



August 6, 2021

Mr. Mathew Gordon
Sunoco Pipeline, L.P.
535 Fritztown Road
Sinking Spring, PA 19608

Re: Technical Deficiency Letter
Permit No. E15-862
Major Amendment - HDD S3-290 Installation Method Change
Sunoco Pipeline, L.P. – Pennsylvania Pipeline Project (Mariner East II)
Upper Uwchlan Township
Chester County

Dear Mr. Gordon:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has determined the following technical deficiencies. The following list specifies the items missing from the submission which must be included in the resubmittal of your application and/or the submission of additional information. Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before October 5, 2021, or DEP will consider the application withdrawn.

Technical Deficiencies

- 1) **Option 5** - Option 5 does not impact streams and wetlands and has minimal impacts to floodways and other environmental resources. Yet, Option 5 was not selected as the “preferred option” due to road closures and public safety issues. The exact description and extent of these of public health and safety concerns due to the proposed road closures and pipeline construction impacts of Option 5 are not clear. This information needs to be provided. It must include, at a minimum:
 - a) A detailed description and analysis of the public health and safety issues specifically identifying the nature of the public health and safety issues and explaining why this option is not recommended as the preferred option;

Technical Deficiencies

- b) Written documentation and supporting materials from State, township, emergency services, schools, utilities, sanitary sewers, on-lot septic systems owners and other facilities that would be impacted by the Option 5 route, documenting the extent of use and/or need to use such roadways;
- c) A table(s) including the number of residences, commercial, and industrial properties, schools, medical facilities, school bus stops and pick-ups, sanitary sewers, on-lot septic systems, other underground and above ground utilities (provide maps showing the location of these utilities and the location of any private or public water supplies within 1,000 ft of this Option);
- d) Correspondence and an assessment indicating whether PennDOT and/or the township will grant easements or other access measures for the pipeline within the public highways;
- e) A description of the process to obtain these easements;
- f) A description of any other concerns with installing a pipeline in or along a public roadway such as depth of pipe, set-back requirements, future maintenance and protection considerations for this pipeline, as well as any other utility co-located within or adjacent to the roadway right of way;
- g) A comparison and description, in detail, of the available and required workspace along the proposed route;
- h) An analysis of whether the pipeline can be along but offset from the roads;
- i) The distances from the offset pipeline to each residential/commercial/industrial structure; and
- j) A description of a traffic plan detailing how traffic will be managed, time estimate of any closures and detours, and any other relevant requirements of the required road work.

Technical Deficiencies

- k) Identify water mains, wells or other associated structures that are in the proposed route. If public water supply wells are within 1,000 ft provide documentation that the water supplier was notified and that they do not object to the project;

- 2) **Potential Option not assessed (termed Option 5a by the Department)** – Another option, not included by Sunoco in the Major Amendment request, is moving the pipeline adjacent to the Pennsylvania Turnpike. As with Option 5, this option also does not have impacts to streams and wetlands. This 5a route would follow the general path of Option 5, but instead of placing the pipeline in Little Conestoga Road, it crosses the road and is placed north of Little Conestoga Road, adjacent to and parallel to the Pennsylvania Turnpike running in a westerly direction to a crossing of Milford Road and ending at the Sunoco pumping facility. Sunoco needs to assess the feasibility of utilizing this alternative route. Include a detailed description of residential/commercial/industrial facilities similar to what will be provided for Option 5.

- 3) **Option 4- Preferred Route** – Option 4 would temporarily impact Wetland WH-17 and two streams. Sunoco needs to, at a minimum, provide the following information and analyses:
 - a) Describe and provide a detailed rationale of why this option is preferred over other options that would have less environmental impacts;
 - b) Compare Option 4 to Options 3, 5 and 5a in terms of permanent and temporary property impacts and analysis of the public health and safety issues;
 - c) As requested above with regard to Option 5, provide similar descriptions and tables including the number of residential/commercial/industrial properties and structures and other features that will be impacted, and the extent of each potential impact;

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- d) Provide an analysis, with findings, as to whether the impact to forested areas from this Option can be reduced by limiting disturbance and altering work procedures;
- 4) *Private and public water supplies*– for Options 3, 4, 5 and 5a identify the source of drinking water for each residential/commercial/industrial properties and structures and indicate whether the water supply will potentially be affected. If public water supply wells are within 1,000 ft provide documentation that the water supplier was notified and that they do not object to the project;
- 5) *Geology* - Provide an assessment of the geologic conditions that will affect the volume of storm runoff and groundwater which will require trench dewatering and how this water will be treated and discharged. Describe the geology of all options and the relationship to proposed excavation dewatering/discharge plans.
- 6) *Sediment and Runoff and Trench Dewatering* – Assess and recommend enhanced BMPs and other practices to be installed to manage stormwater runoff to tributaries discharging to Marsh Creek Lake. It is noted that stormwater will drain to Ranger’s Cove, which is proposed to be dredged. Explain how stormwater will be managed should dredging take place that will protect the Lake and the tributaries from additional impacts. Identify and examine additional methods and measures to enhance the BMPs designed to manage such discharges. Notably, the soils adjacent to the Lake and the tributaries have a high clay content; based on observations of runoff there is a colloidal component to these soils. These colloidal clays will not likely be retained by 50-micron filter bags, potentially resulting in impacts to the Lake and its tributaries if additional controls are not implemented. Other control methods need to be investigated, proposed, and submitted for review and approval to ensure that the Lake and its tributaries are protected from such runoff. Submit for review and approval a contingency plan detailing the required temporary discharge permit submissions required to address groundwater and turbidity associated with high

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volumes of groundwater inflow to the trench that includes the design and location of turbidity treatment systems and BMPs. This plan must include measures to prevent the discharge of any residual drilling fluids that may be encountered and all permits and be on-site upon commencement of any activity, and ready for immediate implementation to remove discharge turbidity to levels specified by the Department.

- 7) *Wetland H17 restoration* - The extreme and frequent impacts to this Wetland may limit its restoration. Submit a plan for Department review that describes in detail the restoration, monitoring and methods proposed to for the recovery of this wetland. Provide alternative mitigation options should this wetland not fully recover.

You may request a time extension, in writing, before October 5, 2021 to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

As stipulated in 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations (regarding Complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before October 5, 2021, or DEP will consider the application to be withdrawn by the applicant and no further action will be taken on the application. Fees are not refunded when an application is considered to be withdrawn.

If you have questions about your application, please contact Ms. Ranjana Chopra Sharp, PE at 484.250.5166 and refer to Application No. E15-862.

Sincerely,

A handwritten signature in dark brown ink that reads "Ranju Sharp". The signature is written in a cursive, slightly slanted style.

Ranju Sharp

Ranjana Chopra Sharp, P.E.
Chief, Dams and Waterways Section
Waterways and Wetlands

cc: Chester County Conservation District
Upper Uwchlan Township
Mr. Bryan, Senior Director – E&C Environmental
Mr. Schaeffer, Environmental Project Manager – Tetra Tech, Inc.
Mr. Vlot
Mr. Knorr
Mr. C. Smith, P.E.
Mr. Hohenstein, P.E.
Ms. Sharp, P.E.
Re 30