

Aquashicola/Pohopoco Watershed Conservancy * Berks Gas Truth * Breathe Easy Susquehanna County * Bucks Environmental Action * Clean Water Action * Concerned Citizens of Lebanon County * Damascus Citizens For Sustainability * Delaware Riverkeeper Network * Energy Justice Network * Farm & Foundry * Green America * Lancaster Against Pipelines * Lebanon Pipeline Awareness * New Jersey Sierra Club * Paunacussing Watershed Association * Pennsylvania Campaign for Clean Water EV Committee * Pennsylvania Council of Churches * Pennsylvania Earth Guardians * Potter's Farm * Protect Penn-Delco * Resist SPECTRA * Sane Energy Project * Schuylkill Pipeline Awareness * Shalefield Organizing Committee * Unitarian Universalist Pennsylvania Legislative Advocacy Network (UUPLAN)* Youghigheny Riverkeeper

The Honorable Patrick McDonnell
Department of Environmental Protection
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July 25, 2017

RE: Regulatory Failures on Mariner East Pipeline Raise New Concerns about Atlantic Sunrise Pipeline -- Deny Chapter 105 and 102 Water Permits

Dear Secretary McDonnell,

When a coalition of 40 groups representing over 436,000 members wrote to you less than a month ago to ask that you and the Governor fully examine the evidence, lack of complete information, and proposed harms submitted by Williams Partners and deny the Chapter 105 and 102 water permits for the Atlantic Sunrise pipeline, we didn't know that an aquifer had been punctured as a result of Horizontal Directional Drilling (HDD) during construction of Sunoco's Mariner East 2 pipeline in West Whiteland Township, Chester County. Neither did the residents of West Whiteland Township. That fact, and so many others about the way the permits were granted and the way problems are being addressed when they continue to occur on these detrimental pipeline projects only serve to strengthen our demand that you use your power, the science, and evidence of harm available to protect Pennsylvania communities and deny the permits for the proposed Atlantic Sunrise pipeline.

Senator Andy Dinniman pointed to several concerns he has for his constituents and for all Pennsylvanians along the proposed route of Mariner East 2 pipeline that he expressed in a letter to you in which he called for a halt to all construction along the pipeline. He concludes, "The bottom line is, Sunoco submitted an application using bad data, DEP approved it and it is the citizens that are suffering the consequences. I will continue to work to ensure that our groundwater is protected and I urge DEP officials to do the same."

Days after Senator Dinniman sent his letter; another release occurred, this time in Middletown Township, Delaware County. All of these problems that are wreaking havoc in communities could have been avoided if the DEP would have rejected the permits, an action that would have been completely justified based on the number of outstanding deficiencies that remained.

Despite assurance that the permits would not be granted for Mariner East 2 until all deficiencies in the application had been addressed, the impacted community learned that many deficiencies

remained when the permits were granted on February 13th. Reporting from [StateImpact PA](#) revealed that the DEP's Bureau of Waterways, Engineer, and Wetlands referred to "special conditions" and "minimum standards" to justify the granting of the permits.

Regarding AS, the community also has not seen any action taken by the DEP regarding the comment entered by former Pennsylvania state geologist Dr. Jay Parrish during the public hearings for the water quality permits in Lancaster on June 12th. Dr. Parrish questioned whether or not geological data compiled for the FEIS for the Atlantic Sunrise pipeline was sealed by someone licensed in the state of Pennsylvania as it should have been for an interstate pipeline. If these studies and many more deficiencies shared during the recent DEP hearings for Atlantic Sunrise are not done correctly or are incomplete it could have impacts on our waterways and water supplies like the ones that have resulted in contaminated wells and streams in Chester and Delaware Counties.

We are not comforted by the willingness of your agency to work around the rules to enable a company to proceed with another pipeline project that could have such profound consequences should something go wrong, especially when the company in question had been submitting and resubmitting the application for years and when, in spite of that, the number of deficiencies that remained in counties like Lancaster and Lebanon as of last September were 113 and 117 respectively.

We are even less comforted by the fact that you have gone to such lengths to accommodate a project that the public has objected to so vocally, intelligently, and correctly since the project's beginnings. Dockets at the Federal Energy Regulatory Committee (FERC) and in your own files are filled with legitimate concerns, facts, expert analysis, and data that are trivialized by the regulatory agencies that exist to protect us.

Furthermore, last week impacted families walked the halls in DC to highlight the blatant FERC harms that have been inflicted on PA communities by this rubber stamp federal agency. A coalition representing more than 200 residents/groups impacted by FERC recently released a dossier containing thousands of pages of evidence documenting FERC's abuses of power and law, including examples of the agency infringing on property rights, states' rights, peoples' rights and environmental protection <http://bit.ly/DossierofFERCAbuse>. Sadly much of this harm and examples are from Pennsylvania where residents continue to bear the brunt of the fossil fuel industry. Pennsylvania has the power and obligation through its Chapter 105 and Chapter 102 permitting authority and the PA Constitution to step in where FERC is failing us and deny projects that continue to wreak havoc on our short term and long term environmental rights in Pennsylvania. New York has done this, New Jersey has done this, its time Pennsylvania uses its power to outright reject these deficient applications using the state's rights to protect its people and environment from the pipeline frenzy that is locking us into more fossil fuel damage.

You have the power and the obligation under your regulatory authority, to stop Williams Partners/Transco from cutting a 200-mile path of destruction through the Pennsylvania countryside for what will sooner than later become a stranded asset, a relic of a bygone era of energy production. You have the science and the evidence needed to deny these applications. Use it.

Regards,

Jim Vogt, Aquashicola/Pohopoco Watershed Conservancy
Karen Feridun, Berks Gas Truth
Rebecca Roter, Breathe Easy Susquehanna County
Sharon A. Furlong, Bucks Environmental Action
Myron Arnowitt, Clean Water Action
Pam Bishop & Doug Lorenzen, Concerned Citizens of Lebanon County
B. Arrindell, Damascus Citizens For Sustainability
Maya van Rossum, Delaware Riverkeeper Network
Alex Lotorto, Energy Justice Network
Kaleen Zerbe, Farm & Foundry
Todd Larsen, Green America
Malinda Clatterbuck, Tim Spiese, & Eva Telesco, Lancaster Against Pipelines
Ann Pinca, Lebanon Pipeline Awareness
Jeff Tittel, New Jersey Sierra Club
William Tinsman, Paunacussing Watershed Association
Faith Zerbe, Pennsylvania Campaign for Clean Water EV Committee
Rev. Sandra L. Strauss, Pennsylvania Council of Churches
Arianne Elinich, Pennsylvania Earth Guardians
Leah Zerbe, Potter's Farm
Christina Johnson, Protect Penn-Delco
Jessica Roff, Resist Spectra
Kim Fraczek, Sane Energy Project
Faith Zerbe, Schuylkill Pipeline Awareness
Sierra Shamer, Shalefield Organizing Committee
Anita S. Mentzer, Unitarian Universalist Pennsylvania Legislative Advocacy Network (UUPLAN)
Erik Harder, Youghigheny Riverkeeper

cc: Governor Tom Wolf
Pennsylvania legislators