h. obtain an E&S Permit.  (102.5)
  - i. prepare and implement a PPC Plan.  (102.5)
  - j. submit Notice of Termination.  (102.7)
  - k. develop written Post Construction Stormwater Management (PCSM) Plan.  (102.8)
  - l. have PCSM Plan available onsite.  (102.8)
  - m. submit PCSM Plan as requested.  (102.8)
  - n. implement effective PCSM BMPs.  (102.8)
  - o. maintain effective PCSM BMPs.  (102.8)
  - p. perform reporting and recordkeeping as required.  (102.8)
  - q. implement riparian buffer or riparian forest buffer.  (102.14)
  - r. meet regulatory requirements for riparian forest buffer.  (102.14)
  - s. provide temporary stabilization of the earth disturbance site.  (102.22)
  - t. provide permanent stabilization of the earth disturbance site.  (102.22)
  - u. comply with permit conditions.  (402 CSL)
- 3. Sediment or other pollutant was discharged into waters of the Commonwealth.  (401 CSL)
- 4. Site conditions present a potential for pollution to waters of the Commonwealth.  (402 CSL)
- 5. Other (describe). \_\_\_\_\_
- 6. Other (describe). \_\_\_\_\_
- 7. Other (describe). \_\_\_\_\_
- 8. Other (describe). \_\_\_\_\_
- 9. Other (describe). \_\_\_\_\_

Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

*Additional information regarding these violations can be found on the back of this page.*





**Washington County Conservation District**

2800 No. Main St., Suite 105  
Washington, PA 15301  
Phone: 724-705-7098  
Fax: 724-249-2519  
e-mail: washcoed@yahoo.com

**67 Years**

1947 - 2014

**COMPLIANCE NOTICE**

Certified Mail : # 7013 3020 0001 3959 7707  
(Sunoco Pipeline, LP – Matt Gordon)

August 6, 2014

**RE: Mariner East Pipeline  
00651380061  
Sunoco Pipeline, LP  
Nottingham Township  
Washington County**

Dear Mr. Gordon,

On August 6, 2014 a representative of the Washington County Conservation District conducted an inspection of the earthmoving activities at Mariner East Pipeline, in Nottingham Township. A copy of the inspection report is enclosed for your use and review.

The Washington County Conservation District, by delegation agreement with the Department of Environmental Protection is authorized to investigate complaints and inspection of earthmoving activities to determine compliance with Chapter 102 Erosion Control, NPDES and ESCGP-2 permitting requirements, and the Clean Streams Law.

The inspection revealed that earthmoving activities at Mariner East Pipeline are in violation of the Rules and Regulations of the Department and the Clean Streams Law.

Please be advised that the Conservation District and/or representatives of the DEP will conduct a follow up inspection to determine compliance. If the follow up inspection reveals site conditions that have not been corrected, the District office will be forced to refer this matter to the DEP and municipality for enforcement action.

COMPLIANCE NOTICE

Page 2

The items/violations listed, in detail, on the inspection report, are requested to be completed immediately. If there are problems in the field - refer to the approved erosion control plan - if there are problems with your approved erosion control plan - you must contact your engineer to correct. Be strongly reminded that revisions or changes to the plan or permit must be approved by the District office PRIOR to implementing the changes!

If you have questions in regard to the inspection report or this compliance notice, you may contact the District office at 724-705-7098.

Sincerely,

A handwritten signature in black ink, appearing to read "R.C. Kirkpatrick", written in a cursive style.

Robert C. Kirkpatrick  
Erosion Control Technician

Cc: WCCD Files  
Nottingham Township  
PA DEP





Permit No. \_\_\_\_\_  
Report No. 5

### EARTH DISTURBANCE INSPECTION REPORT

Project Name Mariner East Pipeline Inspection Date 8/6/2014 Inspection Time 9:30am

#### Inspection Findings

#### Reference

- 1. No violations observed at this time.  (N/A)
- 2. Failure to (check all that apply).
  - a. develop a written Erosion and Sediment (E&S) Plan.  (102.4)
  - b. have E&S Plan available onsite.  (102.4)
  - c. submit an E&S Plan as requested.  (102.4)
  - d. implement effective E&S Best Management Practices (BMPs).  (102.4)
  - e. maintain effective E&S BMPs.  (102.4)
  - f. use Antidegradation Best Available Combination of Technologies (ABACT) BMPs for discharges to High Quality or Exceptional Value Waters.  (102.4)
  - g. obtain an NPDES Permit for Stormwater Discharges Associated with Construction Activities.  (102.5)
  - h. obtain an E&S Permit.  (102.5)
  - i. prepare and implement a PPC Plan.  (102.5)
  - j. submit Notice of Termination.  (102.7)
  - k. develop written Post Construction Stormwater Management (PCSM) Plan.  (102.8)
  - l. have PCSM Plan available onsite.  (102.8)
  - m. submit PCSM Plan as requested.  (102.8)
  - n. implement effective PCSM BMPs.  (102.8)
  - o. maintain effective PCSM BMPs.  (102.8)
  - p. perform reporting and recordkeeping as required.  (102.8)
  - q. implement riparian buffer or riparian forest buffer.  (102.14)
  - r. meet regulatory requirements for riparian forest buffer.  (102.14)
  - s. provide temporary stabilization of the earth disturbance site.  (102.22)
  - t. provide permanent stabilization of the earth disturbance site.  (102.22)
  - u. comply with permit conditions.  (402 CSL)
- 3. Sediment or other pollutant was discharged into waters of the Commonwealth.  (401 CSL)
- 4. Site conditions present a potential for pollution to waters of the Commonwealth.  (402 CSL)
- 5. Other (describe). \_\_\_\_\_
- 6. Other (describe). \_\_\_\_\_
- 7. Other (describe). \_\_\_\_\_
- 8. Other (describe). \_\_\_\_\_
- 9. Other (describe). \_\_\_\_\_

Inspection of this project has revealed site conditions which constitute violations of 25 Pa. Code Chapters 92a and/or 102 and the Clean Streams Law, the act of June 22, 1937, P.L. 1987, 35 P.S. §691.1 et seq.

*Additional information regarding these violations can be found on the back of this page.*

Permit No. \_\_\_\_\_  
Report No. 5

### EARTH DISTURBANCE INSPECTION REPORT

Project Name Mariner East Pipeline Inspection Date 8/6/2014 Inspection Time 9:30am

**Continuation Sheet**

**Site Description & Observations** correct the situation at hand. It was advised to install additional silt sock, sumps, and waterbars.

**Compliance Assistance Measures** 1. It is suggested to contact the property owner(s) on Minick Lane to assist them in restoring their pond(s). 2. Repair/replace and add additional silt sock/fence in this area, as well as, installing additional waterbars, J-hooks, and sumps.

\*\*\*Compliance Letter Issued\*\*\* via Certified Mail # 7013 3020 0001 3959 7707

Follow-up Inspection will occur on or about (date) August 20, 2014 at 9:30am

Certified Mail (Signature of Site Representative) \_\_\_\_\_ (Date) \_\_\_\_\_  
*[Signature]* (Inspector's Signature) \_\_\_\_\_ 8-6-14 (Date)

The Site Representatives' signature acknowledges that they have read the report and received a copy and that they were given an opportunity to discuss it with the inspector. The signature does not necessarily mean the signee agrees with the report.