



THE COUNTY OF CHESTER



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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Filing Room
Harrisburg, PA 17120

Re: Pennsylvania State Senator Andrew Dinniman v. Sunoco Pipeline L.P.; Docket No. P-2018-3001453; Docket No. C-2018-3001451

Dear Secretary Chiavetta,

We write you to encourage the Public Utility Commission to uphold the suspension of the Mariner East project ordered by Administrative Law Judge Elizabeth Barnes. During the hearing that led to that Order, testimony was provided about the impact of Sunoco's Mariner East construction in West Whiteland Township. While that testimony was extensive, it still barely touches on the extent of concern expressed by residents across Chester County to the County Commissioners and our Department of Emergency Services.

Our Department of Emergency Services provides the County 9-1-1 Communications Center, County Fire Marshal Office, and extensive police, fire, Emergency Medical Services, rescue, and Hazardous Materials administration, coordination, and training in support of our local first responders. They also provide the County's Emergency Management organization, being responsible for county-wide plans and coordination of any emergency which would overwhelm a local municipality or any emergency involving two or more municipalities within Chester County. Finally, and perhaps most importantly, they also provide the County's state-certified Hazardous Materials Response Team. The Hazardous Materials Response Team is responsible for responding to any hazardous material incident and mitigating the effects of such incident until the responsible party can provide a clean-up crew. We provide this background so you understand the Chester County Department of Emergency Services has a valid need-to-know on a number of the concerns we will express.

Chester County continues to experience difficulties with Sunoco Pipeline / Energy Transfer Partners with regard to the Mariner East Pipeline Project (Mariner East 1, Mariner East 2, and Mariner East 2X). Chester County has experienced multiple spills of drilling mud that have contaminated local streams, aquifers, drinking water, and wells. Sink holes are threatening the stability of the ground, nearby homes, and even Mariner 1. All of this occurs with Sunoco not making emergency responders aware or communicating any information about these issues. In fact, our Department of Emergency Services learns about the majority of issues involving the Mariner East Pipeline Project through local media reports and community members.

A majority of the areas traversed by the Mariner East Pipeline Project are in high consequence areas of dense, vulnerable populations in close proximity to the pipelines. Given the population which could be affected by this project, we find it appalling that Sunoco has failed to proactively share their Risk Assessment and full Integrity Management Plan with appropriate emergency responders. In fact, our Department of Emergency Services has seen Sunoco's Risk Assessment only after requesting a briefing. In order to receive that briefing our personnel were required by Sunoco to sign a Non-Disclosure Agreement limiting their ability to discuss the contents of the Risk Assessment with anyone outside of the briefing. Further, Sunoco has yet to share their full Integrity Management Plan with our Department of Emergency Services. After more than three months and two cancelled briefings by Sunoco, our personnel still await a briefing. The briefings have been cancelled because Sunoco has had to appear in Court or before the Public Utility Commission. This raises our concern that they prioritize profit over safety and they lack the necessary depth of subject matter experts to be able to multi-task by providing the briefing and appearing before the Court or the Public Utility Commission. On top of that, Sunoco won't share the Integrity Management Plan briefing with local municipal emergency management coordinators and local emergency responders, instead insisting on the briefing be limited to Department of Emergency Services personnel who will, again, have to sign a Non-Disclosure Agreement. Our Department of Emergency Services has also asked for copies of Sunoco's Emergency Response and Communications Plans and have been told we either need to go to Marcus Hook to see it or make a formal request to PHMSA, another example of how difficult Sunoco makes it to receive important public safety information. We are deeply troubled by Sunoco's lack of transparent approach to this critical safety information, hampering our Department of Emergency Services and local first responders from doing their job. We are also concerned because Sunoco's lack of transparency with this information has created a gravely dangerous situation where the public is left to develop their own information, often misleading and incorrect.

Many residents along the pipeline route have asked about evacuation plans in the event of a pipeline emergency. Our Department of Emergency Services and local first responders have answered that question many times, explaining that there is no pre-set plan because the extent and direction of any evacuation depends on circumstances during the incident, such as weather conditions and the type of leak. Our Department of Emergency Services and local first responders also have tried to reassure the public that they have trained extensively to respond to hazardous material incidents, including pipeline accidents. Unfortunately, many residents found no comfort in these reassurances because the Department of Emergency Services and local first responders are limited by the information they can share due to the Non-Disclosure Agreement and Sunoco's unwillingness to be open and transparent about the products they are and want to continue to flow through our communities. Simply put, without more publicly accessible information about the pipelines and the products conveyed in them, the Department of Emergency Services and local first responders cannot dispel residents' fears about being safe in their own homes.

This lack of transparency and requirements to sign Non-Disclosure Agreements to obtain critical safety information only add to the level of mistrust which exists in our county for Sunoco and their representatives. Frankly, this mistrust evolved from the mishaps during pipeline construction, as well as Sunoco's unwillingness to truly listen to the public's concerns and attempt to allay them, to explain publicly the measures in place for pipeline safety, and most importantly, to be transparent about what steps are being taken and what other steps could be taken to ensure that pipelines carrying volatile liquid gases right next to homes, schools, and other gathering places are absolutely safe.

For the record, representatives from Sunoco and contractors working for them have answered numerous questions raised by County staff about the Mariner East Pipeline Project and have tried to address many of our communities' concerns. We appreciate their time and cooperation. However, the issues raised in this letter and during the testimony presented for this emergency petition and complaint go beyond their authority and responsibility.

Instead, these issues must be addressed by the leadership of Sunoco which has shown no regard for the extensive and unreasonable impact pipeline construction is having throughout Chester County or for the fear Mariner East has sown in our communities about the risk of a pipeline accident.

We understand and appreciate the importance pipelines provide in our nation's infrastructure. We also understand pipelines, generally, are a far safer mode of transportation than placing this dangerous product on rail or the highway. And we understand that for centuries the population has congregated around water and this is where the product must be processed in our area. We understand that pipelines will and must run through our communities. However, we also understand, and have seen firsthand from other pipeline operators, the importance and value of an open, honest, transparent, safety-focused process.

Simply put, until Sunoco provides comprehensive, clear, and credible explanations demonstrating the safety of existing and future pipelines carrying natural gas liquids in close proximity to homes, schools, and other gathering places directly to the public (not limited to residents within a short distance of the pipeline), the Chester County Board of Commissioners strongly urges the Public Utility Commission to uphold the suspension of operation of Mariner East 1 and construction of Mariner East 2 and 2x.

Finally, it is our sincere hope and desire that by the County offering this letter to the Public Utility Commission in support of the Order, Sunoco does not stop communication with our Department of Emergency Services and local first responders but instead significantly improves their communication and transparency.

Respectfully,



Michelle Kichline
Chairman



Kathi Cozzone
Commissioner



Terence Farrell
Commissioner