

# PENNSYLVANIA PIPELINE PROJECT

## CHAPTER 102 AND CHAPTER 105 PERMITS

### Information & Talking Points

In order to construct the Pennsylvania Pipeline Project, Sunoco must obtain permits from the PA Department of Environmental Protection (PADEP) for earth disturbances and for the crossing of waterways and wetlands. These are known as Chapter 102 and Chapter 105 permits. Sunoco has submitted applications for each of the 17 affected counties which are now under technical review by DEP. To view the full applications, visit:

<http://www.dep.pa.gov/Business/ProgramIntegration/Pages/Pennsylvania-Pipeline-Portal.aspx>

*\*DEP will only consider comments specifically addressing the Chapter 102 and Chapter 105 permits. We have provided the following talking points to give additional context to the cumulative social and environmental impacts of the project.\**

#### **Background on Pennsylvania Pipeline Project**

- Sunoco Pipeline L.P. is proposing to construct and operate the Pennsylvania Pipeline Project (PPP), which is also referred to as Mariner East 2. The PPP involves the installation of two parallel pipelines--a 20-inch and a 16-inch.
- The PPP would be, for the most part, co-located within the same 50-foot right-of-way as the existing Mariner East 1 pipeline.
- The PPP would transport natural gas liquids, including propane, butane, and ethane from Houston, Washington County, Pennsylvania to Marcus Hook in Delaware County, totaling approximately 306 miles.
- The project would transport up to 700,000 barrels per day, split between the two additional pipelines.
- The project requires the expansion of Sunoco's Marcus Hook refinery as well as the compressor stations in Delmont and Ebensburg.
- Existing pumping stations in Mount Union, Doylesburg, Middletown, and Beckersville would be modified or expanded and could potentially require 2-3 additional acres of land each.
- A new pumping station will be added in Ebensburg. Typically new pumping stations require 3-4 acres of land.
- There are a minimum of 47 mainline valve stations planned for this project, some of which would require new land disturbances.

#### **Environmental Impacts**

- The pipelines of the Pennsylvania Pipeline Project would cross at least 581 wetlands and 1,227 streams, and would permanently impact at least 35.3 acres of wetlands and 8.6 acres of streams.
- Every method for wetland and stream crossings, including open cut, bore, and horizontal directional drilling (HDD), is associated with potential environmental harms. However, HDD crossings involve the least amount of direct sediment disturbance. It is also a much more costly method compared to "wet" or "dry" open cut crossings, hence the greater number of more destructive crossings.

- The open cut method would be used on 74.5% of the total number of wetland crossings spanning the entire project.
- Only 17% of wetland crossings would be done using the HDD method.
- While no stream crossing method is ideal, it's fair to question why Sunoco would forgo implementing a more environmentally-friendly method in favor of the cheaper method in three out of every four crossings.
- Based on an independent site investigation by Schmid & Company, Sunoco mismapped and mischaracterized some of the wetland features on one particular piece of private property in Huntingdon County. In this case, only half the stream segments and 1/7 of the wetlands were acknowledged, meaning that the proposed impacts were significantly understated for this property. If this happened on other properties, impacts to streams and wetlands would be much larger than predicted.
- Major pipeline infrastructure projects will lead to additional fracking, which as of 6/29/16 has contaminated at least 283 individual water supplies in Pennsylvania, according to DEP<sup>1</sup>.
- According to a July 2016 study<sup>2</sup>, there are currently 19 proposed natural gas pipeline projects that would increase the takeaway capacity from the Appalachian Basin and enable a doubling in gas production from the region over the next decade, with dozens of downstream projects also in the works. In plain language, more pipelines mean more fracking for natural gas.
- The decades-long lifespan of pipelines and power plants would only incentivize maximum production and sustained reliance on fossil fuels when we should be focused on transitioning to cleaner sources of energy.
- According to a 2014 Cornell University study<sup>3</sup>, pipeline leaks are estimated to contribute 1.4-3.6% of the total methane emissions from oil and gas development to the atmosphere, greatly enhancing the rate of climate change.
- Pound for pound, methane is 86 times more potent a greenhouse gas than carbon dioxide over a twenty year time period.<sup>4</sup>
- Leaks and ruptures can also immediately affect our environment:
  - In 2005, a Sunoco-operated oil pipeline leaked 260,000 gallons of crude oil into the Kentucky and Ohio rivers. Sunoco was fined \$2.5 million.<sup>5</sup>
  - In 2008, a pipeline owned and operated by Sunoco spilled 12,000 gallons of gasoline near Murrysville, PA, polluting a 3-mile section of nearby Turtle Creek. The cause of the failure was determined to be an "improperly installed valve."<sup>6</sup>
  - In 2012, a Sunoco pipeline ruptured near Wellington, Ohio, spilling 2,780 barrels of gasoline, causing 30 nearby homes to be evacuated.<sup>7</sup>
  - In 2014, a Sunoco pipeline spilled 4,000 barrels of crude oil near Caddo Parish in Louisiana.<sup>8</sup>
- Based on estimates of gas reserves that are proven, probable and recoverable, experts believe there are only 11 to 21 years of U.S. energy which can be supported by all U.S. natural gas supply.<sup>9</sup>

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<sup>1</sup> [http://files.dep.state.pa.us/oilgas/bogm/bogmportalfiles/oilgasreports/determination\\_letters/regional\\_determination\\_letters.pdf](http://files.dep.state.pa.us/oilgas/bogm/bogmportalfiles/oilgasreports/determination_letters/regional_determination_letters.pdf)

<sup>2</sup> [http://priceofoil.org/content/uploads/2016/07/bridge\\_too\\_far\\_report\\_05\\_web\\_Finalv2.pdf](http://priceofoil.org/content/uploads/2016/07/bridge_too_far_report_05_web_Finalv2.pdf)

<sup>3</sup> [http://www.eeb.cornell.edu/howarth/publications/Howarth\\_2014\\_ESE\\_methane\\_emissions.pdf](http://www.eeb.cornell.edu/howarth/publications/Howarth_2014_ESE_methane_emissions.pdf)

<sup>4</sup> [http://www.climatechange2013.org/images/uploads/WGIAR5\\_WGI-12Doc2b\\_FinalDraft\\_All.pdf](http://www.climatechange2013.org/images/uploads/WGIAR5_WGI-12Doc2b_FinalDraft_All.pdf)

<sup>5</sup> [https://www.justice.gov/archive/opa/pr/2006/August/06\\_enrd\\_534.html](https://www.justice.gov/archive/opa/pr/2006/August/06_enrd_534.html)

<sup>6</sup> <http://triblive.com/news/adminpage/5709670-74/sunoco-dep-board#axzz3GD7wewpl>

<sup>7</sup> [http://primis.phmsa.dot.gov/comm/reports/enforce/documents/320125002H/320125002H\\_CAO\\_01182012.pdf](http://primis.phmsa.dot.gov/comm/reports/enforce/documents/320125002H/320125002H_CAO_01182012.pdf)

<sup>8</sup> <http://www.shreveporttimes.com/story/news/local/2014/10/18/crude-oil-spills-caddo-bayou-kills-wildlife/17522017/>

## Safety

- Sunoco has received 17 Notices of Probable Violation resulting in \$2,320,744 in enforced and proposed fines since 2002, 262 incident reports filed by the Pipeline and Hazardous Materials Safety Administration (PHMSA) since 2006<sup>10</sup>, and 32 enforcement actions initiated by PHMSA<sup>11</sup> since 2002.
- Sunoco was also cited in 2015 for at least 42 violations by PA DEP for work done on the Mariner East project over the span of a year.<sup>12</sup>
- These pipelines would transport natural gas liquids at pressures up to 1,440 pounds per square inch.
- Pipeline failure and hydrocarbon leaks close to homes pose a real risk to public health and safety.
- When hazardous liquids pipelines fail, undetected leaks can saturate soils, rise to become airborne vapors, and can be ignited by random sparks.
- Wind direction, velocity and topography make it hard to estimate a potential impact radius and therefore plan for an emergency.
- Accelerated risk of asphyxiation/suffocation is associated with the inhalation of methane, propane, butane, and ethane.<sup>13</sup>
- Liquefied Natural Gas, Natural Gas Liquids, and Liquefied Petroleum Gas are all heavier than air, allowing them to follow certain geographic formations such as rivers and valleys. Their tendency not to disperse naturally also leads to increased risk of ignition.

## Public Participation Process

### *Transparency*

- Sunoco originally titled this project the Mariner East 2, but began referring to it as the Pennsylvania Pipeline Project during the submission of their Chapter 102 and 105 Permits. This name change should have been conveyed to all stakeholders involved and clarified in the public notice to eliminate any confusion about the project.
- Sunoco Logistics, the parent company of Sunoco Pipeline, held a seat on Governor Wolf's Pipeline Infrastructure Task Force which was tasked with making recommendations to achieve "responsible development of natural gas pipeline infrastructure in the commonwealth." The public was not adequately represented in these discussions, and seven individuals were arrested after disrupting the final meeting of the task force.

### *Public Hearings*

- The number of public hearings for the Pennsylvania Pipeline Project is significantly inadequate given that the project spans 17 counties. Only 5 hearings are being held across the state which gives an opportunity for roughly 300 individuals to submit testimony. Additional public hearings should be held.

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<sup>9</sup> <http://www.delawareriverkeeper.org/node/579>

<sup>10</sup> [http://primis.phmsa.dot.gov/comm/reports/operator/OperatorIM\\_opid\\_18718.html?nocache=8742#\\_Incidents\\_tab\\_4](http://primis.phmsa.dot.gov/comm/reports/operator/OperatorIM_opid_18718.html?nocache=8742#_Incidents_tab_4)

<sup>11</sup> <http://primis.phmsa.dot.gov/comm/reports/enforce/OpSearch.html?nocache=3254>

<sup>12</sup> <http://files.dep.state.pa.us/RegionalResources/SWRO/SWROPortalFiles/Sunoco%20Mariner%20East%20CACP.pdf>

<sup>13</sup> [http://www.pscoalition.org/content/upload/documents/Sunoco%20Rubin%20Presentation%20of%209-29-15%20\(Update%20of%20%2010-28-15\).pdf](http://www.pscoalition.org/content/upload/documents/Sunoco%20Rubin%20Presentation%20of%209-29-15%20(Update%20of%20%2010-28-15).pdf)

- One (three-hour) public hearing for both Chester and Delaware Counties is inadequate for a conservative estimate of 700 directly impacted landowners. The number of stakeholders is even higher if you include homeowner associations and other interested public participants.

#### *Public Comment Period*

- The public comment period for the Pennsylvania Pipeline Project should be extended or halted given the issues identified with the Pennsylvania Bulletin notices.
- There are significant differences between the information provided by Sunoco in the March 2016 resubmission of the Chapter 105 application and the figures that were provided to the public in the Pennsylvania Bulletin Notice issued for the Southwest region in October 2015. Notable differences include the number of wetland utility line crossings, the acreage of permanent and temporarily impacted PEM, PSS, and PFO wetlands as well as the number of utility line stream crossings.
- After Sunoco was required to re-submit their entire application in March 2016 the public should have been notified and another public comment period scheduled. The notice for the SW region first appeared in the October 10th, 2015 edition of the Pennsylvania Bulletin and so legally the public comment period for that permit closed 30 days thereafter giving the public no opportunity to comment on the revised permit information.

#### **Landowner Rights**

- There is a legal dispute that will ultimately be resolved by the Pennsylvania Supreme Court concerning whether Sunoco has a right to take private land using eminent domain.
- The use of eminent domain should be reserved for instances where the purpose of the taking is for the “primary and paramount” benefit to Pennsylvanians.
- Sunoco has stated in public meetings that 90%+ of the product that would be transported in these pipelines would be shipped overseas for private gain and would not benefit Pennsylvanians.

**The public is invited and encouraged to comment on the permit applications. If you have concerns about this project, please submit written comments and/or attend one of the upcoming public hearings near you. For details about the hearings or how to submit written comments see the next page.**

Yard signs are available from Mountain Watershed Association and Clean Air Council that state, “No trespassing, No surveying, No Mariner East” which can be displayed at the hearings to state your opposition to the project.

Information prepared by:  
Mountain Watershed Association ([mtwatershed.com](http://mtwatershed.com))  
Clean Air Council ([cleanair.org](http://cleanair.org))

# PUBLIC HEARINGS

## Southwest Region

**Counties:** Allegheny, Cambria, Indiana, Washington and Westmoreland

**When:** Thursday, August 18, 2016 6:30-9:30 PM

**Where:** Founder's Hall Amphitheatre, Westmoreland County Community College  
145 Pavilion Lane, Youngwood, PA 15697

**Contact to sign up to speak:** John Poister at 412-442-4203 or [jpoister@pa.gov](mailto:jpoister@pa.gov).

Public comments can be submitted in writing until August 24<sup>th</sup> and should be sent to PA DEP at SW Regional Office, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222 or by emailing [ra-epww-swro@pa.gov](mailto:ra-epww-swro@pa.gov).

## South-Central Region

**Counties:** Huntingdon, Juniata, Lancaster, Lebanon, Perry, York, Berks, Blair, Cumberland and Dauphin

**When:** Monday, August 8,  
2016

6:30-9:30 PM

**Where:** Blair County

Convention Center

One Convention Center Dr.,

Altoona, PA 16602

**When:** Tuesday, August 9,  
2016

6:30-9:30 PM

**Where:** Lebanon Valley

Exposition Center

80 Rocherty Road,

Lebanon, PA 17042

**When:** Tuesday, August 16, 2016  
6:30-9:30 PM

**Where:** PA Farm Show Complex,

Keystone Conference Center

2300 N Cameron Street,

Harrisburg, PA 17110

**Contact to sign up to speak:** John Repetz at 717-705-4904 or [jrepetz@pa.gov](mailto:jrepetz@pa.gov)

Public comments can be submitted in writing until August 24<sup>th</sup> and should be sent to PA DEP at South-Central Regional Office, Waterways and Wetlands Program, 909 Elmerton Ave, Harrisburg, PA 17110 or by emailing [ra-epww-scro@pa.gov](mailto:ra-epww-scro@pa.gov).

## Southeast Region

**Counties:** Delaware and Chester

**When:** Wednesday, August 10, 2016 6:30-9:30 PM

**Where:** Sykes Student Union at West Chester University

110 W Rosedale Ave, West Chester, PA 19382

**Contact to sign up to speak:** Virginia Cain at 484-250-5808 or [vicain@pa.gov](mailto:vicain@pa.gov)

Public comments can be submitted in writing until August 24<sup>th</sup> and should be sent to PA DEP at SE Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401 or by emailing [ra-epww-sero@pa.gov](mailto:ra-epww-sero@pa.gov).