

Uwchlan Township

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May 8th, 2020

The Honorable Patrick McDonnell, Secretary
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street, 16th Floor
Harrisburg, PA 17101

RE: Sunoco ME2 Drilling Operations – Uwchlan Township, Chester County

Dear Secretary McDonnell,

We are writing to follow-up on a letter sent by our Solicitor to Anderson Hartzell, Regional Chief Counsel, on December 20, 2019. A copy of that letter is attached. As we are sure you know, Sunoco Pipeline, L.P. has set up drilling sites in the Township for its Mariner East 2 (“ME2”) development operations. These drill sites have caused significant disturbances to neighbors, including off-right-of-way air pollution (e.g. fumes, dust). Some of these drill sites are located in the backyards of Township residents, leaving no buffer between the intensive construction and drilling activity.

As you may be aware, the Country is in the midst of a COVID-19 pandemic emergency. On March 6, 2020, Governor Wolf issued a Declaration of Disaster Emergency related to the COVID-19 pandemic, and on March 23, 2020, the Governor ordered residents to stay at home except as needed to access, support, or provide life sustaining business, emergency, or government services. Although the Governor has extended the stay at home order for most residents until June 4, 2020, he permitted construction activities to resume as of May 1, 2020.

Township residents experienced relative peace from Sunoco’s construction activities following the Governor’s declaration and initial orders. However, Sunoco has begun mobilizing to re-start pipeline construction. The Township is again receiving air pollution complaints from residents resulting from Sunoco’s activities.

25 Pa. Code § 123.1 prohibits “the emission into the outdoor atmosphere of a fugitive air contaminant” except for certain listed categories of emissions. Both fumes and particulate matter are leaving the right-of-way and negatively impacting nearby residents. At the very least Sunoco 1) must “take all reasonable actions to prevent particulate matter from becoming airborne” (examples given include water for dust control); and 2) cannot “permit fugitive particulate matter to be emitted into the outdoor atmosphere . . . if the emissions are visible at the point the emissions pass outside the person’s

property.” 25 Pa. Code §§ 123.1(c), 123.2. In addition, 25 Pa. Code § 123.31 prohibits malodors outside the property on which the emissions source is being operated.

Although the it is important for the Department to enforce its regulations during the best of times, it is imperative that the Department diligently enforce its regulations during this period when residents are trapped in their homes per the Governor’s order. The Township urges the Department to *take resident complaints seriously, take appropriate action to enforce the APCA and its regulations, and take such other action as is necessary to abate nuisances.* The Township is happy to discuss these issues further with you, and provide information needed to aid your office taking action.

Thank you for your time and attention to this matter.

Sincerely,



William Miller
Chairperson
Uwchlan Township Board of Supervisors

Cc:

Senator Katie Muth

Representative Danielle Otten

Krishnan Ramamurthy, Deputy Secretary Waste, Air, Radiation and Remediation, PA DEP

Joe Adams, Deputy Secretary Field Operations, PA DEP

James Rebarchak, Air Quality Program Manager, PA DEP

Anderson Hartzell, Regional Counsel, PA DEP