

**PIPELINE TASK FORCE MEETING
THURSDAY, June 25, 2020
FINAL MINUTES**

Members Present:

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

Others Present

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

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>

Call to Order & Pledge of Allegiance

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

Moment of Silence

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

Recording

Susan reported that she was recording to the cloud.

Approval of Minutes

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

Public Comment

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

Chairperson Report

Caroline shared the following topics:

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

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

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

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

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

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

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

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

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

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

Reports

Legislative Update

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

He reported that Dianne Herrin won the nomination that will replace Rep. Comitta for the House in the 156th District. He was informed that she will attempt to get East and West Goshen back in the 19th district.

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

Current Pipeline Events Impacting East Goshen

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

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

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

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

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

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

Adelphia/PennEast

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

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

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

Boot Road Report

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

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

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

New Business

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

Adjournment

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

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

Respectfully submitted,
Susan D'Amore

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