

**East Goshen Township  
Pipeline Task Force  
Workshop Meeting Agenda  
Thursday, January 9, 2020  
5:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Ask if anyone is recording the meeting
5. Approval of Minutes
  - a. December 5, 2019
6. Public Comment
7. Chairman's Report
8. Reports
  - a. Legislative Update
  - b. Current Pipeline Events Impacting East Goshen
9. Old Business
  - a. Emergency Action Plan
10. New Business
  - a. Boot Road Report
  - b. Discuss 2019 Accomplishments & 2020 Goals in preparation for 1/28/20 Annual Planning Session
  - c. Pipeline Setback Recommendations for Paoli Pike TND Ordinance
11. Any Other Matter
12. Correspondence
13. Adjournment

1  
2 **PIPELINE TASK FORCE WORKSHOP MEETING**  
3 **1580 PAOLI PIKE**  
4 **THURSDAY, December 5, 2019**  
5 **DRAFT MINUTES**  
6

7 **Present:** Chair Caroline Hughes; Vice Chair Bill Wegemann; Members: Judi DiFonzo,  
8 Christina Morley, Gerald Sexton; David Shuey, Liaison & Township Supervisor;  
9 Mike Lynch, Township Supervisor; Rick Smith, Township Manager; John Hertzog,  
10 Township Manager-Elect; Eddie Decker, Planning Commission; Ernie Harkness,  
11 Planning Commission  
12

13 **Call to Order & Pledge of Allegiance**

14 Caroline called the meeting to order at 5:03 p.m. and led the pledge of allegiance.  
15

16 **Moment of Silence**

17 Caroline called for a moment of silence to honor those that lost their lives in the  
18 military service.  
19

20 **Recording**

21 Caroline asked if anyone was recording the meeting. No one was recording.  
22

23 **Approval of Minutes**

24 The minutes from October 24, 2019, were unanimously approved.  
25

26 **Public Comment**

- 27 1. Henry Zawada, Honey Brook Township, addressed the Pipeline Task Force (TF)  
28 and explained that he has been visiting different townships to raise  
29 communication and transparency regarding pipeline issues. He voiced concerns  
30 about pipeline leaks and contamination of drinking water. Caroline thanked him  
31 for coming to speak and will contact him after the meeting.
- 32 2. Everyone in the room introduced themselves.
- 33 3. John Hertzog stated that he would like the TF to address safety issues and  
34 possibly supply a flow chart diagram outlining the steps needed for during/after  
35 a pipeline emergency.
- 36 4. Ernie Harkness asked if the Township will follow the all hazards approach. Rick  
37 explained that the Township follows the plan that was provided by Federal  
38 Emergency Management Agency (FEMA).  
39 Caroline voiced that there are challenges to an all hazards approach.  
40 David explained that he attended a table top exercise where it was stated that  
41 the all hazards approach is fine.  
42 Rick explained that the new county Pipeline Task Force may modify the plans.  
43 Caroline stated that both Thornbury and Edgemont Townships hired an outside  
44 firm to conduct reviews of their emergency operations plan. She will provide the  
45 group with a copy of the reports.

- 1 5. Eric Friedman, Glenn Mills, stated that he is serving on the new public safety  
2 group in Delaware County. There was continued discussion about the all hazards  
3 approach and cell phone use during an emergency.  
4 6. Melissa DiBernardino, 1602 Old Orchard Lane asked why Sunoco is installing a  
5 50 inch casing at New Kent. Rick explained that Sunoco is preparing for the dual  
6 pull. Melissa then asked if there was an issue with the AQUA line. Rick stated no  
7 there was no issue. Melissa expressed concern about the condition of Boot Road.  
8 Rick stated that PennDOT has not released the latest study. David explained that  
9 it was a third party that conducted the study.

10  
11 **Chairman's Report**

- 12 1. Caroline reported that she attended the Safety 7 hearings on 10/23, 10/24 &  
13 11/20.  
14 The expert witness testimony will be held in July 2020.  
15 2. Eric stated that the notice of violation administered from the US Department of  
16 Transportation - Pipeline and Hazardous Materials Safety Administration to  
17 Sunoco in May, 2019 is now available with redactions. Caroline will send to the  
18 members.

19  
20 **Correspondence**

21 Caroline reference the correspondence letter dated November 7, 2019. This was a  
22 Notice of Violation (NOV) issued by DEP to Sunoco. The TF discussed that the NOV  
23 referenced Sunoco/Energy Transfer's unauthorized action of combining drill sites  
24 HDD 520 and HDD 530 into a single site, HDD 521. This action and failure to notify  
25 DEP of changes to the installation plans resulted in a finding that the operator is  
26 noncompliant with the permits issued by the PADEP. Sunoco was given 10 days  
27 from receipt of the NOV to submit information to DEP as remedy.

28  
29 The Township sent the letter dated November 20, 2019, to DEP requesting that they  
30 direct Sunoco to immediately cease operations on drill site HDD 521 until Sunoco  
31 Pipeline has complied with the conditions set forth in the NOV.

32  
33 Caroline motioned that a recommendation to the Board of Supervisors be sent to  
34 request confirmation from Sunoco proving they are now in compliance with the  
35 NOV. Judi seconded the motion. The motion unanimously passed.

36  
37 David questioned whether Sunoco is in compliance with the Township's Storm  
38 Water Code as stated in §195. He asked if the Township Engineer, Pennoni, could  
39 verify compliance.

40  
41 **New Business**

- 42 1. Mike Lynch explained that Ernie and Ed were in attendance representing the  
43 Planning Commission in order to open discussion regarding ordinances,  
44 setbacks, easements and the interaction to the pipelines in the Township.  
45 Ernie stated that the Planning Commission has not included Pipeline Risk  
46 Analysis in their ordinances. The majority of the zoning areas in the Township  
47 are touched by pipelines. Ernie said that this is a macro situation and needs a

1 comprehensive approach. He continued that proper analysis of the data needs to  
2 occur.

3 Mike Lynch mentioned that this is a challenge because the County is completely  
4 built out.

5 David mentioned that safety is an important aspect of the position of the  
6 setbacks and easements.

7 Ernie questioned how to initiate this approach and how to consider making  
8 recommendations to the board.

9 It was agreed that this would be a good topic for the County Planning  
10 Commission.

11 Christina stated that there are sample ordinances for other neighboring  
12 Townships posted on the CCATO website under the "Resources" tab.

13 Mike mentioned that these would be good to use for reference moving forward.

14 Caroline explained that there are 2 risk assessments and the 1 hazard analysis  
15 that she will forward to Ernie for review.

16 She and Ernie agreed that starting this dialog and open communication between  
17 the Pipeline Task Force and the Planning Commission is beneficial.

- 18  
19 2. For 2020, the Task Force will continue to meet the fourth Thursday of the month  
20 at 5:00 pm. It was agreed that the second Thursday of the month will be  
21 reserved for workshops as needed. The next workshop meeting will be held on  
22 Thursday, January 9, 2020. The next regular meeting is scheduled for January 23,  
23 2020. Both meetings will start at 5:00 pm.

24  
25 **Legislative Update and Old Business**

26 Due to time constraints, these items were tabled until next meeting.

27  
28 **Adjournment**

29 The meeting was adjourned at 7:04 pm.

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31 Respectfully submitted,  
32 *Susan D'Amore*

33  
34 *F:\Data\Shared Data\Minutes\Pipeline Task Force\2019\Pipeline TF Mins 12-05-19 DRAFT.docx*

CHADDS FORD

## Killion pipeline legislation highlighted in PUC decision

By Fran Maye

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**CHADDS FORD** » In an initial decision regarding a leak from the Mariner East I (ME1) pipeline in Berks County, a Public Utility Commission (PUC) Administrative Law Judge cited Senate Bill 284, sponsored by Senator Tom Killion (R-9th, of Middletown) as a potential remedy to the question of what confidential security information pipeline operators are required to share with county emer-

gency planning officials. "County emergency officials must have the information they need to make sure first responders can effectively react to an emergency," said Killion. "Currently, pipeline operators have the authority to decide what is or is not confidential security information. That's un-



State Sen. Tom Killion, R-9

acceptable." Killion's legislation would mandate pipeline operators provide current Emergency Response Plans to the PUC which could be responsibly and confidentially shared with county emergency services agencies for the purpose of coordinating a response to a pipeline incident. In mid-2019 it was reported that approximately 95 percent of an emergency management plan recently submitted to Chester County by Energy Transfer Partners for its Mari-

ner East II pipeline was redacted. "The plan submitted to Chester County was effectively worthless," said Killion. The reference to Killion's legislation came in a December 18, 2019 Initial Decision in Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement v. Sunoco Pipeline, L.P. regarding an alleged incident involving a leak of highly volatile liquids of ethane and propane from the ME1 pipeline in Morgantown, Berks County

on April 1, 2017. It is one of a number of pipeline-related cases before PUC administrative judges. "The legal basis for withholding this critical safety information is that the information could be accessed by competitors or those wishing to commit acts of terrorism," noted Killion. "Our county emergency service directors are responsible, dedicated professionals. And clearly not competitors nor those who would do harm." "I'm gratified by this Initial Decision and its impli-

cations for the other pipeline-related cases under consideration. Protecting residents, their homes and property is my number one priority as an elected official, and I'll vigorously fight actions that endanger those in the vicinity of these pipelines." Senate Bill 284 was approved by the Senate Consumer Protection and Professional Licensure Committee in June of last year and awaits consideration by the full Senate. Killion is hopeful the bill will receive a floor vote later this year.