



July 25, 2017

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**Re: DRN Field Report on Off ROW Mariner 2 Exceedances off Miller Road,  
Middletown Township, PA.**

Dear Ms. Wheeler,

This letter serves as a brief follow up to the phone call and message I left for you this morning regarding a field inspection Delaware Riverkeeper Network conducted after a pollution hotline call related to the Mariner 2 pipeline construction in Delaware County PA this morning. The area I visited was accessed off Miller Road in Middletown Township and the private estates located at the top of the hill of Miller Road from property owners who have concerns. I had visited this location last week after another hotline call related to the HDD releases to Chester Creek and observed inadequate BMPs at that time that appeared they would fail upon rain events and already in need of reinforcement or maintenance at that time (DRN can provide dated and geo-referenced photos).

With rain overnight and concerns from landowners, I conducted a site visit this morning beginning about 10am. At that time pipeline workers and foreman were present and actively working behind the estates (homes at the top of the hill off Miller Road). Workers did not appear to be dealing with failing BMPs in need of maintenance and reinforcement just down hill from their active construction activities. Additional rain is anticipated in the area based on weather forecasts. Pipeline workers were instead observing active construction and heavy equipment operations and at least three pipeline workers were standing off ROW watching active back hoe activities.

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I did not focus on the active pipeline activities by the HDD dewater locations at the top of the hill which a property owner said began at 7AM in the morning but walked down hill to the intermittent stream on the other ridge adjacent Chester Creek and then up the steep slope that has been denuded of mature trees and forest from the ME2 pipeline construction. This area is accessible from the estates by parking in the public overflow lot and walking in the woods and to the left off ROW down the hill and then up the next ridge. In that short walk through the woods off the ROW, I observed at least three locations on the steep slope where compost filter socks were failing and filled and overtopped with sediment and sheet flow (likely from lastnight) and sediment overtopped the BMP structures and deposited sediment both off the ROW in the forest and also down hill into the intermittent stream at the base of the hill. On this steep slope on the side of the estates, I observed filter socks that were just one sock high in height that were overtopped with sediment staining and with sediment off ROW. There are also multiple gullies of erosion and evidence of recent sheet flow that are present that lead downhill and directly into the stream which now also has sediment in it at multiple locations from the ROW construction from several overtopped BMP locations.

Take note that these off ROW occurrences are just down hill from the high profile bentonine HDD dewater structures that had to be installed because of inadvertent HDD releases by Sunoco earlier this month that have the attention of the press and the community. These nearby off ROW occurrences into the waterbody are violations of the Clean Water Act and we request and urge that the district inspect and cite the company for these gross but yet expected errors in its construction practices. DRN can provide photographs and video of our observations but with active construction happening we wanted to send this to you to follow up from the phone call as I am in the field today and offsite.

Thank you for your time and attention to this matter.

Sincerely,

Faith Zerbe  
Director of Monitoring  
Delaware Riverkeeper Network