

DANIELLE FRIEL OTTEN, MEMBER  
155TH LEGISLATIVE DISTRICT

102B EAST WING  
P.O. BOX 202155  
HARRISBURG, PENNSYLVANIA 17120-2155  
(717) 783-5009  
FAX: (717) 772-2943

631 POTTSTOWN PIKE  
EXTON, PENNSYLVANIA 19341  
(484) 200-8259  
FAX: (484) 200-8269



House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
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May 5, 2020

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

Dear Secretary McDonnell,

Thank you for soliciting public comment on Sunoco's geophysical survey report at HDD 310 in Uwchlan and Upper Uwchlan townships.

We echo the concerns raised by the Clean Air Council, Mountain Watershed Association, Inc., and the Delaware Riverkeeper Network in the public comment periods ended February 18, 2020 and March 31, 2020, as well as the concerns cited in the DEP's initial response to Energy Transfer, dated February 26, 2020. Specifically, the ground in the immediate area is known to be unstable, and the question of what will happen when the casing is removed remains unanswered and unresolved. Nothing in Energy Transfer's original proposal, geophysical survey report, or March 5 response to DEP satisfactorily addresses or alleviates these concerns.

The 25-foot by 20-foot by 30-foot sinkhole created when Sunoco drilled to install the 16-inch line at the same site was only yards away from the existing, operational 8-inch line. Nothing in Sunoco's initial proposal, geophysical survey, or March 5 response to DEP suggests that they have taken any measures or found any solution to prevent a similar sinkhole from developing as they drill for (or remove casing from) the 20-inch line. They have demonstrated no efforts to minimize or mitigate the risk of exposing or destabilizing the 8-inch pipe, the 16-inch pipe, or any of the several public water and sewer lines that transect the site.

In the DEP's February 26 response to Energy Transfer, the department required an explanation "demonstrating how the overburden will be stabilized in the absence of the casing." Absolutely nothing in Energy Transfer's response satisfies this requirement. The response refers to inspections of the site before the casing is removed (with no details about the manner of such inspections), the potential for groundwater flowback during the pipe installation, and the potential for damage to the installed pipe resulting from casing pullback, but never do they address the stability of the ground without the casing.

Just as disturbingly, Energy Transfer’s response includes a reference to “suitable replacement materials” to fill a sinkhole or subsidence in the event one is created. They fail to present any plans whatsoever for stabilizing the soil to prevent a subsidence event, which could result in catastrophe. Once again, Energy Transfer presents subsidence and sinkholes as an acceptable risk—and even an expected outcome—of construction activity. We have seen this movie before, and this is not a risk or an outcome we are willing to accept.

Sunoco must directly address the question of stabilizing the soil to prevent another sinkhole in the course of drilling and casing pullback, and the public must have the opportunity to comment on Sunoco’s response in a public hearing. If the current stay-at-home order precludes a public hearing from taking place, DEP should arrange for a virtual hearing, or postpone issuing a permit or determination on this re-evaluation until such hearing can take place.

Under no circumstances should the HDD-310 permit be approved until (1) the question of ground stability is resolved, (2) the public has had ample opportunity to be heard, and (3) the Department of Environmental protection can assure the public that the department is able to operate at full capacity with regard to site inspections, regulation enforcement, and incident response, particularly given Energy Transfer’s long and well-documented history of ground subsidence incidents and failure to identify or report such incidents.

Thank you for your consideration of these comments. We implore you to keep the health and safety of our communities at the center of your deliberations.

Sincerely,



Danielle Friel Otten  
PA State Representative  
155th Legislative District



Senator Katie Muth  
PA State Senator  
44th Senatorial District