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West Chester

July 14, 2017

The Honorable Patrick McDonnell
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Dear Secretary McDonnell,

I am writing to urge the Pennsylvania Department of Environmental Protection (DEP) to utilize its enforcement authority to immediately suspend any and all horizontal directional drilling activity associated with the Pennsylvania Pipeline Project (Mariner East II) in Chester County. I make this request on behalf of a significant number of constituents in my Senate District who began experiencing severe groundwater issues immediately following the start of construction.

Specifically, I request that the Department enact Condition 4 of the Water Obstruction and Encroachment Permit (Permit Number E15-862) granted by DEP on February 13, 2017. This condition authorizes DEP the authority to, "suspend or revoke this permit if in its opinion the best interest of the Commonwealth will subserved thereby." I make this request based on numerous reports from my constituents residing in West Whiteland Township (Chester County) that activity associated with the Mariner East II project has caused significant harm to their private water supply.

It is my opinion that recent groundwater impacts associated with horizontal directional drilling violates a number of Special Conditions contained in this permit. For example, permission granted in this permit requires that Sunoco notify all identified public and private water supplies along the projects corridor 72 hours prior to construction activities (Special Condition A). Clearly, this has not occurred, as a number of constituents with private wells impacted on Valley View Drive claim they did not receive this notice. These properties are located far less than the 150-foot area of concern listed in Sunoco's February 6, 2017 Water Supply Assessment, Preparedness, Prevention and Contingency Plan.

In recent public meetings, Sunoco explained that they were unaware that residents along the pipeline route were relying on private wells. In my review of Section 11.F of DEP's Technical Deficiency response dated September 6, 2016, Sunoco was required to include a notification contact

list of all water suppliers and/or well owners along the pipeline route with the final permit application. Investigating further, it was discovered that Sunoco did in fact provide such information. Sunoco's Environmental Assessment Form, Enclosure C – Description of Aquatic Habitat indicates that a total of 22 homes have been identified as relying on private groundwater, with only three of these properties in Chester County. I find this figure startling as DEP has been made aware of at least half a dozen impacted wells in Chester County alone. I question the accuracy of the information Sunoco submitted to the Department and argue that being unaware of private wells in proximity of a project of this size is not an excuse, it's a lack of due diligence.

Clearly, Sunoco has not made a suitable effort to identify private wells along the pipeline route and citizens in West Whiteland Township are now dealing with the aftermath. In order to determine how such a situation could have occurred, I followed the process utilized by Sunoco to locate these 22 properties. Enclosure D of the previously mentioned Environmental Assessment Form explains that Sunoco relied on data provided by the Department of Conservation and Natural Resource Pennsylvania Groundwater Information System (PAGWIS) to compile the required list of properties with private wells. After a quick investigation of this database, it was discovered that in West Whiteland Township alone, 739 private and public wells were listed. However, this data is extremely faulty. Often, the information provided does not include addresses, contact information, use description, or proper locations of these wells. Sunoco recognized the flaws of this data in Section 4.1 (Private Groundwater Wells) of their Water Supply Assessment Preparedness, Prevention and Contingency Plan, stating that, "Although PAGWIS data is made available to the public, the accuracy as stated within the metadata is not reliable..." I find it inexcusable that the Department of Environmental Protection would allow a project of this magnitude to proceed when even Sunoco explains that the information used to protect private drinking water is unreliable.

It is my strong opinion that Sunoco has violated the agreed upon principles and terms of the Special Conditions listed in DEP's Water Obstruction and Encroachment Permit. Sunoco's lack of knowledge associated with these well sites in such close proximity to horizontal directional drilling activities places Chester County citizens in direct and immediate harm and demonstrates the incomplete nature of the initial application. I respectfully request a full review of horizontal directional drilling activities associated with this permit, a thorough and complete evaluation and identification of private wells along the approved pipeline route, and an investigation regarding the lack of due diligence demonstrated by Sunoco. Further, I request the Department require an immediate and full suspension of construction activity until the safety of our Commonwealth's groundwater is assured.

I thank you in advance for your consideration and attention to this serious matter. Article 1, Section 27 of our Commonwealth's constitution grants citizens the right to pure water. As a mutual trustee of this vital resource, I urge DEP to act on behalf of Pennsylvania citizens and ensure our groundwater is protected for future generations.

Respectfully,



Andrew E. Dinniman
State Senator – 19th District