



April 10, 2025

**Via Electronic Mail**

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**Re: Response to Letter of Deficiency for the Proposed Implementation Schedule  
eFACTS PF No. 881609  
eFACTS Activity No. 60986  
Twin Oaks – Newark 14”-Diameter Pipeline  
Upper Makefield Township, Bucks County**

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Dear David:

Sunoco Pipeline L.P. (“SPLP”) provides this response to the Letter of Deficiency for the Proposed Implementation Schedule, which SPLP received via email on April 8, 2025 (the “Letter”). The Department’s correspondence provides comments on the Proposed Implementation Schedule, which was submitted to the Department on March 14, 2025, in accordance with paragraph 2.b of the Department’s March 6, 2025 Administrative Order (the “Order”).

At the outset, it is worth noting that the Department’s comments were provided twenty-five (25) days after SPLP’s submission of the Proposed Implementation Schedule. However, through the Letter as well as the corresponding transmittal email, the Department asks SPLP to correct the alleged deficiencies and submit a revised work plan by April 16, 2025 – which is only eight (8) days after SPLP’s receipt of the Letter. Importantly, the Department’s requested 8-day response time frame does not comply with paragraph 3 of the Administrative Order, which expressly states that for any document required by the Order – including the Proposed Implementation Schedule – if “the Department advises [SPLP] of deficiencies, [SPLP] shall address the deficiencies in writing **within forty-five (45) days after notice from the Department**, or within such additional time as determined by the Department and set forth in the notice of deficiency.” While SPLP is submitting a revised Proposed Implementation Schedule below, SPLP respectfully requests that the Department abide by the timeframes in the Order on a going forward basis. SPLP shares the Department’s commitment to expediting this remediation, so if SPLP is

asked again to provide information more quickly than the 45-day timeframe established by the Department in the Order, SPLP is willing to endeavor to comply with such deadlines to the extent possible.

While SPLP does not agree that its Proposed Implementation Schedule was deficient, as the Department suggests in the Letter, in an effort to continue to go above and beyond what is required by the terms of the Order, SPLP is providing the Department with the requested updates and revisions to the Proposed Implementation Schedule as set forth below along with responses to the Department's comments.

The Department provided five responses/comments, two of which are acknowledgements and acceptances of proposed dates and intervals for submissions, and three of which are alleged deficiencies with requests that SPLP provide specific dates or a slightly shorter time frame for a particular submission. SPLP responds to each of the Department's comments below.

Department Comment:

1. SPLP proposes submitting the site characterization work plan by April 18, 2025. DEP accepts this deadline for submittal of the work plan.

**SPLP Response:** SPLP acknowledges the Department's comment and will submit the site characterization work plan by April 18, 2025.

Department Comment:

2. SPLP proposes estimating the schedule for submittal of the interim site characterization report in the site characterization work plan.
  - a. DEP response: The implementation schedule must provide a specific date for submittal of the interim site characterization report, which should be no later than 180 days of the issuance of DEP's administrative order, or September 2, 2025. The purpose of the interim site characterization is to define, in a substantial measure but not completely, the nature, extent, direction, rate of movement, volume, and composition of contamination in affected environmental media. The interim site characterization report should establish the information known, relevant data gaps, plans for further characterization, and the ability of the data to support development of remedial actions.
  - b. Please refer to Sections II.A.4. and II.B.3(c) and (h) of the Land Recycling Program Technical Guidance Manual for further site characterization reporting guidelines.

**SPLP Response:** While neither the Order nor the Department's regulations require that this submittal be made within the 180-day period stated in the Letter, SPLP acknowledges the Department's comment and will submit the interim site characterization report by September 2, 2025.

Department Comment:

3. SPLP proposes to submit the remedial action plan within 90 days of completion of site characterization work and the evaluation and testing of remedial feasibility options.
  - a. DEP response: The remedial action plan must be submitted within 60 days of DEP's written approval of the interim site characterization report. This remedial action plan will account for site knowledge at the time, and it may be subject to revision as additional characterization, monitoring, and pathway investigation is performed.

**SPLP Response:** While neither the Order nor the Department's regulations require that this submittal be made within the 60-day period stated in the Letter, SPLP acknowledges the Department's comment and agrees to submit the remedial action plan within 60 days of the Department's written approval of the interim site characterization report.

Department Comment:

4. SPLP's proposed schedule for submission of the Act 2 final report uses anticipatory language stating that "SPLP anticipates that it will be in a position to submit the Act 2 Final Report within 90 days after completion of the required attainment monitoring."
  - a. DEP response: Anticipatory language cannot be used. The implementation plan language must be defining with hard deadlines. An Act 2 Final Report must be submitted within 90 days of the completion of required attainment monitoring.

**SPLP Response:** While neither the Order nor the Department's regulations require that this submittal be made within the 90-day period stated in the Letter, SPLP acknowledges the Department's comment and agrees to submit the Act 2 Final Report within 90 days of the completion of required attainment monitoring.

Department Comment:

5. SPLP stated that you will submit progress reports to DEP every 90 days, as specified by the order. DEP acknowledges this schedule, with the first progress report submitted by June 12, 2025.

**SPLP Response:** SPLP acknowledges the Department's comment and will submit progress reports to the Department every 90 days, the first of which will be submitted by June 12, 2025.

A revised Proposed Implementation Schedule that incorporates these changes, is found below.

<b>Task</b>	<b>Due Date</b>
Submission of Work Plan	April 18, 2025
Interim Site Characterization Report	September 2, 2025
Remedial Action Plan	Within 60 days of PADEP's approval of Interim Site Characterization Report
Act 2 Final Report	Within 90 days of completion of required attainment monitoring

Thank you,



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Gus Borkland  
Sr. Director- Environmental Compliance and Asset Security  
Energy Transfer