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Settlement On Mariner East Drilling Reached Between Sunoco and Environmental Groups; Provides Additional Public Protections

(PHILADELPHIA, PA - August 9, 2017) On Wednesday, the Environmental Hearing Board approved a settlement agreement that Clean Air Council, Mountain Watershed Association, and Delaware Riverkeeper Network reached with the Pennsylvania Department of Environmental Protection and Sunoco Pipeline L.P. that provides protection to the public from Sunoco's horizontal directional drilling operations associated with its Mariner East 2 pipelines. Since April, Sunoco has had at least 90 spills of drilling fluid as a result of horizontal directional drilling, a process used to install the pipelines under waterways, roads, or other sensitive areas. Sunoco's Mariner East 2 drilling operations have also resulted in damage to water supplies in at least five locations. The settlement agreement strengthens plans to prevent and respond to problems during construction, requires Sunoco to use experts to evaluate and improve plans for drilling at over 60 locations prior to starting or restarting drilling, and expands the identification and free testing of private water supplies

The settlement comes after Pennsylvania's Environmental Hearing Board granted a request by the environmental organizations on July 25, 2017 to temporarily halt Sunoco's drilling operations along the pipeline. A hearing on the matter, scheduled for August 9 -11, has been postponed. The settlement agreement does not affect the remainder of the appeal of the permits, which will still move ahead toward trial.

By thoroughly reviewing and amending Mariner East 2's problematic construction plans, affected landowners will now have stronger protections against spills and water contamination, improved spill response plans, and opportunities for people on water wells living near many of these drilling sites to weigh in on the drilling plans.

"The harms that Sunoco's recklessness is causing the public and the environment should have never happened. The governor instructed the PA DEP to issue these permits by a specific date despite the many flaws in the applications. DEP caved to the pressure and ignored the deficiencies. Unless our elected officials start taking the public health threat from building natural gas infrastructure seriously, this is bound to continue to happen," said Joseph Otis Minott, Esq., Executive Director and Chief Counsel of Clean Air Council.

"With this settlement we are getting better protections for our community and the environment which is good," said Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network. "But it is wrong that our organizations had to bring this legal action to get us to this point. Sunoco should have complied with the law. DEP should have enforced the law and fulfilled its constitutional obligation to protect our environment. Instead it fell to our community-supported environmental organizations to do so. But we are glad we had the legal talent and resources to do so."

"Though Sunoco's horizontal directional drilling has already caused significant harm to communities and ecosystems throughout Pennsylvania, the settlement takes necessary actions to protect from further damages," said Melissa Marshall, attorney with Mountain Watershed Association.

Clean Air Council, Delaware Riverkeeper Network, Mountain Watershed Association and affected residents will continue to vigilantly monitor the pipeline's progress as well as hold Sunoco and the DEP accountable for any actions that threaten public safety and the environment. All residents affected by this pipeline construction are urged to closely watch for and report to DEP any changes in their drinking water or nearby streams, lakes, and wetlands.

[Settlement Agreement on Horizontal Directional Drilling](#)

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