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## Senate of Pennsylvania

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August 26, 2020

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

Secretary McDonnell,

As you are well aware, recent pipeline construction activities by Sunoco/Energy Transfer in Upper Uwchlan Township (Chester County) have resulted in significant environmental contamination and property damage following a substantial Inadvertent Return (IR) during the Horizontal Directional Drilling (HDD) process at the headwaters of the Marsh Creek State Park. I understand various state agencies, including the PA Department of Environmental Protection (DEP), are investigating the scope of environmental damage and strongly request the following factors are considered during the course of this vital inquiry.

I am aware that issues associated with this particular drill site (HDD 0290) have a lengthy and tumultuous history. Specifically, during the insulation of the 16-inch pipeline in 2017, two IRs occurred between a pond and the wetland and within a small unnamed stream that serves as a tributary to the wetlands and the Marsh Creek State Park. In addition to the hundreds of gallons of drilling fluid found following the two 2017 IR events, two reported Loss of Circulation (LOC) events resulted in over 42,000 gallons of misplaced bentonite. These cumulative events required the categorization of HDD 0290 drill site as containing a **'moderate to high risk of drilling fluid loss and IRs,'** in the HDD Hydrogeologic Reevaluation Report dated May 27, 2019.

It should come as little surprise that during the installation of the 20-inch pipeline, a significant loss of drilling fluid resulted in a dramatic contamination of the 535-acre Marsh Creek Lake and the establishment of a 15-foot wide and 8-foot deep subsidence event in the headwaters of this pristine Commonwealth of Pennsylvania drinking water resource. In light of prior documented evidence, my constituents and I find this unacceptable and I strongly request the following requirements be included in the ongoing DEP investigation into environmental harm.

- A full and comprehensive report containing complete hydrological, ground water, and geophysical associated data in proximity to the HDD 0290 drill site, pipeline easement, sinkhole, and surrounding headwaters of the Marsh Creek Lake.
- An independent content analysis supervised by an impacted municipal entity or the Attorney General's office of any and all drilling fluid utilized during HDD construction including, but not limited to, super sacks, super gel x, and bentonite.
- An independent content analysis of any and all grouting material utilized to stabilize the 15 foot wide and 8 foot deep wetland sinkhole which occurred following the most recent IR contamination event on August 10, 2020.

Further, it has come to my attention that Sunoco has recently initiated construction activity at a nearby drill site, HDD 0300. I am extremely concerned as this drill site is located immediately adjacent to the most recent IR and sinkhole that occurred on August 10 at HDD 0290. I question the decision to allow Sunoco to resume construction that logically has a shared geology and therefore, may result in similar harm to Marsh Creek Lake. In fact, in Sunoco's Response to DEP Comments for HDD Re-Evaluation Report dated February 4, 2020, Sunoco acknowledged the regionally shared geological features and relied, in part, on geophysical studies at both HDD 0290 and HDD 0300 to justify the resumption of construction at HDD 0300. With this in mind, I strongly urge the Department to prohibit drilling activities at HDD 0300 until a comprehensive review of the geological conditions in this region can be adequately analyzed.

Finally, my constituents are understandably extremely concerned and very distressed regarding the long-term environmental impacts caused by this event. As such, I strongly request that the Department hold a public meeting to discuss environmental damage, forthcoming mitigation efforts, and the necessary thresholds required for consideration of any possible restart of construction activities. This meeting should include, at minimum, appropriate and knowledgeable staff from the DEP, the Department of Conservation and Natural Resources, the Public Utility Commission, the Chester County Conservation District, the Chester County Department of Health, and Sunoco.

I thank you for your time and attention to this serious and ongoing environmental issue in my Senate District. If I can assist in coordinating the public meeting or provide any clarification to these requests, please do not hesitate to contact me.

Sincerely,



Senator Katie Muth, SD44

KJM: dcv

Cc: Governor Tom Wolf

Congresswoman Chrissy Houlahan  
U.S. Senator Bob Casey  
U.S. Senator Pat Toomey  
State Representative Danielle Friel Otten  
Secretary Cindy Dunn, DCNR  
Attorney General Josh Shapiro  
Dr. Rachel Levine, Secretary of Health  
Secretary Rosemary Chiavetta, Public Utility Commission  
Executive Director Timothy Schaeffer, Fish and Boat Commission  
Chester County Commissioner Marian Moskowitz  
Chester County Commissioner Josh Maxwell  
Chester County Commissioner Michelle Kichline  
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Chairperson Sandy D'Amico, Upper Uwchaln Township