

**East Goshen Township
Pipeline Task Force
Meeting Agenda**
Monday, November 12, 2018
7:00 PM

1. Call to Order – David Shuey
2. Pledge of Allegiance – David Shuey
3. Moment of Silence – David Shuey
4. Ask if anyone is recording the meeting – David Shuey
5. Approval of Minutes - NA
6. Chairman's Report - NA
7. Staff Reports - NA
8. Old Business -NA
9. New Business
 - a. Introductions
 - b. Elect Chairperson and Vice Chairperson

Note - After the Chairperson has been elected the Chairperson will take over running the meeting.
 - c. Select regular meeting date – see attached
 - d. Review Resolution 2018 –78 Section 2. Duties and Responsibilities
 - e. Status of Pipeline Activities in East Goshen
 - f. Status of current pipeline legislation
 - f. Review and prioritize May 16, 2018 Actions Summary
10. Public Comment
11. Adjourn Meeting

Memo

East Goshen Township

Date: October 16, 2018

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Pipeline Task Force Meeting

Under the Pennsylvania Sunshine Law, the Pipeline Task Force is classified as an “agency” and as such any agency business must be discussed at an advertised public meeting. A “meeting” is defined as prearranged gathering of a quorum of the members to discuss agency business. Finally meetings must be advertised in the local newspaper.

Based on past experience it is best to select a specific day and week for the regular meetings (i.e. the second Monday of the month).

This makes it easier for the members to schedule other activities. Please bring your calendar, electronic or otherwise to the meeting.

May 16, 2018 EGT Pipeline Public Meeting - Actions Summary

Last Revised October 3, 2018

- Improve public communication regarding pipeline issues and activity
- Facilitate or join a “community advocacy network”
- Form an EGT pipeline ABC – *Pipeline Task Force created on 7/17/18*
- Help fund the citizen’s risk assessment – *Board contributed \$5,000 on 7/3/18*
- Explore the valve location issue for safety considerations
- Confirm that the local police are trained in appropriate response when called by residents or pipeline contractors
- Support State and Federal legislation regarding safety, siting, density, public awareness, etc.
- Advocate that the State revoke 102 and 105 permits
- Conduct air quality monitoring at valve locations
- Examine the impact of pipeline construction on property values
- File an EGT complaint with the PUC similar to West Whiteland but focus on EGT
- Hire new or train existing staff to conduct pipeline inspections
- Conduct air quality monitoring at HDD construction sites. ¹

¹ Added July 3, 2018

**EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION 2018-78

**A RESOLUTION ESTABLISHING THE EAST GOSHEN TOWNSHIP
PIPELINE TASK FORCE, SETTING FORTH THE DUTIES AND
RESPONSIBILITIES THEREOF, ESTABLISHING THE MEMBERSHIP
THEREOF, AND PROVIDING FOR THE ORGANIZATION AND
MEETINGS OF THE TASK FORCE AND FOR THE FINANCIAL
SUPPORT THEREOF**

WHEREAS, the Township of East Goshen in Chester County, Pennsylvania, is a Township of the Second Class, and,

WHEREAS, there are currently nine (9) natural gas and/or hazardous liquid pipelines situated in East Goshen Township, and,

WHEREAS, the 2015 East Goshen Township Comprehensive Plan sets forth a number of Objectives that need to be accomplished, and,

WHEREAS, Objective 10.6 of 2015 East Goshen Township Comprehensive Plan reads as follows “Regulating pipelines to protect the land uses and environment”, and,

WHEREAS, for the foregoing reasons the Board of Supervisors of East Goshen Township has determined it to be appropriate to establish a Pipeline Task Force for the Township of East Goshen to provide advisory support and guidance to the Board of Supervisors.

NOW THEREFORE, the Board of Supervisors of East Goshen Township hereby resolves as follows:

BE IT HEREBY RESOLVED that the Township of East Goshen, acting by and through its Board of Supervisors, hereby establishes a Pipeline Task Force, which shall be governed by the rules and regulations set forth, setting forth the duties and responsibilities of the Task Force, establishing its composition and otherwise setting forth provisions for the establishment, regulation and guidance of said Task Force.

Section 1. Name

The name of the body hereby established shall be the “East Goshen Township Pipeline Task Force”.

Section 2. Duties and Responsibilities

The East Goshen Township Pipeline Task Force (hereinafter referred to as “Task Force”) shall have

the following duties and responsibilities:

1. Promote the public interest in the work of the Task Force.
2. Undertake review and assessment of regulatory and technical aspects of pipeline infrastructure affecting East Goshen Township.
3. Advise the Board of Supervisors and make recommendations on pipeline legislation (state and federal) and regulatory (PA PUC, FERC, PHMSA, PA DEP) matters.
 - a. Periodically review PA Session Information website for proposed pipeline legislation.
 - b. Periodically review FERC, PHMSA and PA PUC websites for new or proposed pipeline regulations.
 - c. Periodically review FERC, PHMSA and PA PUC websites for pipeline projects impacting East Goshen Township.
4. Cultivate relationships and network with other municipal governments and citizen interest/advocacy groups.
5. Perform such other duties as may be delegated to the Task Force from time to time by the Board of Supervisors.
6. Prepare objective (non-editorial) information releases about pipelines for public dissemination.

Section 3. Membership and Terms of Office

The Task Force shall be composed of seven (7) persons, each of whom shall be residents of East Goshen Township, and each of whom shall be appointed by the Board of Supervisors. Duly appointed Task Force Members shall serve at the pleasure of the Board of Supervisors but, unless otherwise removed by the Board of Supervisors, shall serve for terms of three (3) years each, or until their successors are appointed; except that of the seven (7) persons initially appointed, three (3) shall be appointed for a one (1) year term, two (2) shall be appointed for a two (2) year term, two (2) shall be appointed to a three (3) year term. All persons appointed shall serve their full terms unless voluntarily resigned or removed by the Board of Supervisors, at the pleasure of the Board. Vacancies in this Task Force occurring otherwise than by expiration of the term shall be for the unexpired term, and shall be filled by appointment by the Board of Supervisors.

Section 4. Compensation

Members of the Task Force shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in the performance of their duties and in the conduct of the Task Force business, when such reimbursement is authorized and approved by the Board of Supervisors.

Section 5. Organization

The members of the Task Force shall annually elect their own Chairman and other such officers they shall deem appropriate and, all officers shall serve for a period of one year. Vacancies in any

office created by resignation or otherwise, including a vacancy in the office of the Chairman, even if occurring during the first year, shall be filled for the unexpired term by election by the members of the Task Force. The Task Force shall adopt rules and regulations for the conduct of all business within its jurisdiction.

Section 6. Meetings

Regular public meetings shall be held to conduct the business of the Task Force. The Task Force shall keep records of its meetings and activities and shall make an annual report to the Board of Supervisors of its activities.

Section 7. Funding

The Task Force may, with the consent of the Board of Supervisors, utilize any funds, personnel or other assistance made available by Chester County, the Commonwealth of Pennsylvania, or federal government or any of its or their agencies, or from any other private or public sources. Accounting for the receipt of such funds and for the expenditure thereof shall be pursuant to such regulations as the Board of Supervisors may adopt. The Board of Supervisors may enter into agreements or contracts regarding the acceptance or utilization of such funds or other assistance as may be available. The Task Force shall submit a proposed budget to the Board of Supervisors during the regular Township budget process. Funds for the expenses to be incurred by the Task Force shall, at the discretion of the Board of Supervisors, be appropriated by the Board of Supervisors. The Task Force may expend monies for such administrative clerical, printing and legal services as may from time to time be required to, but its expenditures shall be limited to the amount of funds appropriated to it by the Board of Supervisors or otherwise obtained from other sources as set forth above and, at all times, expenditures of the Task Force shall be subject to the approval of the Board of Supervisors.

Section 8

This resolution shall take affect five (5) days after adoption and upon appointment by the Board of Supervisors of at least four (4) members of the Task Force.

(Signatures on next page)

ADOPTED, this 17th day of July 2018.

ATTEST:

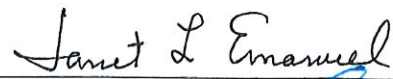
**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**



Secretary











[startribune.com](http://www.startribune.com)

Enbridge outlines \$1.4 billion worst-case scenario spill on proposed pipeline

Mike Hughlett

11-14 minutes

A worst-case oil spill on Enbridge's planned new oil pipeline across northern Minnesota would cost an estimated \$1.4 billion, a little more than the price of the company's mammoth spill in Michigan eight years ago.



Enbridge was required to come up with the worst-case scenario by the Minnesota Public Utilities Commission (PUC), which conditionally approved the company's new Line 3 pipeline in June.

Calgary, Alberta-based Enbridge filed the cost estimate Tuesday with the PUC, noting that the worst-case spill would involve pipeline ruptures near the Red, Mississippi or Red Lake rivers. The PUC will use the information in determining Enbridge's financial liabilities for a major spill.

Before the PUC signs off completely on the controversial \$2.6 billion Line 3 project, Enbridge has to meet several conditions,

and the most critical involves its corporate guarantee and insurance coverage for spills.

To calculate the worst case, Enbridge assumed a "full-bore rupture scenario where the pipeline is shut down and isolated after 13 minutes from the release occurring," the company said in a PUC filing. In that 13 minutes, "a conservative response time," the break would be detected, pumps would be shut down and valves closed, the filing said.

The largest costs would involve mopping up environmental damage, including spill containment site cleanup and remediation. The damage costs incurred by businesses located near a pipeline break also would be significant, as would costs to Enbridge's reputation, the filing said.

"The report confirms Enbridge has the ongoing financial ability to cover cleanup costs in the unlikely event of a worst-case pipeline release in a high consequence area," the company said in a statement. "This engineering analysis, by design, did not take into account timely response or mitigation efforts."

The company's disaster analysis did not pinpoint specific locations on the pipeline's 340-mile route from Kittson County in far northeastern Minnesota to Enbridge's terminal in Superior, Wis. But it said the worst spills would be at water crossings, particularly at the three rivers that the pipeline would cross.

An Enbridge pipeline rupture in southwestern Michigan in 2010 spilled 834,000 gallons of oil into a tributary of the Kalamazoo River. It was one of the worst onshore U.S. oil spills and cost the company \$1.2 billion to clean up. The National Transportation

Safety Board concluded that Enbridge did not adhere to its own safety procedures.

The company's last major oil spill in Minnesota was in 2002, when the current Line 3 ruptured and spilled 252,000 gallons.

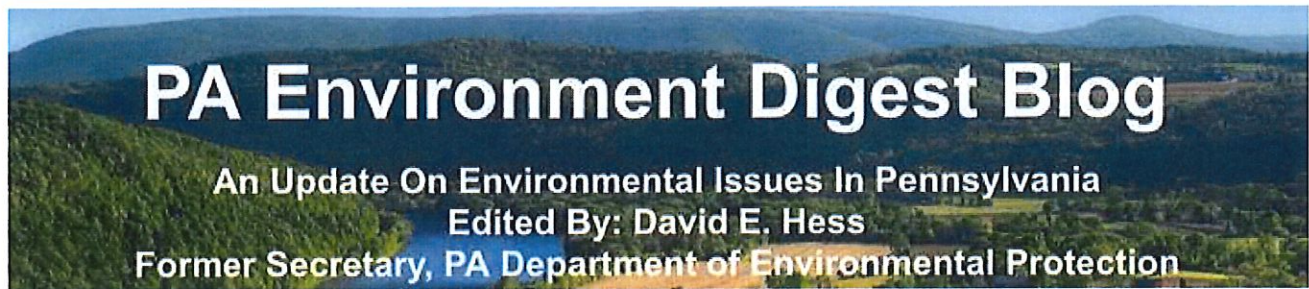
Line 3 is aging and corroding and operating at only 51 percent capacity. Enbridge wants to replace it, and the PUC agreed that the old pipeline's condition merited the construction of a new one.

The new pipeline, which would transport Canadian oil, has been fiercely opposed by environmental groups and some Indian tribes who fear it will open a new region of Minnesota's lakes and rivers to threat of oil spills.



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TUESDAY, OCTOBER 2, 2018

Senators Rafferty, Dinniman, Killion To Introduce Bipartisan Pipeline Siting Bill, 4 Other Pipeline-Related Bills Now On Senate Calendar



Senators John Rafferty (R-Montgomery), Andy Dinniman (D-Chester) and Tom Killion (R-Delaware) recently [announced plans to introduce bipartisan legislation](#) requiring the Department of Environmental Protection to develop clear pipeline siting guidelines and permit conditions to reduce the dangers associated with new natural gas-related pipeline construction.

The legislation follows up on recommendations made by Andrew Place, Vice Chair of the Public Utility Commission, and DEP Secretary Patrick McDonnell that there [needs to be a "serious conversation" in the General Assembly](#) on how state government can have a meaningful role in siting pipelines like the Mariner East 2.

Both Place and McDonnell noted other states have already taken on this role.

[In a memo to their colleagues](#) asking for their support, the Senators said, "Today, more than 1 million Pennsylvanians live or work near oil and gas infrastructure. A clear commitment to require transparent safety management and siting plans will signal to communities that Pennsylvania is taking steps to reduce potential risks while working to make Pennsylvania energy development as safe as possible by requiring advanced leak detection that will not only reduce community impacts, but will also cut down on the waste of precious American natural gas or otherwise known as methane."

The legislation they, said would, require, "the Department of Environmental Protection to develop clear permit conditions and siting

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About Me

[David E. Hess](#)

This Blog is a companion to www.PaEnvironmentDigest.com, the weekly online newsletter. I can be contacted at 717-576-0420 or by sending email to: PaEnviroDigest@gmail.com. I served as Secretary of the Pennsylvania Department of Environmental Protection from 2001 to 2003, Executive Deputy at DEP from 1995 to 2001, as staff to the PA Senate Environmental Committee and various positions in the former Department of Environmental Resources, working on environmental issues for over 40 years.

[View my complete profile](#)

guidelines to increase the focus on pipeline safety and pipeline infrastructure siting to reduce the dangers of improper siting, improper safety management and wasted American resources—ensuring that as a state we are, at a minimum, ensuring the pipelines are built and operated in the safest way possible that minimizes the impacts to communities and sensitive environmental areas.

"Public policy leadership is essential to ensuring that Pennsylvania puts in place an oversight framework that is consistent with the pace and scale that science demands to avoid the worst effects of bad pipeline management – a framework flexible enough to adapt to technology innovation and advanced leak detection.

"The purpose of the legislation is to catalyze leadership-- reducing the risks pipelines pose to communities while allowing for the responsible development only the most essential and safest pipelines for the Commonwealth that can benefit all citizens."

Other Pending Bills

On Monday, the Senate removed [Senate Resolution 373](#) (Rafferty-R-Montgomery)-- a concurrent Senate-House resolution to establish a Senate-House legislative Commission to Study Pipeline Construction and Operations and to recommend improvements for the safe transport of oil, natural gas and other hazardous liquids through pipelines-- from the Table and put it in position for a final vote by the full Senate at any time.

Senate Resolution 373 was [reported out of Committee in June](#) to the full Senate.

[Senate Bill 1199](#) (Rafferty-R-Montgomery)-- providing for a landowners' bill of rights in cases of eminent domain, including by private entities like pipeline companies ([sponsor summary](#))-- was also [reported out of Committee in June](#) and has sat on the Senate Calendar since then.

Legislation sponsored by Sen. Dinniman-- [Senate Bill 930](#) (Dinniman-D- Chester) setting notification requirements related to pipeline emergencies ([sponsor summary](#)) and [Senate Bill 931](#) (Dinniman-D-Chester) requiring the installation of automatic or remote controlled safety valves in natural gas pipelines in densely populated areas was reported out of committee in November of last year and has remained on the Senate Calendar without action since then.

Sen. Dinniman has followed up on his concerns about the safety and construction practices of the Mariner East 2 Pipeline by [filing a petition with the Public Utility Commission](#) in April that led to the shutdown of construction on that pipeline in Chester County.

Part of the PUC shutdown order remains in effect. The Commission is scheduled to meet on October 4 and may take additional action on this issue.

[StateImpact PA reported Monday](#) the Mariner East 2 Pipeline faces a number of regulatory hurdles with the PUC and DEP before it can complete construction and begin operation.

Senate/House Hearings

In March, the Senate Environmental Resources and Energy and Consumer Affairs and Professional Licensure [Committees held a joint hearing on pipeline safety issues](#) that pointed to the need to hold pipeline companies more accountable for impacts and better communication.

In July, the House Republican [Policy Committee held a hearing on pipeline siting](#) and safety issues for pipelines like the Mariner East 2 Pipeline in Chester and Delaware counties.

Pipeline Task Force

In February 2016, the [Pipeline Task Force presented a series of 184 suggestions to Gov. Wolf](#) to help Pennsylvania achieve responsible development of natural gas pipeline infrastructure in the state. Among the recommendations were--
-- Plan, site and route pipelines to avoid/reduce environmental and community impacts

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- Amplify and engage in meaningful public participation
- Establish early coordination with local landowners and lessors
- Educate landowners on pipeline development issues
- Develop long-term operations and maintenance plans to ensure pipeline safety and integrity
- Train emergency responders
- Enhance emergency response training for responder agencies
- Employ construction methods that reduce environmental impact
- Minimize impacts of stream crossings
- Ensure adequate agency staffing for reviewing pipeline infrastructure projects

[Click Here](#) for a copy of the report.



Posted by [David E. Hess](#) at 8:51 AM

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 373 Session of
2018INTRODUCED BY RAFFERTY, DINNIMAN, McGARRIGLE, KILLION, FOLMER,
COSTA, SCHWANK, BREWSTER, MENSCH AND AUMENT, MAY 30, 2018SENATOR YAW, ENVIRONMENTAL RESOURCES AND ENERGY, AS AMENDED,
JUNE 12, 2018

A CONCURRENT RESOLUTION

1 Establishing a special bipartisan, bicameral legislative
2 commission to recommend safety, oversight and interagency
3 coordination improvements for the transport of oil, natural
4 gas and other hazardous liquids through pipelines in this
5 Commonwealth and develop and promote legislation in
6 furtherance of its recommendations.

7 WHEREAS, The residents of this Commonwealth have a right to
8 safe communities and benefit from regulations and laws which are
9 established to enhance their safety and protect the environment;
10 and

11 WHEREAS, Natural gas and oil extraction have increased
12 dramatically over the last decade in this Commonwealth,
13 resulting in the construction of new pipeline infrastructure to
14 transport hazardous liquids, gases and byproducts in large
15 quantities through the most sensitive areas of this
16 Commonwealth; and

17 WHEREAS, While the construction and operation of any pipeline
18 carries some measure of risk, the public safety and
19 environmental risks associated with the construction and

1 transport of volatile chemicals are compounded dramatically when
2 high volume pipelines operating under high pressure are situated
3 in close proximity to homes, schools and population centers; and

4 WHEREAS, The construction of pipelines throughout this
5 Commonwealth has resulted in hundreds of environmental and
6 safety violations that have negatively impacted the residents of
7 this Commonwealth, resulting in the contamination of private
8 wells and public waterways and demonstrating the need for
9 exploring measures that will result in improved management,
10 increased safety and more comprehensive oversight of pipeline
11 construction and operation; therefore be it

12 RESOLVED (the House of Representatives concurring), That the
13 General Assembly establish a special bipartisan, bicameral
14 legislative commission to recommend improvements to the process
15 of regulating pipeline construction and operation in this
16 Commonwealth and develop and promote legislation in furtherance
17 of its recommendations; and be it further

18 RESOLVED, That the commission consist of the following
19 members:

20 (1) The chairperson and minority chairperson of the
21 Environmental Resources and Energy Committee of the Senate or
22 designees.

23 (2) The chairperson and minority chairperson of the
24 Environmental Resources and Energy Committee of the House of
25 Representatives or designees.

26 (3) ~~The Director of Regulatory Affairs~~ CHIEF COUNSEL OF <--
27 THE LAW BUREAU of the Pennsylvania Public Utility Commission
28 or a designee.

29 (4) The Director of the Bureau of Investigations and
30 Enforcement of the Pennsylvania Public Utility Commission or

1 a designee.

2 (5) The Director of the Environmental Emergency Response
3 Program of the Department of Environmental Protection or a
4 designee.

5 (6) The Deputy Secretary for Oil and Gas Management of
6 the Department of Environmental Protection or a designee.

7 (7) The president of the Marcellus Shale Coalition or a
8 designee.

9 (8) The executive director of the Pipeline Safety
10 Coalition or a designee.

11 (9) The president of the Pennsylvania Municipal League
12 or a designee.

13 (10) The president of the Pennsylvania State Association
14 of Boroughs or a designee.

15 (11) The president of the Pennsylvania State Association
16 of Township Commissioners or a designee.

17 (12) The president of the Pennsylvania State Association
18 of Township Supervisors or a designee.

19 (13) The president of the Pennsylvania Association of
20 Hazardous Materials Technicians or a designee.

21 (14) Two fire chiefs of volunteer fire companies in this
22 Commonwealth, one of whom shall be selected by the President
23 pro tempore of the Senate and one of whom shall be selected
24 by the Speaker of the House of Representatives.

25 (15) Two fire chiefs of municipal fire companies in this
26 Commonwealth, one of whom shall be selected by the President
27 pro tempore of the Senate and one of whom shall be selected
28 by the Speaker of the House of Representatives.

29 (16) Four fire or emergency medical services members at-
30 large, two of whom shall be selected by the President pro

1 tempore of the Senate and two of whom shall be selected by
2 the Speaker of the House of Representatives+. <--

3 (17) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
4 MANAGEMENT AGENCY OR A DESIGNEE.

5 (18) THE STATE FIRE COMMISSIONER OR A DESIGNEE.

6 (19) THE EXECUTIVE DIRECTOR OF THE COUNTY COMMISSIONERS
7 ASSOCIATION OF PENNSYLVANIA OR A DESIGNEE.

8 (20) THE PRESIDENT OF THE PENNSYLVANIA INDEPENDENT OIL
9 AND GAS ASSOCIATION OR A DESIGNEE;
10 and be it further

11 RESOLVED, That the commission elect a chair from its
12 membership; and be it further

13 RESOLVED, That the commission shall develop and recommend
14 legislation to improve the safety, oversight and interagency
15 coordination for pipelines in this Commonwealth; and be it
16 further

17 RESOLVED, That the commission may hold hearings, AND take <--
18 testimony ~~and make investigations~~ at such places as it deems <--
19 necessary in this Commonwealth; and be it further

20 RESOLVED, That the Legislative Budget and Finance Committee
21 provide staff support to the commission and assist with the
22 final report; and be it further

23 RESOLVED, That the commission make a final report of all
24 legislative recommendations by ~~January~~ JULY 1, 2019, which shall <--
25 be submitted to the chairperson of the Environmental Resources
26 and Energy Committee of the Senate and the chairperson of the
27 Environmental Resources and Energy Committee of the House of
28 Representatives; and be it further

29 RESOLVED, That the members of the commission shall serve
30 without compensation, but shall be reimbursed for all necessary

1 and reasonable expenses incurred in the performance of their
2 duties; and be it further

3 RESOLVED, That reasonable expenses incurred by the commission
4 be equally divided between the Senate and the House of
5 Representatives; and be it further

6 RESOLVED, That the approval of the chairperson and minority
7 chairperson of the Environmental Resources and Energy Committee
8 of the Senate and the chairperson and minority chairperson of
9 the Environmental Resources and Energy Committee of the House of
10 Representatives, by action of a majority of members of the
11 committees, shall be required to preauthorize all proposed
12 actions of the commission which will entail the expenditure of
13 State funds and shall also be required to approve all
14 expenditures, including expense reimbursement requests of
15 commission members, prior to payment.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1199 Session of
2018

INTRODUCED BY RAFFERTY, DINNIMAN, SCHWANK, VULAKOVICH, MENSCH,
FOLMER AND WARD, JUNE 11, 2018

REFERRED TO JUDICIARY, JUNE 11, 2018

AN ACT

1 Amending Title 26 (Eminent Domain) of the Pennsylvania
2 Consolidated Statutes, in general provisions, providing for
3 property owner's bill of rights statement.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 26 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 104. Property owner's bill of rights statement.

9 (a) General rule.--The Attorney General shall prepare a
10 written statement that includes a bill of rights for an owner
11 whose property may be condemned by an acquiring agency through
12 the use of the agency's eminent domain authority under this
13 title.

14 (b) Bill of rights.--The property owner's bill of rights
15 must notify the property owner of the right to:

16 (1) notice of the proposed acquisition of the owner's
17 property;

18 (2) just compensation and other damages for the property

1 condemned;

2 (3) a hearing under Chapter 5 (relating to procedure for
3 determining damages) to determine just compensation and
4 measure of damages; and

5 (4) an appeal of a judgment in a condemnation
6 proceeding, including an appeal of an assessment of damages.

7 (c) Written statement.--The written statement shall include
8 all of the following:

9 (1) The title, "Property Owner's Bill of Rights."

10 (2) A description of each of the following:

11 (i) The procedure to condemn under Chapter 3
12 (relating to procedure to condemn).

13 (ii) The procedure for determining damages under
14 Chapter 5.

15 (iii) The acquiring agency's obligations to the
16 property owner.

17 (iv) The property owner's rights during a
18 condemnation, including the right of appeal.

19 (d) Construction.--The written statement shall:

20 (1) Be in plain language easily understood by the
21 average property owner.

22 (2) Be provided by the acquiring agency with the written
23 notice required under section 305(a) (relating to notice to
24 condemnee).

25 (3) Be available on the Office of Attorney General's
26 publicly accessible Internet website.

27 Section 2. This act shall take effect in 60 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 930 Session of
2017

INTRODUCED BY DINNIMAN, YUDICHAK, RAFFERTY, BROWNE, FOLMER AND
MENSCH, NOVEMBER 1, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
NOVEMBER 1, 2017

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for pipeline emergency management information.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 15 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 PIPELINE EMERGENCY MANAGEMENT INFORMATION

10 Sec.

11 1541. Definitions.

12 1542. Pipeline emergency management information.

13 1543. Penalties.

14 § 1541. Definitions.

15 The following words and phrases when used in this subchapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Gas." As defined in 49 CFR 192.3 (relating to definitions).

1 "Gas high consequence area." A "high consequence area" as
2 defined in 49 CFR 192.903 (relating to what definitions apply to
3 this subpart?).

4 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to
5 definitions).

6 "Hazardous liquid high consequence area." Any of the
7 following:

8 (1) A commercially navigable waterway where a
9 substantial likelihood of commercial navigation exists.

10 (2) A high-population area or urbanized area, defined
11 and delineated by the United States Census Bureau, that
12 contains 50,000 or more people and has a population density
13 of at least 1,000 people per square mile.

14 (3) Another populated area, defined and delineated by
15 the United States Census Bureau, containing a concentrated
16 population, such as an incorporated or unincorporated city,
17 town, village or other designated residential or commercial
18 area.

19 (4) An Unusually Sensitive Area as defined in 49 CFR
20 195.6 (relating to Unusually Sensitive Areas (USAs)),
21 including a Class 1b aquifer, a lithology of which includes
22 limestone, dolomite and locally evaporitic units that contain
23 documented karst features or solution channels, regardless of
24 size.

25 "Potential impact radius." The radius of a circle within
26 which the potential failure of a pipeline could have significant
27 impact on people or property.

28 "Transmission." The transportation, other than gathering, of
29 gas through a transmission line as that term is defined in 49
30 CFR 192.3 (relating to definitions) or of hazardous liquids

1 through a pipeline as that term is defined in 49 CFR 195.2
2 (relating to definitions).

3 § 1542. Pipeline emergency management information.

4 (a) Local organization notice.--At least twice each calendar
5 year, a public utility operating facilities for the transmission
6 of gas or hazardous liquids shall meet with each local emergency
7 management organization in the area in which the facilities are
8 located. The public utility shall provide to each local
9 emergency management organization the following information at a
10 minimum:

11 (1) Identification of any gas high consequence area or
12 hazardous liquid high consequence area and potential impact
13 radius located within the jurisdictional limits of the local
14 emergency management organization.

15 (2) The public utility's current emergency operating
16 procedures.

17 (b) Local coordinator responsibilities.--The local emergency
18 management organization coordinator shall consider the
19 information received under subsection (a), as appropriate, when
20 planning, administering and operating the local organization
21 under 35 Pa.C.S. Ch. 75 (relating to local organizations and
22 services).

23 § 1543. Penalties.

24 The commission may, after notice and opportunity to be heard,
25 impose civil penalties under section 3301 (relating to civil
26 penalties for violations) and other appropriate remedies for
27 violations of this subchapter and the regulations and orders of
28 the commission.

29 Section 2. This act shall take effect in 60 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 930 Session of
2017

INTRODUCED BY DINNIMAN, YUDICHAK, RAFFERTY, BROWNE, FOLMER AND
MENSCH, NOVEMBER 1, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
NOVEMBER 1, 2017

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for pipeline emergency management information.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 15 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 PIPELINE EMERGENCY MANAGEMENT INFORMATION

10 Sec.

11 1541. Definitions.

12 1542. Pipeline emergency management information.

13 1543. Penalties.

14 § 1541. Definitions.

15 The following words and phrases when used in this subchapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Gas." As defined in 49 CFR 192.3 (relating to definitions).

1 "Gas high consequence area." A "high consequence area" as
2 defined in 49 CFR 192.903 (relating to what definitions apply to
3 this subpart?).

4 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to
5 definitions).

6 "Hazardous liquid high consequence area." Any of the
7 following:

8 (1) A commercially navigable waterway where a
9 substantial likelihood of commercial navigation exists.

10 (2) A high-population area or urbanized area, defined
11 and delineated by the United States Census Bureau, that
12 contains 50,000 or more people and has a population density
13 of at least 1,000 people per square mile.

14 (3) Another populated area, defined and delineated by
15 the United States Census Bureau, containing a concentrated
16 population, such as an incorporated or unincorporated city,
17 town, village or other designated residential or commercial
18 area.

19 (4) An Unusually Sensitive Area as defined in 49 CFR
20 195.6 (relating to Unusually Sensitive Areas (USAs)),
21 including a Class 1b aquifer, a lithology of which includes
22 limestone, dolomite and locally evaporitic units that contain
23 documented karst features or solution channels, regardless of
24 size.

25 "Potential impact radius." The radius of a circle within
26 which the potential failure of a pipeline could have significant
27 impact on people or property.

28 "Transmission." The transportation, other than gathering, of
29 gas through a transmission line as that term is defined in 49
30 CFR 192.3 (relating to definitions) or of hazardous liquids

1 through a pipeline as that term is defined in 49 CFR 195.2
2 (relating to definitions).

3 § 1542. Pipeline emergency management information.

4 (a) Local organization notice.--At least twice each calendar
5 year, a public utility operating facilities for the transmission
6 of gas or hazardous liquids shall meet with each local emergency
7 management organization in the area in which the facilities are
8 located. The public utility shall provide to each local
9 emergency management organization the following information at a
10 minimum:

11 (1) Identification of any gas high consequence area or
12 hazardous liquid high consequence area and potential impact
13 radius located within the jurisdictional limits of the local
14 emergency management organization.

15 (2) The public utility's current emergency operating
16 procedures.

17 (b) Local coordinator responsibilities.--The local emergency
18 management organization coordinator shall consider the
19 information received under subsection (a), as appropriate, when
20 planning, administering and operating the local organization
21 under 35 Pa.C.S. Ch. 75 (relating to local organizations and
22 services).

23 § 1543. Penalties.

24 The commission may, after notice and opportunity to be heard,
25 impose civil penalties under section 3301 (relating to civil
26 penalties for violations) and other appropriate remedies for
27 violations of this subchapter and the regulations and orders of
28 the commission.

29 Section 2. This act shall take effect in 60 days.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 931

Session of
2017

INTRODUCED BY DINNIMAN, COSTA, RAFFERTY, FOLMER, MENSCH, KILLION
AND MCGARRIGLE, NOVEMBER 1, 2017

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE, AS AMENDED, APRIL 24, 2018

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for pipeline safety valves.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 15 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 PIPELINE SAFETY VALVES

10 Sec.

11 1541. Definitions.

12 1542. Automatic or remote controlled shutoff valves for gas
13 transmission pipelines.

14 1543. Automatic or remote controlled shutoff valves for
15 hazardous liquids transmission pipelines.

16 1544. Penalties.

17 § 1541. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Gas." As defined in 49 CFR 192.3 (relating to definitions).

4 ~~"Gas high consequence area." A "high consequence area" as~~ <--
5 ~~defined in 49 CFR 192.903 (relating to what definitions apply to~~
6 ~~this subpart?).~~

7 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to
8 definitions).

9 "Hazardous liquid high consequence area." Any of the
10 following:

11 (1) A commercially navigable waterway where a
12 substantial likelihood of commercial navigation exists.

13 (2) A high population area defined and delineated by the
14 United States Census Bureau, as containing 50,000 or more
15 people and has a population density of at least 1,000 people
16 per square mile.

17 (3) An other populated area defined and delineated by
18 the United States Census Bureau, as containing a concentrated
19 population, including, but not limited to, an incorporated or
20 unincorporated city, town, village or other designated
21 residential or commercial area.

22 (4) An unusually sensitive area as defined in 49 CFR
23 195.6 (relating to Unusually Sensitive Areas (USAs)),
24 including a Class 1b aquifer, a lithology of which includes
25 limestone, dolomite and locally evaporitic units that contain
26 documented karst features or solution channels regardless of
27 size.

28 "Shutoff valve." A mechanical device used to control the
29 flow of gas or liquid that may be used solely for fully open or
30 closed applications, to control the direction of flow or to

1 throttle flow or regulate pressure. The term includes a plug
2 valve, ball valve, globe valve and gate valve.

3 "Transmission." The transportation, other than gathering, of
4 gas through a transmission line as that term is defined in 49
5 CFR 192.3 (relating to definitions) or of hazardous liquids
6 through a pipeline as that term is defined in 49 CFR 195.2
7 (relating to definitions).

8 § 1542. Automatic or remote controlled shutoff valves for gas
9 transmission pipelines.

10 (a) General rule.--All facilities of a public utility
11 engaged in the transmission of gas placed into service after the
12 effective date of this section shall have automatic or remote
13 controlled shutoff valves installed as provided in this section.

14 (b) Installation.--In addition to any other valves installed
15 by the public utility, the public utility shall install at least
16 one automatic or remote controlled shutoff valve at each of the <--
17 following locations and at such other locations as the
18 commission may direct by regulation:

19 (1) within 100 feet of each municipal boundary crossed
20 by the facility; and

21 (2) within 100 feet of the facility's entry and exit of
22 a gas high consequence area. LOCATION REQUIRED UNDER 49 CFR <--
23 192.179 (RELATING TO TRANSMISSION LINE VALVES).

24 (c) Testing frequency.--The public utility shall test each
25 automatic and remote controlled shutoff valve on an annual
26 basis. Records of the testing shall be provided annually to each
27 municipality in which the automatic or remote controlled shutoff
28 valve is tested.

29 (d) Replacement.--If an automatic or remote controlled
30 shutoff valve does not operate properly when tested, the public

1 ~~utility shall:~~

<--

2 ~~(1) repair or replace the valve within 72 hours; or~~

3 ~~(2) if the valve cannot be repaired or replaced within~~

4 ~~72 hours, place the facility out of service until the valve~~

5 ~~is repaired or replaced. UTILITY SHALL REPAIR OR REPLACE THE~~ <--

6 ~~VALVE AS SOON AS REASONABLY PRACTICABLE.~~

7 § 1543. Automatic or remote controlled shutoff valves for

8 hazardous liquids transmission pipelines.

9 (a) General rule.--All facilities of a public utility
10 engaged in the transmission of hazardous liquids placed into
11 service after the effective date of this section shall have
12 automatic or remote controlled shutoff valves installed as
13 provided in this section.

14 (b) Installation.--In addition to any other valves installed
15 by the public utility, the public utility shall install at least
16 one automatic or remote controlled shutoff valve at each of the <--
17 following locations and at such other locations as the
18 commission may direct by regulation:

19 ~~(1) within 100 feet of each municipal boundary crossed~~
20 ~~by the facility; and~~

21 ~~(2) within 100 feet of the facility's entry and exit of~~
22 ~~a hazardous liquid high consequence area. LOCATION REQUIRED~~ <--

23 UNDER 49 CFR 192.179 (RELATING TO TRANSMISSION LINE VALVES).

24 (c) Testing frequency.--The public utility shall test each
25 automatic and remote controlled shutoff valve on an annual
26 basis. Records of the testing shall be provided annually to each
27 municipality in which the automatic or remote controlled shutoff
28 valve is tested.

29 (d) Replacement.--If an automatic or remote controlled
30 shutoff valve does not operate properly when tested, the public

1 ~~utility shall:~~

<--

2 ~~(1) repair or replace the valve within 72 hours; or~~

3 ~~(2) if the valve cannot be repaired or replaced within~~

4 ~~72 hours, place the facility out of service until the valve~~

5 ~~is repaired or replaced. UTILITY SHALL REPAIR OR REPLACE THE~~ <--

6 ~~VALVE AS SOON AS REASONABLY PRACTICABLE.~~

7 § 1544. Penalties.

8 The commission may, after notice and opportunity to be heard,

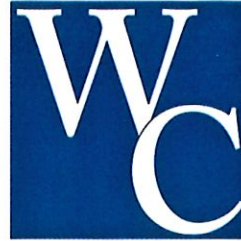
9 impose civil penalties under section 3301 (relating to civil

10 penalties for violations) and other appropriate remedies for

11 violations of this subchapter and the regulations and orders of

12 the commission.

13 Section 2. This act shall take effect in 60 days.



October 23, 2018

Mr. Paul Metro
Manager of Gas Safety
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg PA 17120

RECEIVED AFTER
AGENDA
WAS PRINTED

Dear Mr. Metro,

We are writing this letter on behalf of the Downingtown Area School District, Rose Tree Media School District, and West Chester Area School District to ask you to conduct a safety investigation of the old 12 inch Sunoco Pipeline. It is our understanding that Sunoco is going to be running natural gas liquid through this 12 inch pipe since the construction on the Mariner II pipeline has been temporarily halted. We believe it is incumbent upon school districts to keep students, parents, and staff safe. We also believe it is incumbent upon the PUC and the leaders of the state of Pennsylvania to keep its residents safe.

Specifically, we are asking you to conduct a safety assessment of this pipe to include the following:

1. What is the risk for unprotected valve stations, currently many of these valve stations have temporary fencing without adequate protection from a possible accident.
2. Is it safe to run natural gas liquid through this 12 inch pipe?
3. Does this old 12 inch pipe contain shut off valves for emergency shut off in the event of a breach?

While we are not experts in the area of safely transporting chemical products through a 12 inch pipeline we are often asked by our parents about our plans in the case of a catastrophic breach or explosion in this pipe. We need help from the PUC to answer the question about safety.

We understand that Sunoco is planning on transporting product in the near future. We all have developed safety and evacuation plans for hazardous disasters, however, our plans did not take into consideration the risks and dangers involved with moving product through an 80 year old pipe.

Sincerely,

Emilie M. Lonardi, Ph.D.
Superintendent of Schools
Downingtown Area SD

Eleanor DiMarino-Linnen, Ph.D.
Acting Superintendent of Schools
Rose Tree Media SD

James R. Scanlon, EdD
Superintendent of Schools
West Chester Area SD

cc: DASD, RTMSD, and WCASD Board of School Directors
Gladys Brown, PA PUC Chair
Rosemary Chiavetta, PA PUC Secretary
Robert Young, PA PUC Deputy Chief Counsel Gas/Electric
Governor Tom Wolf
Senator Andy Dinniman
Senator Tom Killion
Senator Tom McGarrigle

Representative Stephen Barrar
Representative Carolyn Comitta
Representative Becky Corbin
Representative Tim Hennessey
Representative Harry Lewis, Jr.
Representative Duane Milne
Representative Chris Quinn
Representative Eric Roe



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

November 1, 2018

Dr. Emilie M. Lonardi, Superintendent
Downingtown Area School District
540 Trestle Place
Downingtown, Pennsylvania 19335

Dr. Eleanor DiMarino-Linnen, Acting Superintendent
Rose Tree Media School District
308 North Olive Street
Media, Pennsylvania 19063

Dr. James R. Scanlon, Superintendent
West Chester Area School District
829 Paoli Pike
West Chester, Pennsylvania 19380

RECEIVED AFTER
AGENDA
WAS PRINTED

RE: Mariner 2 Pipeline Project
Joint Letter dated October 23, 2018 to Paul Metro

Dear Drs. Lonardi, DiMarino-Linnen, and Scanlon:

Thank you for your joint letter dated October 23, 2018 on behalf of the school districts you represent regarding the Sunoco Pipeline projects located in Chester and Delaware Counties. I am aware that you also faxed the letter to Chairman Gladys Brown of the Commission.

The Pennsylvania Public Utility Commission's (PUC) Bureau of Investigation and Enforcement (I&E) is responsible for pipeline and electric safety throughout the Commonwealth. I&E is an independent arm of the Commission and does not speak on behalf of the Commission. We have 23 engineers stationed across the Commonwealth inspecting jurisdictional facilities daily. Our Pipeline Safety Section employs 18 federally certified engineers. Our Pipeline Safety Program works jointly with the federal Pipeline and Hazardous Material Safety Administration (PHMSA) in performing inspections on the Sunoco projects. The PUC's safety responsibilities are the highest priority for the Commission.

During the last two (2) years, our safety staff has inspected various Sunoco facilities more than 200 hundred days. Our engineers work on Sunoco projects daily conducting any one of 43 different types of inspections to ensure compliance with the federal and state codes.

Within your letter you request answers to three (3) questions. The answers to the questions are as follows:

1. What is the risk for unprotected valve stations, currently many of these valve stations have temporary fencing without adequate protection from possible accident?

Answer: The risks identified to these stations are included within the Integrity Management Plan maintained by Sunoco and reviewed and inspected by the PUC Pipeline Safety Section and PHMSA on a regular basis. There are eight (8) valve stations located in the GRE 12 Section (bypass) in Chester County. All valve stations except for one (1) are protected by a permanent fence that is secured. One (1) valve station is currently being constructed and has temporary fencing until construction is complete. The valves are locked and secured at this station during construction and meet all federal standards. Additionally, Sunoco will install rectangular concrete blocks at the Dorlan Mill Road station.

2. Is it safe to run natural gas liquid through this 12-inch pipe?

Answer: The responsibility of the PUC Pipeline Safety Section and PHMSA is to monitor and enforce compliance to the state and federal regulations. It is Sunoco's responsibility is to operate and maintain their pipeline facilities in a safe manner through practices and procedures that are in compliance with state and federal regulations.

Examples of actions undertaken by Sunoco to ensure that the referenced pipeline is safe include:

Hydrostatic (non-flowing water) Testing:

Sunoco has performed two (2) hydrostatic pressure tests on the GRE 12 (Bypass Line) in consecutive years; October 2017 and September 2018. No leaks were discovered in either test. These tests have been reviewed and inspected by the PUC Pipeline Safety staff and PHMSA.

Additionally, the GRE 12 (Bypass Line) is currently holding pressure.

Hydrostatic testing is periodically used to assess the integrity of hazardous liquid and gas transmission pipelines. If a pipeline successfully passes a hydrostatic pressure test, it can be assumed that no hazardous defects are present in the tested pipe.

Integrity Management Plans

Sunoco's integrity management programs and plans for the affected pipeline facilities have been reviewed and inspected by the PUC Pipeline Safety staff and PHMSA. Integrity management requires operators to proactively anticipate hazards, evaluate risks and identify preventative and mitigative actions to manage operational changes that have the potential to increase the risk of failure or the increase in potential consequences of a failure.

PHMSA Flow Reversal Guidelines:

In addition, Sunoco has adhered to the Flow Reversal Guidelines established by PHMSA. PHMSA has issued an Advisory Bulletin to alert hazardous liquid and gas transmission pipeline operators of the impacts associated with flow reversals, product changes, and conversions to service. The Advisory, issued in conjunction with newly-published Agency Guidance on these issues, recommends that operators consult existing conversion of service requirements for flow reversals and product changes and undertake additional actions in order to ensure integrity and safety.

While acknowledging in the associated Guidance that the Agency's recommended practices are not required, PHMSA nevertheless makes a number of suggestions, including that operators consider pressure testing the entire pipeline prior to flow reversals on gas and liquid pipelines and prior to significant product changes on liquid lines.

In order to address the Flow Reversal Guidance, the PUC Pipeline Safety Staff has reviewed and inspected the following to ensure Sunoco was able to demonstrate voluntary compliance:

- a) impacts to O&M,
- b) emergency plans,
- c) operator qualification training,
- d) emergency responder training,
- e) public awareness,
- f) spill response,
- g) maps and records.

3. Does this old 12-inch pipe contain shut off valves for emergency shut off in the event of a breach?

Answer:

Yes. Sunoco/ETP has a total of eight (8) valve locations on the 24.5 miles of GRE 12 reversal section. Six (6) of these valve locations contain Emergency Flow Restricting Devices ("EFRD") and two are manual valves. All manual valves are within the locked fencing and are secured by an additional lock on the valve itself to prevent unauthorized or accidental operation.

The PUC Pipeline Safety staff and PHMSA have held lengthy discussions with Sunoco about valve placement and locations for the EFRD automated valves on the 24.5-mile section of the GRE line.

As a result of PUC Pipeline Safety staff concerns and discussions, Sunoco has presented a change to the EFRD locations. Sunoco reduced the distance between the EFRDs. Sunoco changed a planned manual operated valve to an EFRD and thus reduced the distance between automated valves. Sunoco also changed the EFRD location at the southern point of the GRE section.

The PUC Pipeline Safety Division has reviewed the valve locations and has identified the valve locations and spacing within the school districts. PUC Pipeline Safety also reviewed the distance between the valves and has verified installed fencing, and plans to install fencing, at each of these locations.

Finally, I strongly urge that the above-mentioned schools actively partner with the County Emergency Manager to ensure that your "all hazards" plan and evacuation plans are up to date and incorporate all pipeline hazards. I would offer to meet with you to discuss the Sunoco projects and facilities and answer any other questions regarding pipeline safety that you may have.

Thank you again for your interest in these issues.

Sincerely,



Paul J. Metro
Manager, Safety Division
Investigation and Enforcement Bureau
Pennsylvania Public Utility Commission

CC: Gladys Brown, Pennsylvania Public Utility Commission Chairman
Richard A. Kanaskie, PUC Chief Prosecutor
Michael Swindler, Deputy Chief Prosecutor of Enforcement
Robert Horensky, Supervisor Pipeline Safety Section