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House of Representatives
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HARRISBURG

COMMITTEES

AGING AND OLDER ADULT SERVICES
ENVIRONMENTAL RESOURCES AND ENERGY
HUMAN SERVICES

March 8, 2022

Department of Environmental Protection
Southeast Regional Office
Waterways and Wetlands Program

Submitted via email to: RA-EPWW-SERO@pa.gov

RE: Public Comment on HDD S3-0290 / Mariner East II
Chapter 102 Permit No. ESG0100015001

To Whom It May Concern:

Thank you for the opportunity to comment on Sunoco Pipeline LP's major amendment application for earth disturbance activities and temporary storage of dredged material for the dewatering of sediment resulting from the spill of drilling mud into the wetland, tributaries, and lake at Marsh Creek State Park on August 10, 2020.

The lake must be remediated, and Ranger Cove restored to its former condition for both natural habitat and recreational use, but I have multiple concerns about the proposed plan.

Foremost is that Sunoco cannot be allowed to monitor its own work. Sunoco's deplorable record over the course of Mariner East construction, including 126 Notices of Violation and 48 charges for environmental crimes, proves that this operator cannot be trusted. Allowing Sunoco to oversee its own cleanup would be an irresponsible and unsupportable decision. The design, implementation, and oversight of this cleanup must be conducted by a qualified, reputable, and independent third party not selected by Sunoco, and must be under the supervision of DCNR or DEP.

I am also concerned about impacts to lake water and to groundwater at the dewatering site. The remediation plan and permit application propose the use of flocculent to reduce the time needed to dewater sediments pumped from Marsh Creek Lake. The liquid remaining after sediment settles would be filtered before it is returned to the lake, but there is no plan for testing that liquid either at the dewatering site or before it is returned to the lake to determine the presence or concentration of flocculent or the presence of any contaminants resulting from unapproved additives to the drilling mud, including Perfluorinated Chemicals, also known as "forever chemicals." The liquid remaining following the dewatering process must be tested before its return to the lake, and contaminated water must be treated as wastewater.

The proposed worksite chosen to stockpile, process, and haul away the dewatered sediment is in a residential neighborhood. The work will subject residents to the noise, dust, and inconvenience of pumping and dewatering operations and worksite traffic, including dump trucks and street sweepers, with potential damage to neighborhood streets.

Sunoco must confine its construction, dewatering, and hauling activities to agreed-upon hours and days and must agree in writing with Upper Uwchlan Township to repair and repave all streets in the neighborhood when work is completed, within a timeframe agreed upon by the Township.

Sunoco must also be required to bear the cost and responsibility of remediating any unforeseen damage, pollution, impacts to residents, or other consequences of this operation.

Energy Transfer has told its investors that Mariner East II construction is “finished,” but from the perspective of my constituents and the more than one million annual visitors to Marsh Creek State Park, this project will not be over until ALL remediation and restoration work is properly completed.

I urge the DEP to reject the major amendment as submitted and require the assessment, cleanup, and oversight to be conducted by a qualified, independent third party, at Sunoco’s expense. While the spill was nearly two years ago, and we are all more than eager for a full remediation of the lake and the reopening of Ranger Cove, the Department of Environmental Protection must do everything in its power to ensure this cleanup is done safely, correctly, and with little to no impact to nearby residents.

The citizens of Pennsylvania cannot continue to bear the consequences of Sunoco’s careless and negligent operation.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Danielle Friel Otten". The signature is written in a cursive, flowing style.

Danielle Friel Otten
State Representative
155th Legislative District