

**East Goshen Township**  
**Pipeline Task Force Meeting Agenda**  
Thursday, July 23, 2020  
5:00 PM

**During this tele-conference Pipeline Task Force Meeting, public comment will be handled as follows:**

- **Participants are asked to call in by 4:55 pm.**
- **Participants will be asked to identify themselves when being accepted into the meeting.**
- **The public will be muted during the meeting when the Task Force is talking.**
- **The public will be unmuted and given an opportunity to comment and ask questions during the Public Comment period.**
- **Participants wishing to comment must state their name and must speak one at a time.**

1. Call to Order
2. Pledge of Allegiance / Moment of Silence
3. Ask if anyone is recording the meeting
4. Approval of Minutes  
June 25, 2020
5. Public Comment
6. Chairperson's Report
7. Reports
  - a. Legislative Update if applicable
  - b. Current Pipeline Events Impacting East Goshen
8. Old Business
  - a. Boot Road Study
  - b. PennEast – Adelphia Project
  - c. Pipeline Noise as Public Nuisance Update
9. New Business
  - a. Discuss lobbying the Senate Committee Members in reference to HB 2293
10. Any Other Matter
11. Correspondence
12. Adjournment

1 PIPELINE TASK FORCE MEETING  
2 THURSDAY, June 25, 2020  
3 DRAFT MINUTES  
4  
5  
6

7 **Members Present:**

8 Caroline Hughes, Chair; Bill Wegemann, Vice Chair; Members: Judi DiFonzo; Christina  
9 Morley, Gerry Sexton

10  
11 **Others Present**

12 Rick Smith, Township Manager; Mark Gordon, Zoning Officer; Ernie Harkness, Planning  
13 Commission; Eric Friedman

14  
15 **COMMON ACRONYMS:**

<i>BOS</i>	<i>Board of Supervisors</i>
<i>CCATO</i>	<i>Chester County Association of Township Officials</i>
<i>DEP</i>	<i>Department of Environmental Protection</i>
<i>EGT</i>	<i>East Goshen Township</i>
<i>EGSEA</i>	<i>East Goshen Safety and Environmental Advocates</i>
<i>ET</i>	<i>Energy Transfer Company</i>
<i>HDD</i>	<i>Horizontal Directional Drilling</i>
<i>IR</i>	<i>Inadvertent Return</i>
<i>ME1</i>	<i>Mariner East 1</i>
<i>ME2</i>	<i>Mariner East 2</i>
<i>PHMSA</i>	<i>Pipeline Hazard Materials and Safety Administration</i>
<i>PUC</i>	<i>Public Utility Commission</i>
<i>TF</i>	<i>Task Force</i>

16  
17 **Call to Order & Pledge of Allegiance**

18 Caroline called the meeting to order at 5:02 p.m. and led the Pledge of Allegiance.  
19

20 **Moment of Silence**

21 Caroline called for a moment of silence to honor our first responders, those that have  
22 fallen in service and those fighting this pandemic.  
23

24 **Recording**

25 Susan reported that she was recording to the cloud.  
26

27 **Approval of Minutes**

28 The minutes from May 28, 2020, were unanimously approved as amended.  
29

30 **Public Comment**

31 Ernie reported that the Planning Commission is reviewing ordinances that the TF  
32 submitted. Gerry and Christine clarified for Ernie that the basis for the offsets as listed in  
33 the ordinances were obtained from the Citizens Risk Assessment.  
34  
35  
36

1 **Chairperson Report**

2 Caroline shared the following topics:

3 **1) Official EGT pipeline taskforce comments submitted to PHMSA regarding valve**  
4 **installation and minimum rupture detection standards:** Caroline was happy to report  
5 that the Pipeline TF comments submitted are listed publicly online. She explained that the  
6 comment period is still open, and the TF's comments will be considered.

7  
8 **2) Safety Seven PUC hearing update:** Caroline stated that the Evidentiary Hearing for  
9 this case will be held via Zoom from September 29-October 9, and October 13-14 from 9-5.  
10 This is available to the public. Participants must register before 9/22.

11  
12 Judi asked if this could be advertised on the Township's website.

13  
14 **3) PA Supreme Court Ruling:** Sunoco was just denied an appeal from the Pennsylvania  
15 Supreme Court in the case of Sunoco v. Concerned Citizens of Lebanon County. Caroline  
16 said that the court noted the PUC never issued a final decision on whether Sunoco is a  
17 public utility corporation with regard to ME1 and whether the repurposing of ME1 for  
18 transporting NGLs constituted as a public utility service.

19  
20 **4) Attorney General Press Release:** Caroline Reported that Josh Shapiro held a press  
21 conference on 6/25 announcing the results of a two-year grand jury investigation into  
22 fracking companies. In the press conference he condemned the actions of the DEP and  
23 their lack of proper oversight of protecting the environment.

24  
25 **5) NJ Resident loses home to inadvertent return/pipeline drilling accident:** Caroline  
26 explained that on Friday, 6/19, a resident in Burlington County, New Jersey, lost her home  
27 due to an IR during horizontal directional drilling for construction of a gas pipeline. In  
28 turn, Burlington County's engineer issued a stop order for all horizontal-directional  
29 drilling work in or near the county.

30  
31 **6) Energy Transfer Investors file a class action lawsuit:** Caroline reported that several  
32 large investor groups claimed that ET's misleading reports to investors has led to huge  
33 financial losses for retirement accounts.

34  
35 **7) Falsified Weld Inspection Reports Found on the Mariner East Project:** Caroline  
36 explained that a weld inspector pled guilty to a felony for falsifying a pipeline weld on  
37 Mariner East. This prompted an audit that identified 77 falsified reports on ME2  
38 construction. Caroline noted that weld failure and corrosion are identified as the top  
39 causes of pipeline failure.

40 Bill added that the PHMSA website lists 45%-47% of pipeline incidents are caused from  
41 weld or material failure. Eric agreed with Bill stating that 90% of pipeline incidents  
42 include weld failure, corrosion, and operator error.

43  
44 **8) Carolyn discussed that recent severe weather in Chester County pose a risk to our**  
45 **above ground Pipeline facilities.**

1 **Reports**

2 **Legislative Update**

3 Bill explained following updates should assist in getting Pipeline Safety Legislation passed.  
4 He stated that on 6/2 Carolyn Comitta won the 19<sup>th</sup> District Democratic nomination to  
5 succeed Andy Dinniman and will be challenged by Kevin Rume. He explained that Rep.  
6 Comitta has been an outstanding resource and advocate for Pipeline Safety.

7  
8 He reported that Diane Heron won the nomination that will replace Rep. Comitta for the  
9 House in the 156<sup>th</sup> District. He was informed that she will attempt to get East and West  
10 Goshen back in the 19<sup>th</sup> district.

11  
12 The current Speaker of the PA House, Mike Turzai, stepped down on June 15 to take a  
13 position as general counsel for Peoples, a Pittsburgh-based gas utility. Bryan Cutler is new  
14 PA Speaker of the House.

15  
16 **Current Pipeline Events Impacting East Goshen**

17 Christina explained that numerous residents have been voicing complaints (ongoing  
18 issues of hammering, drilling vibration, and continuous dust) on NextDoor and contacting  
19 members of the TF and the Township. Christina stated that the residents need  
20 acknowledgement that this is being addressed. She researched the Public Nuisance aspect  
21 the Township's ordinances and looked at which ones could put Sunoco's permit at risk

22  
23 There was discussion about the enforcement of the Township Noise Ordinance. Christina  
24 stated that public nuisance aspect goes beyond the noise ordinance.

25  
26 Rick stated that Sunoco has 1 permit with the Township – Storm Water Management.  
27 There was discussion regarding the permit that the Township issued to Sunoco. Rick  
28 explained that all the issues identified by Penonni had to have been addressed or the  
29 permit would not have been issued. Rick will provide the letter that Penonni has showing  
30 the issues were addressed.

31  
32 Mark Gordon added that any action on the public nuisance aspect of the ordinances would  
33 be preempted and challenged since Sunoco is a PUC and is not subject to those regulations.  
34 Caroline said that there has been a legal ruling that questions Sunoco's PUC status. Mark  
35 added that Sunoco has been issued noise violations.

36  
37 Christina made a motion to ask the BOS for stronger enforcement of the public nuisance  
38 aspect of the ordinances that exist in the Township. Caroline seconded the motion. The  
39 motion passed unanimously.

40  
41 Christina asked about the spill that recently happened in Bow Tree. Rick reported that it  
42 was cleaned up, DEP was notified, and no citation was given.

43  
44 **Adelphia/PennEast**

45 Rick reported that the Township has not yet received a response to the letter the  
46 Township sent.

1 Caroline stated that she has not seen any progress on this proposal from last month.

2  
3 Gerry asked about the original Adelpia documentation requirement that natural gas must  
4 contain an odorant in respect to the importance of identifying a leak. Rick stated that a  
5 methane line is to be odorized in the distribution system as opposed to during  
6 transmission. Gerry will investigate this requirement further. Caroline will also follow up  
7 with Eve.

8  
9 **Boot Road Report**

10 Rick explained that a request was filed, and they should hear from the Office of Open  
11 Records in August. Caroline expressed frustration that PennDot is taking so long to  
12 provide EGT information.

13  
14 Christina previously shared 43 files that she received from her Right to Know request. The  
15 TF will review Christina's documents and discuss at the next meeting.

16  
17 Caroline asked Bill to contact Senator Killion's office for assistance. Bill agreed and will set  
18 up a call with along with Christina. Christina stressed that they want the original report by  
19 RETTEW before it was edited by Sunoco.

20  
21 **New Business**

22 Judi explained that in Chester County has a newly established Environment and Energy  
23 Advisory Board that is looking to establish a climate action plan for Chester County. She  
24 asked the TF for contributions to this plan. Christina will provide an outline to Judi.

25  
26 **Adjournment**

27 The meeting was adjourned at 7:05 p.m.

28  
29 The next meeting is Thursday, July 23, 2020, at 5:00 pm via Zoom

30  
31 Respectfully submitted,  
32 *Susan D'Amore*

33  
34 *F:\Data\Shared Data\Minutes\Pipeline Task Force\2020\Pipeline TF Mins 06-25-20 DRAFT.docx*

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2293 Session of  
2020

INTRODUCED BY QUINN, COMITTA, FREEMAN, WILLIAMS, SAPPEY, ZABEL,  
POLINCHOCK, ULLMAN, PASHINSKI, HOWARD, ROEBUCK AND  
YOUNGBLOOD, FEBRUARY 18, 2020

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 26, 2020

## AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, in services and facilities, providing  
3 for emergency response plans.

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

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

8 § 1512. Emergency response plans.

9 (a) Plans.--A public utility that engages in the delivery of  
10 natural gas liquids through a high consequence area in this  
11 Commonwealth as defined in 49 CFR 192.903 (relating to what  
12 definitions apply to this subpart?) shall make available UPON <--  
13 WRITTEN REQUEST the public utility's emergency response plans to  
14 all of the following:

15 (1) The secretary of the commission.

16 (2) The Pennsylvania Emergency Management Agency.

17 (3) The emergency management director of each county in

1 this Commonwealth where the high consequence area is located.

2 (b) Confidential information.--

3 (1) If the emergency response plan under subsection (a)  
4 contains confidential security information as defined in  
5 section 2 of the act of November 29, 2006 (P.L.1435, No.156),  
6 known as the Public Utility Confidential Security Information  
7 Disclosure Protection Act, and the public utility has marked  
8 the information in the plan as confidential security  
9 information, each reviewer of the plan under subsection (a)  
10 shall have the following duties:

11 (i) Comply with all requirements of the Public  
12 Utility Confidential Security Information Disclosure  
13 Protection Act to protect the information from  
14 dissemination to the public.

15 (ii) Enter into a notarized agreement with the  
16 public utility for the purpose of maintaining the  
17 confidentiality requirements under this paragraph.

18 (2) A public utility shall provide a copy of a proposed  
19 agreement under paragraph (1)(ii) to the commission before  
20 making available an emergency response plan under subsection  
21 (a) that contains confidential security information as  
22 specified under paragraph (1).

23 (c) Penalties.--A public utility that fails to comply with  
24 subsection (a) may be subject to an enforcement action by the  
25 commission.

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