



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD



SUNOCO PIPELINE L.P.

v.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

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EHB Docket No. 2020-078-L

ORDER

AND NOW, this 24th day of August, 2020, following a conference with the parties, it is hereby ordered as follows:

1. Sunoco’s application for a temporary supersedeas is **granted** and the following provision of the Department’s August 20, 2020 Notice of Violation is superseded: “Please be reminded DEP approval is required before restarting drilling operations for HDD S3-0360-16.” Instead, Sunoco may restart drilling immediately on HDD S3-0360-16 in accordance with the substantive provisions of the PPC Plan, IR PPC Plan, Permits E15-862 and ESG 01 000 15 001, and the mitigation measures contained in Sunoco’s January 15, 2020 Restart Report and Seep Monitoring Work Plan Addendum.
2. This temporary supersedeas automatically expires at close of business on **September 1, 2020** unless extended by the Board.
3. If at any point Sunoco’s drilling results in new or increased environmental harm or presents issues of health and safety, Sunoco or the Department may notify the Board and the temporary supersedeas may be reconsidered accordingly.
4. A hearing on Sunoco’s petition for supersedeas shall begin at **8:00 a.m.** on **September 1, 2020**. The hearing will be conducted by video via WebEx in accordance with the



Board's protocols for conducting hearings during COVID-19, which are available on its website.

ENVIRONMENTAL HEARING BOARD

s/ Bernard A. Labuskes, Jr. _____

BERNARD A. LABUSKES, JR.

Judge

DATED: August 24, 2020

c: For the Commonwealth of PA, DEP:

Nels J. Taber, Esquire
William J. Gerlach, Esquire
Melanie Seigel, Esquire
(*via electronic mail*)

For Appellant:

Robert D. Fox, Esquire
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Court Reporter:

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(*via electronic mail*)