

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
FEBRUARY 23, 2016 – 7:00 pm
FINAL MINUTES**

Present: Vice-Chairman Marty Shane, and Supervisors Janet Emanuel and Carmen Battavio, Township Manager, Rick Smith, and, ABC Member, Erich Meyer (Conservancy Board).

Call to Order & Pledge of Allegiance:

Marty called the meeting to order at 7:05 pm and asked Rick to lead the assembly in the Pledge of Allegiance.

Moment of Silence:

Carmen called for a moment of silence to honor the members of the military who keep us safe both locally and abroad, and to honor those who have given the ultimate of their lives in defense of our nation.

Recording of Meeting: Candice Monhollan, reporter with *The Daily Local News*, Leo Sinclair of North Lochwood Lane and Justin Wassler from Pittsburg, PA advised they were recording the meeting.

Chairman's Report:

Marty announced that Supervisors Senya Isayeff was in Germany and Supervisor Chuck Proctor had a class this evening and therefore were not able to attend.

New Business:

Update on Sunoco Pipeline Mariner East 2 Project:

Marty announced that the sole purpose of tonight's meeting was for Sunoco to update Township residents about the Mariner East 2 Project. He welcomed Candace Monhollan, reporter with *The Daily Local News* and Michaelle Bond, reporter with *The Inquirer*.

He introduced Don Zoladkiewicz or Don Z as he is commonly known. Don Z introduced Matt Gordon, who is the Project Engineer for the Sunoco Mariner East 2 Project; Ivana Wolfe, Community Relations; and Shannon Gwin, Right-of-Way.

Marty introduced Carol Stauffer of the Chester County Planning Commission who is the point of contact for pipeline information for Chester County. Carol noted that there was a wealth of information on the County's Pipeline Information Center web page which can be reached by googling "Chesco" and "Pipelining".

Don Z advised the audience that the Mariner East 2 project involves the construction of a 20" pipeline that would be used to transport propane, ethane and butane from western Pennsylvania to Marcus Hook. He noted that Sunoco was in the "Open Season" phase to determine if there was sufficient need to construct a second pipeline that would be 16" in diameter. The decision on whether or not the second pipeline would be constructed has not been made.

Matt Gordon stated that Sunoco has existing easements that have been in place since the 1930's and they are in the process of acquiring updated easements. Most of the new pipeline will be installed by horizontal directional drilling (HDD). Sunoco has conducted a number of environmental surveys over the last two years and is in the process of applying for the permits required to begin construction. He outlined the typical open cut and HDD processes. He stated that with the HDD process the drill operator is able to control the depth and direction of the drill. They use a mixture of bentonite clay (10%) and water (90%) to cool and lubricate the drill, noting that there have been cases in which a void or crack in the bedrock allowed the mixture to break out on to the ground. These are referred to as an "inadvertent return". If this happens, Sunoco is required to clean up the mess and could possibly be subject to a fine for violating the permit. Once the HDD pipe has been installed, the two ends are connected by the traditional open cut construction method.

At this point Marty opened the meeting up to questions.

Dr. McGrath of Margo Lane asked how long the project would take and expressed a concern about noise from the HDD machines. Matt Gordon advised that their contractors typically worked 6 ten hour days and they expected to be in the Township 6-8 months. If they were allowed to drill 24/7, which would require approval from the Board of Supervisors, the time would be reduced to 3-4 months. The HDD machines operate at about 85 dBs, and they can use "noise curtains" to muffle the noise.

In response to a question from Carmen, Matt said that if the Board approved drilling 24/7 on a trial basis and it did not work out, they would fall back to the 6 ten hour days.

Dan Mullen of Bane Way asked what the start date was for construction. Matt said that they could not start until they had all of the required permits, and the timing for their issuance was dependent on PADEP.

Ruth Sugar of Quaker Ridge asked what Sunoco was doing to minimize the impact on the residents of Hershey's Mill. Matt said that HDD was being proposed to minimize the impact.

Adele Juzi of Jefferson Way said that the entire community would be impacted and Sunoco should give residents a dividend for having a pipeline go through their community. Marty suggested she contact her state legislators. He went on to say that there are nine pipelines in East Goshen and that the creation of an energy center, as some have proposed, could result in additional pipelines.

Marty also noted that, while pipelines may be good for the economy, the Commonwealth and southeastern Pennsylvania in general, to date they have not identified a direct benefit to a property owner who has a pipeline on their property.

Don Z noted that the Mariner 2 Project is a \$3 billion dollar investment by Sunoco that would generate 15,000 jobs over two years.

Tom Casey of West Goshen Township asked about the easement process. Don Z advised there were eight pipeline companies in PA with certificates from the PA PUC. He said Sunoco has existing easements. They first try to negotiate a new easement. If that fails, they review the existing easements to determine what their current rights are and, if need be, use the eminent domain as a last resort.

Jim Coates of Williams Way asked if there would be two drilling machines on the Matlack Florist Property and expressed a concern about the noise. Matt Gordon said the drill locations were on the plans in the lobby and he would meet with Mr. Coates to answer his question.

Bernie Greenberg of Jefferson Way wanted to know who was responsible for any damages caused by the operation of the pipeline. Matt said the pipeline operator was. Matt noted that the federal Pipeline and Hazardous Material Safety Administration (PHMSA) had jurisdiction over Sunoco's pipelines and information on pipeline incidents and the amount of damages is posted on their web site. Don Z commented that the damage figures include losses incurred by the pipeline operator.

Joe Buonanno of Herron Lane asked if Sunoco had sovereign immunity and if they would comply with Township codes. Don Z stated they did not and that they would comply with applicable codes.

Dr. McGrath of Margo Lane noted that the land agents have told him that the trees on his property would be removed. Matt advised that Sunoco only plans to remove trees in the work areas.

Tom Casey of West Goshen asked about the remediation in the event of a spill of the drilling mud. Matt said the work areas are enclosed by a silt fence or filter sock and if the bentonite mixture is discharged out of the work area Sunoco must clean it up and could be fined, noting that this happened while one of Sunoco's contractors was drilling under the Mingo Creek in western PA in 2014.

Francis Doherty of Culbertson Circle questioned if Sunoco and the contractors for the Traditions Project in West Goshen would both be working at the same time. Matt advised that he cannot start until Sunoco has obtained all of their permits and he did not know about the timetable for Traditions. Marty Shane commented that Traditions has received all of their permits and can start work at any time.

Leo Sinclair of Lochwood Lane asked about the work hours. Matt Gordon stated the contractors typically work 6 ten hour days a week, however, they may ask for permission to drill 24/7.

Marty Shane stated if the Board received a request from Sunoco to drill 24/7 the Board of Supervisors will have a meeting to receive input from the residents before making a decision.

Rick Smith asked if the open cut method was off the table, noting that when Sunoco replaced their existing 8" and 12" pipelines it took 4 months to replace the pipelines north of Paoli Pike in

1999 and only 3 months to replace the pipelines south of Paoli Pike in 2001. Matt Gordon said Sunoco was moving forward with the HDD option.

Leo Sinclair of Lochwood Lane expressed a concern about contractors working 6 ten hour days noting that two people have died during pipeline construction and asked how this pipeline would save him money. Don Z noted that the pipeline would have off take facilities at several locations across Pennsylvania, which would allow for propane and butane, which is used in gasoline, to be transported more cost effectively.

Eric Friedman of Thornbury Township asked if a copy of the presentation will be made available. Don Z said Sunoco would consider the request. Eric Friedman also expressed a concern about a spill in the John Heinz Wildlife Refuge and asked about compliance with municipal zoning ordinances and if the Township had any power over Sunoco. Marty Shane noted that since Sunoco is not planning to construct any buildings in East Goshen, the Mariner East 2 Project is not regulated by the township's Zoning Ordinance.

Lynda Farrell of East Caln Township expressed a concern about PHMSA reporting requirements and asked if it was premature for Sunoco to obtain easements before all of the permits have been issued. Matt noted that Sunoco has existing easements and it anticipates that any changes required by the permitting agencies would not require additional easements. Lynda Farrell commented that Sunoco is increasing the risk to the general public by adding pipelines. Marty noted pipelines are safer then transporting these products by rail or truck and that the PA PUC is the state agency charged with overseeing pipeline safety.

Lynda Farrell noted that in her opinion horizontal drilling 24/7 is the best way to install pipelines. Marty said we would notify her about the meeting if Sunoco submitted a request to drill 24/7.

At 9:35 PM Marty announced that there would be a 5 minute break. Marty called the meeting back to order at 9:42 PM.

Jim Ford of Beaumont Circle asked if Sunoco had a formula for determining the amount of compensation a property owner receives. Don Z advised that Sunoco does have a system and suggested that he consult with an attorney. Shannon Gwin noted that some parts of the compensation would be taxable.

Donna, who would not provide her last name and said she lived in Bowtree, asked where the water used for drilling and testing the pipeline would come from. Don Z advised that Sunoco will purchase it from the water company. Donna asked if the workers would pay the earned income and municipal services taxes. Rick said he would contact Keystone for an answer. Donna asked who the February 3 letter was sent to and Rick said it was sent to the property owners that abutted Boot Road and North Chester Road south of the traffic light at Boot and North Chester. In addition the tenants in the shopping centers were mailed a copy. Donna expressed a concern that more people should have been notified.

Nancy Harkens of Westtown Township asked about the life expectancy of the pipeline and how they fix it. Matt stated they test the pipeline on a regular basis and, if they find something wrong they replace that section of the pipe. He noted that if the pipe was installed by HDD and it was very deep, they may have to install a new pipe and abandon the old one.

Tom Casey of West Goshen Township asked if they could replace a pipe if by doing so it would cause them to exceed the limit set out in the easement. Don Z said Sunoco could replace the pipe and abandon the old one.

Marty asked if anyone has had to replace a pipe that was installed by directional drilling. Matt Gordon advised he was not aware of any.

Marty reiterated that if Sunoco submitted a request to drill 24/7 residents would be notified and given an opportunity to comment before the Board made a decision.

Don Z stated that Sunoco would only request the drilling operation to be conducted 24/7. All other construction, pipe deliveries, excavation, etc. would take place during normal work hours. He stated that one of the reasons for drilling 24/7 is that there have been instances in which the contractor stopped the drill at the end of the work day. When they attempted to start it up the next day the drill had become locked in the bedrock overnight and the drill head subsequently broke off. The result was that they had to start the bore all over, which extended the number of days the contractor had to spend drilling at this location.

Tom Casey of West Goshen Township asked about the location of the municipal boundary and expressed a concern that since his Township had given up their right to oppose Sunoco, if East Goshen allowed Sunoco to drill 24/7 he had no recourse. Rick stated that the section of Boot Road in front of his house was located in West Goshen Township.

Nancy Harkens of Westtown Township asked about the life expectancy of the pipe. Matt Gordon advised that with the current coatings and cathodic protection pipelines can operate safely for a very long time.

Marty Shane thanked everyone for coming and the meeting was adjourned at 10:50 PM.

Respectfully submitted,
Louis F, Smith, Jr.
Township Manager