

September 6, 2018

Via email to: RA-EPWW-SWRO@PA.GOV and dadrake@pa.gov

Attn: Ms. Dana Drake, DEP Wetlands Permit Engineer
Department of Environmental Protection
Southwestern Regional Office
Waterways & Wetlands Program
400 Waterfront Drive
Pittsburgh, PA 15222

Re: Requesting Denial of Shell Pipeline Company L.P. Joint Permit Application (Nos. E02-1773, E04-369, and E63-710), and ESG00007170003

Dear Ms. Drake:

The Breathe Project, Allegheny County Clean Air Now (ACCAN), Beaver County Marcellus Awareness Community (BCMAC), Center for Coalfield Justice, Citizens to Protect the Ambridge Reservoir (CPAR), Clean Water Action PA, Frackracker Alliance, Environmental Integrity Project, Penn Environment, Sierra Club, and Women for a Healthy Environment, and several individuals, (collectively, "Commenters") hereby submit their recommendations and request to deny Shell Pipeline Company L.P. Joint Permit Application for the Falcon pipeline after our review of Shell Pipeline's (Aug. 1, 2018) responses to the 101 deficiencies that the DEP found with Shell Pipeline's original Falcon application, submitted in April 2018. DEP issued the deficiency notices to Shell Pipeline after environmental groups submitted written comments and verbal testimony during three public hearings held in Allegheny, Beaver and Washington counties.

The DEP deficiency letters confirmed that Shell Pipeline failed to execute sound technical judgment in the proposed routing of the Falcon pipeline, especially as it pertains to sedimentation and erosion control and ultimately to public safety and health.

Shell's responses to the DEP letters (Aug. 1, 2018) confirm, once again, that Shell has not done its due diligence.

The DEP deficiency letters (June 1, 2018) required many additional responses by Shell. Based on Shell's failure to adequately respond to these technical concerns and because of the concerns raised by both organizations and residents, we urge the DEP to DENY the Falcon Pipeline sedimentation and erosion control permits for the following reasons:

- The Ambridge Water Authority and Ambridge Borough Council have publicly expressed serious concerns about the risk presented by the proposed ethane pipeline that would cross through the high-quality headwaters of the Ambridge Reservoir and under the raw service line. Shell failed to give the Ambridge Water Authority any assurances that there will be no risk to the region's water supply and falsely reported AWA's position on the pipeline.

- The DEP deficiency letters directed Shell to “evaluate and discuss the project’s potential to impact any public water systems and their sources that are within 1-mile of your proposed pipeline system.” This includes private wells near schools, churches, public institutions and private landowners. Shell suggests water trucks would be supplied in the event of disruption of water services. Locating the Falcon pipeline near sources of drinking water should not be permitted.
- Shell’s remediation of wetlands in Mercer and Washington counties is an unacceptable swap for destroying precious conservancy areas in Beaver County, including the Beaver County Conservation District, a beautiful nature preserve that serves as an educational area for school children. Shell has proposed routing the Falcon pipeline through this conservation area.
- The DEP must uphold the Pennsylvania Environmental Rights Amendment: The people have a right to clean air, pure water and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people. – Article I, Section 27 of the Pa. state constitution–the Environmental Rights Amendment.

We thank you in advance for your consideration and opportunity for discussion.

Sincerely,

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