

LETTER FROM THE CHAIRMAN

Dear Friends, Neighbors and Fellow Residents,

On behalf of the entire Board of Supervisors, we wish everyone in the Township the warmest Season's Greetings! It's hard to believe that 2017 is almost over.

I would like to take this opportunity to update everyone on concrete steps the Township has recently taken with respect to the Sunoco Pipeline. On October 3, 2017, the East Goshen Township Board of Supervisors adopted a resolution regarding the need for policy changes with respect to oil and gas pipelines in Pennsylvania. This resolution has been shared with Governor



Tom Wolf, Senator Tom Killion, Representative Carolyn Comitta, and the elected officials of every other municipality in Chester County. We believe that this resolution is a powerful document that can serve as a template for other local governments to help restore local control over zoning and land use decisions in Pennsylvania.

By way of background, in the last newsletter I noted that the Pennsylvania Public Utility Commission (PUC) had previously determined that Sunoco is a public utility and therefore that it has the right to



transport petroleum products within its service area in Pennsylvania. Once the PUC determines that a pipeline company is a public utility, the company has the ability to install as many pipelines as it wants, wherever it wants within its service territory. In addition, neither the

PUC nor any other state agency or local government has the power to tell a pipeline company where a pipeline can and cannot be located.

In order to correct this imbalance of power, change is needed to the state laws that govern pipelines. To that end, the resolution adopted by the Board identifies six action items for our State Senators, State Representatives and the Governor:

1. Develop a policy for determining the location of oil and gas pipelines for the common good of all of the citizens of the Commonwealth.

Currently the Commonwealth does not have any policy regarding the location of pipelines. We think it should have one!

2. Reevaluate the legal framework for the siting of oil and gas pipelines to allow for an active role by local governments, including the authority to directly participate and responsibly influence the siting process.

In other words, local governments that will have to host the pipelines should have an opportunity to participate in the siting process.

Continued on page 2...

3. Reevaluate the legal framework for oil and gas pipelines to establish “easement saturation standards” that recognize the practical limitations for the number of pipelines, size of pipelines, and character of the products transmitted within a given pipeline easement.

Currently, any decisions about the number of pipelines in an easement and what they transport are at the sole discretion of the pipeline company.

4. Reevaluate the legal framework for oil and gas pipelines to provide funding resources to local governments that host oil and gas pipelines, to enable local governments to effectively review, inspect, and monitor these ‘industrial highways’ to ensure the health, safety, and welfare of their residents.

Pipelines companies are not subject to real estate tax or an extraction tax. As a result, while municipalities have the responsibility to provide for the health, safety and welfare of their residents, they do not receive any financial assistance from the pipeline companies.

5. Establish a Pennsylvania agency tasked with the authority for the siting (with municipal input) and regulation of oil and gas pipelines, both during construction and when in service, in order to minimize adverse impact on the citizens, or, in the alternative, restructure the Pennsylvania Public Utility Commission to provide adequate and effective funding, resources, and legislative tools to perform this function.

There should be a state agency that approves pipelines routes and has the ability to develop and enforce standards related to vibration and noise during construction and safety standards during operation.

6. Utilize the influence of the Governor, Pennsylvania Senate, and Pennsylvania House of Representatives to affect similar changes for interstate pipelines at the Federal level.

There are similar problems with the siting and regulation of interstate natural gas pipelines that run between two or more states, and therefore fall under the purview of federal regulations.

As Thomas Jefferson famously said, “the government closest to the people serves the people best.”

The Board of Supervisors encourages you to contact your state legislators about the action items listed above and help us realize Jefferson’s vision.

The Board welcomes feedback and suggestions from our residents. You may call the Township at 610-692-7171, respond through our website or contact me at mshane@eastgoshen.org.

Happy Holidays!

E. Martin (Marty) Shane, Chairman



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