



pennsylvania

OFFICE OF OPEN RECORDS

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 8/31/2017

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Pennsylvania Department of Environmental Protection
DEP/BOS, P.O. Box 8473, Harrisburg PA 17105-8473

NAME OF REQUESTER : State Senator Andrew E. Dinniman, 19th District

STREET ADDRESS: One North Church Street

CITY/STATE/COUNTY/ZIP(Required): West Chester, PA 19380

TELEPHONE (Optional): 610-692-2112 **EMAIL (optional):** Andy@pasenate.com

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Please see attached.

DO YOU WANT COPIES? YES NO

DO YOU WANT TO INSPECT THE RECORDS? YES NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100? YES NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

ANDREW E. DINNIMAN

STATE SENATOR
19TH DISTRICT

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Senate of Pennsylvania

West Chester

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August 31, 2017

Dawn Schaeff
Pennsylvania Department of Environmental Protection
Open Records Officer
P.O. Box 8767
Harrisburg, PA 17105-8767

Dear Ms. Schaeff,

On or about June 22, 2017, activity associated with Sunoco Logistics L.P. ongoing pipeline construction project impacted a significant number of private wells located in West Whiteland Township (Chester County). The project, known as the Pennsylvania Pipeline Project or Mariner East II, is being constructed to transport Natural Gas Liquids from Western Pennsylvania to the Marcus Hook facility in Delaware County for export. While Sunoco has made efforts to restore water service for those negatively impact by construction, I find it unacceptable that private wells in West Whiteland were not identified before the permit was approved and construction commenced.

My position on this situation was outlined quite clearly in the July 14, 2017 correspondence to Secretary McDonnell. At that time, I had requested the list of private wells identified by Sunoco Logistics in order to determine if the company had done due diligence to locate potentially impacted private wells adjacent to the pipeline route. I was informed in an email dated July 19, 2017 from Secretary McDonnell that while, "...the company has shared information on the private water supplies with DEP. This list is not publicly available, as it contains information of private residents, and cannot be shared for confidentiality reasons." Immediately following the damage by Sunoco Logistics L.P. my priority was to ensure my Chester County constituents had water service restored, however, as this situation has developed further, I question the legitimacy of the Departments privacy claim.

Specifically, I point to DEP's September 2016 recommendation that Sunoco Logistics L.P. utilize the Department of Conservation and Natural Resources Pennsylvania Groundwater Information System (PAGWIS) to locate private wells. It is important to note that this database is in fact public and available for download without credentials or login criteria. In fact, a cursory review of the PAGWIS data identified at least one private well that was impacted by Sunoco Logistics Horizontal Directional Drilling (HDD) activity. My initial request in July for the list of private wells was to determine if this property was included in the permit application ultimately approved by DEP in February 2017.

Following the recent Environmental Hearing Board settlement, Sunoco Logistics L.P. agreed to review and resubmit a wide variety of previously approved permit materials, including the list of potentially impacted private wells. As past evidence demonstrates that DEP is unable to adequately ensure this list is accurate, I am requesting the list of private groundwater wells in Chester County identified by Sunoco Pipeline L.P. within 450 feet of all horizontal directional drilling alignments, including parcels that would be adjacent to, but not directly crossed by the Pennsylvania Pipeline Project and referenced in the revised Water Supply Assessment, Preparedness, Prevention and Contingency Plan submitted August 8, 2017. This request is for both the list of private groundwater wells identified using PAGWIS public data, as well as the list of private groundwater wells identified through landowner communication, as of the date of this request.

I thank you for your timely attention to this request. If I can provide any additional information regarding this request, please do not hesitate to contact me.

Respectfully,



Andrew Dinniman
State Senator – 19th District