



Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

In re: Sunoco Pipeline L.P. a/k/a Energy Transfer Partners Petition of the Bureau of Investigation and Enforcement of The Pennsylvania Public Utility Commission for the Issuance of an Ex Parte Emergency Order Docket No. P-2018-3000281

Dear Secretary Chiavetta,

Clean Air Council opposes Sunoco Pipeline L.P.'s Petition to Lift *Ex Parte* Order and requests the Petition be denied until all studies related to the Order have been made available to the public for independent review and all vulnerable geology along the Mariner East 1 route has been fully evaluated by the Commission and reviewed by the public.

The Council is a nonprofit environmental and health organization with members throughout Pennsylvania, many of whom live along the route of the Mariner East I Pipeline and have been impacted by the construction of the Mariner East II pipelines. For the past nine months, the Council has actively reviewed Sunoco's plans for horizontal directional drilling ("HDD") on the Mariner East II pipelines and submitted dozens of technical comments about those plans to the Department of Environmental Protection ("DEP"). This particular technical commenting process was established in an order of the Environmental Hearing Board in August 2017 in response to a series of Mariner East II construction incidents that damaged or destroyed numerous private drinking water supplies and polluted streams, wetlands, and rivers.

Throughout the DEP commenting process, the Council has ascertained geological reports and studies provided by Sunoco's experts in support of their plans and an alarming practice has come to light. In summarizing those reports, Sunoco has repeatedly mischaracterized the findings of its scientists and presented unsupported conclusions about the impacts of its Mariner East II construction plans. When pressed by DEP, the public, and the Council to justify its conclusions, not only has Sunoco been evasive, but in some instances, it has simply deleted from its summaries the conclusions that sparked questions, despite the relevance of those conclusions to the safety of the public and the environment. For example, Sunoco has claimed several times that impacts to private water supplies associated with its HDD operations would only extend to wells within 150 feet of the HDD alignment. Sunoco has never

provided a scientific basis for such claims and instead of actually determining which wells might be at risk, Sunoco ultimately removed the claim. Similarly, when pressed on why it did not implement the suggestions made by its own scientists to improve the accuracy of its drilling and mitigate impacts at one of the drilling sites with challenging geology, Sunoco had the scientific report itself amended to delete those recommendations. These are but a couple of examples.

Given Sunoco's demonstrated lack of respect for the scientific process and the its interference with the work of its own scientists, the Council is deeply concerned about the reliability of the claims Sunoco is now making about the safety of the Mariner East I. Transparency is critical. The public needs access to the geophysical studies and the results and mythologies of any other tests performed in response to the Commissions Ex Parte Emergency Order so they can be independently analyzed.

Furthermore, while the sinkholes in the vicinity of Lisa Drive in West Whiteland Township might be what ultimately triggered the Emergency Order, it was Sunoco's failure to engage in adequate pre-construction studies that led to this safety threat in the first place. Other geologic formations in the Mariner East path share similar characteristics and vulnerabilities and have also not been fully evaluated by Sunoco or any government agency. The Council commends the Commission for taking decisive action to prevent a catastrophic incident on Mariner East I and urges the Commission not to allow Mariner East I to resume operation until the Commission can ensure the safety of the entirety of the Mariner East I line. The public is relying on your protection.

Thank you for your consideration.

Respectfully,

s/ Joseph Otis Minott, Esq.

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