

East Goshen Township
Pipeline Task Force Meeting Agenda
Thursday, September 3, 2020
6:30 PM

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

- **Participants are asked to call in by 6:25 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 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
July 23, 2020
5. Public Comment
6. Chairperson's Report
7. Reports
 - a. Legislative Update if applicable
 - b. Current Pipeline Events Impacting East Goshen
 - EGT Letter to Governor Wolf
8. Old Business
 - a. Boot Road Geophysical Survey
 - EGT Letter to PennDOT
 - Pennoni Letter
 - b. Discuss lobbying the Senate Committee Members in reference to HB 2293
 - c. PennEast – Adelpia Project
9. New Business
 - a. Consider Budget for 2021
10. Any Other Matter
11. Correspondence
12. Adjournment

1 PIPELINE TASK FORCE MEETING
2 THURSDAY, July 23, 2020
3 TELE CONFERENCE
4 DRAFT MINUTES
5
6

7 **Members Present:**

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

10
11 **Others Present**

12 David Shuey, Township Supervisor; Rick Smith, Township Manager;

13
14 **COMMON ACRONYMS:**

<i>BI&E</i>	<i>Bureau of Investigation and Enforcement</i>
<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>

15
16 **Call to Order & Pledge of Allegiance**

17 Caroline called the meeting to order at 5:01 p.m. Judi led the Pledge of Allegiance.

18
19 **Moment of Silence**

20 Caroline called for a moment of silence for our first responders, for those serving in the
21 armed services and those who are fighting COVID and helping those with COVID.

22
23 **Recording**

24 Susan reported that she was recording to the cloud.

25
26 **Approval of Minutes**

27 The minutes from June 25, 2020, were unanimously approved as amended.

28
29 **Public Comment**

30 Caroline read an email received from Russ Frank. Russ stated that he attended the
31 BOS meeting on July 7 and thought that Christina did a great and thorough job with her
32 research and presentation to the Board on the public nuisance topic. He thanked her
33 for her work.

1 **Chairperson Report**

2 Caroline stated that the Dakota Access pipeline and the Atlantic Coast pipeline were
3 recently shutdown.

4 Caroline reported there was a large drilling accident in Exton affecting the Chester
5 Valley Trail on Route 30. West Whiteland experienced 12 new sinkholes. She
6 explained that there are similarities between these sinkholes and the problems at Boot
7 Road and Airport Road. She also stated that the BI&E has opened an investigation. It
8 was agreed that the members of the TF would notify the Chester County
9 Commissioners as concerned citizens of Chester County to encourage them to
10 become informed on this situation.

11
12 **Reports**

13 **Legislative Update**

14 Bill informed the TF that in reference to Senator Killion's bill, he received a response
15 from Representative Comitta's office stating that Senator Killion's participation in the
16 PUC Safety 7 Complaint along with the pipeline safety regulations are likely to yield
17 results before many of the pipeline bills work their way through general assembly.

18
19 He also reported that Representative Chris Quinn's HB #2293, which is a companion
20 bill to Senator Killion's SB 284, was unanimously passed and is now at the senate for
21 consideration.

22 Caroline explained that Michele has asked the pipeline TF to help lobby to vote for this
23 bill. Caroline will follow up with Michele to clarify the next step.

24
25 Bill also noted that for the first time ever there is a line item in the governor's budget
26 requesting funding for pipeline safety.

27
28 **Current Pipeline Events Impacting East Goshen**

29 Rick updated that Sunoco will begin the pull back at the segment at the Giant Shopping
30 center at Hershey's Mill by the end of July/early August. Sunoco will also pull back the
31 segment at New Kent and Bow Tree. Drilling will then begin at the Quaker and the
32 Executive Center. The pipe has been unloaded and is being welded together. Drilling
33 will continue at Bow Tree & New Kent towards SS. Simon and Jude. It is estimated that
34 the pipe in December 2020. Rick explained that casings are being used at the Quaker
35 site to minimize IRs. These casings are being utilized as the result of the HDD
36 reevaluation report from Bow Tree.

37
38 Rick stated that Sunoco has plead guilty to 6 noise violations that the Township filed
39 against them.

40
41 Caroline expressed concern about Sunoco's sound violations during this time as many
42 children and parents are at home due to COVID. She continued that sound mitigation
43 should be a priority to the township.

44 Christina stated that she saw a video demonstrating alternative methods that will
45 minimize sound as opposed to the hammer drill. David asked Christina to share the link
46 to this video.

1
2 **Old Business**

3 **Adelphia/PennEast**

4 Gerry explained his investigation on the natural gas odorization requirements in
5 conjunction with the PennEast project. Gerry clarified that he did not find any
6 specifications from PennEast for odorant to be used for natural gas. He also was
7 unable to determine when PennEast plans to connect to Adelphia which runs through
8 East Goshen Township. Gerry stressed that the TF and the Township should do
9 everything possible to retain the requirement to add the odorant. The TF agreed.
10 Caroline will touch base with Eve to see if she has any additional information.

11
12 **Public nuisance laws**

13 Rick stated that the BOS will be meeting with a lawyer next week to discuss the public
14 nuisance issue to determine what can be done. He added that the research Christina
15 provided at the 8/7 BOS meeting was forwarded to the solicitor.

16
17 **Any Other Matter**

18 **Pipeline TF Monthly Meeting**

19 Caroline made a motion that the Pipeline TF meetings will now start at 6:30 pm
20 beginning with August 27, 2020. Judi seconded the motion. It was unanimously
21 approved.

22
23 The TF discussed online meetings vs virtual. It was agreed that the virtual meetings
24 are working well and will continue for the next few months at a minimum.

25
26 **Budget 2021**

27 The individual ABC budget requests for 2021 are due to Jon Altshul by September
28 2021.

29
30 **Adjournment**

31 The meeting was adjourned at 6:45 p.m.

32
33 The next meeting is Thursday, August 27, 2020, at 6:30 pm via Zoom

34
35 Respectfully submitted,
36 *Susan D'Amore*

37
38 *F:\Data\Shared Data\Minutes\Pipeline Task Force\2020\Pipeline TF Mins 07-23-20 DRAFT.docx*

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

August 19, 2020

Governor Tom Wolf
Office of the Governor
508 Main Capital Building
Harrisburg PA 17120

Dear Governor Wolf

The Board of Supervisors of East Goshen Township, is writing to express our ongoing serious concerns regarding the health and public safety of our residents, and those of the greater Chester County area. Our concerns have substantially escalated regarding Sunoco/Energy Transfer's Mariner East 2 and 2X project, the operation of Mariner One, and the 12-inch workaround pipeline.

The recent drilling fluid spill into Marsh Creek is a pivotal moment in the timeline of this project for several reasons:

- The significant damage inflicted on this treasured water resource is, at its core, illustrative of the significant and largely unmitigated damage that this project has brought to Chester County.
- The fact that Sunoco/Energy Transfer under-reported the actual number of gallons spilled mirrors the *under-estimated true impact* of this project on local governments and residents.
- The incident at Marsh Creek validated the concerns that residents and elected officials have repeatedly voiced surrounding water contamination and industrial waste spills associated with Sunoco/Energy Transfer's substandard drilling operations.
- The spill at Marsh Creek confirmed Sunoco/Energy Transfer's blatant disregard for Pennsylvania's natural resources and communities and their continued inability to complete the project without leaving detrimental, long-term impacts on Pennsylvania communities.

Marsh Creek State Park is not only a frequent recreation site for our residents, but it is an essential source of drinking water for Downingtown Water Authority and Aqua Pennsylvania's West Chester facility. The amount of industrial bentonite, estimated to be 10,000 gallons, will have lasting impacts on the ecological stability of the lake and

surrounding wetlands. As drilling fluid settles into the sedimentary layers of the lake and its downstream tributary, the East Brandywine, the long-term effects may not be known for a long time.

On October 5, 2017, we sent a similar letter, describing how our township was “literally being cleaved apart by this project”, rattled by industrial vibrations, with noise levels far exceeding municipal ordinances. The situation in October 2017 was described as “unsustainable and frankly, unacceptable”. Since then, the conditions have not improved but escalated to include additional spills of drilling fluid on public and private property, contaminated dust escaping from Sunoco worksites and coating resident homes, and significant road damage, including subsurface conditions still under investigation in coordination with PennDOT.

The Commonwealth’s repeated previous attempts to impose enforcement actions have not resulted in any meaningful improvements to Sunoco/Energy Transfer’s operations and have not prevented egregious and damaging incidents, which have only increased in severity.

The health and safety of our residents remains under constant threat with both the active construction and planned operation of the Mariner East pipelines. The permeable geology that is prevalent in our area and proximity of homes, schools, and businesses to this proposed project which carries highly volatile liquids makes the drilling and transportation of these materials uniquely dangerous to our area.

For these reasons, we are joining other local townships and the Chester County Commissioners in calling for the revocation of the permits issued to Sunoco/Energy Transfer.

We urge your immediate attention to this critical action.

Sincerely,



Louis F. Smith, Jr.

Township Manager

For the East Goshen Township Board of Supervisors

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

August 12, 2020

Sent Via Email Only

Mr. Eugene J. Blaum, Assistant to the District Executive
PA Department of Transportation, Engineering District 6
7000 Geerdes Boulevard
King of Prussia, PA 19406-1525

Re: Boot Road Geophysical Survey
East Goshen Township, Chester County

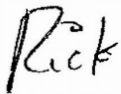
Dear Gene:

It is our understanding that the Department will require Sunoco to conduct a final geophysical survey on Boot Road in the near future now that pipeline work in this area has been completed. The past surveys have been completed by Rettew at Sunoco's expense.

The Board of Supervisor discussed this matter at their meeting on August 12th. The Board believes that it is important to have an independent engineering firm that is not aligned with Sunoco perform the final geophysical survey. Accordingly, it is requesting that the Department have its engineer, Schnabel, perform the survey. The Board would also request a copy of the final report once it is completed.

Thanks for your consideration of this request.

Sincerely,



Louis F. Smith, Jr.
Township Manager



ANNOUNCED

8-18-20

B of S

MTG

MEMORANDUM

TO: Rick Smith, Township Manager

FROM: Michael Morykin, PG

DATE: August 17, 2020

SUBJECT: Boot Road Geophysical Survey

As requested, I have reviewed the documents below, completing an evaluation of the Boot Road geophysical surveys. For reference, I am Pennsylvania-registered professional geologist (PG), specializing in engineering geology, with more than 22 years of experience conducting near surface geophysical surveys.

- Memorandum to Sarah McInnes, PE (PENNDOT District 6) from Mia Painter, PG and Jeremy Brown, PE (Schnabel Engineering), dated November 20, 2019;
- Memorandum from Sarah McInnes, PE (PENNDOT District 6), dated December 5, 2019;
- "Boot Road Expanded *[sic]* Geophysics Results Summary REVRHSD";
- "Boot Road Geophysical Results Summary";
- Boot Road Geophysics Summary for East Goshen Twp 2020-01-09, dated January 9, 2020, authored by Felicia Kegel Bechtel, MSC, PG (Rettew);
- Photograph "file-11.jpeg";
- Electronic message from Eugene Blaum to Sarah McInnes titled "FW: Pipeline Construction Spill - Boot Road", dated July 3, 2019;
- Letter from Kenneth M. McClain of PENNDOT to Mr. Ron Cummings of Sunoco dated July 8, 2019;
- Electronic message from Eugene Blaum to Julia Loving titled "RE: Boot Road Geophysical Investigation", dated September 3, 2019;
- Electronic message from Eugene Blaum to Carolyn Comitta titled "PENNDOT/test update (see question)", dated July 15, 2019;
- Electronic message from Eugene Blaum to Don Vymazal titled "RE: Pipeline Construction Spill - Boot Road", dated April 30, 2019;
- "S3-0460 Boot Rd Revised Final Report 2020-01-03" authored by Rettew, dated October 22, 2019, revised January 3, 2020; and
- "S3-0460 GPR Boot Rd Report Final 2019-10-22" authored by Rettew, dated October 22, 2019.

Based on my review of the above documents, it is my conclusion that the data collection methods used during the investigation were consistent with standard geophysical professional practices. Additionally, the analysis and conclusions expressed by the authors appear to be reasonable.

Memo

To: Conservancy Board, Parks & Rec Commission, Pipeline Task Force, Futurist Commission, Sustainability Advisory Commission & Historical Commission
From: Jon Altshul
Re: 2021 Budget Request
Date: July 21, 2020

As we enter the second half of 2020, it is time to begin thinking about the Township's budget for 2021.

To that end, if your ABC has its own budget, attached please find an Excel worksheet with individual tabs for each of your ABCs showing a blank column for the 2020 budget request.

I would be grateful if you could provide me with:

- 1) 2021 budget requests for each line item
- 2) A justification for your 2021 budget request.

Needless to say, 2021 promises to be an exceptionally difficult year for all state and local governments nationwide. The COVID pandemic is having a substantially negative impact on a number of Township revenue streams. Moreover, as you know, the Township cut the ABC budgets in 2020, and we are still staring at an operating deficit of nearly \$500,000 this year, and 2021 could be even worse. Accordingly, the Board of Supervisors will be forced to make a number of stark choices in establishing its budget for next year, which is likely to affect all of our lines of business.

Therefore, my annual reminder about "needs" versus "wants" is even more important now. Remember your group's mission, goals and objectives. Then ask yourselves, what do you need in order to realize your objectives and what do you merely want? Expenditures that don't meet the "need" threshold are unlikely to receive BOS approval, especially for next year.

Note that the Township has many "ABC-related" expenditures. For example, the Township needs to maintain the Blacksmith Shop/Plank House. The Township also incurs legal costs related to the pipeline and consulting costs related to planning work, etc. These line items are separate from your ABC budget.

Please don't hesitate to contact me by phone or email over the summer.

As we plan to have preliminary budget materials prepared for discussions with the Board in early autumn, **please return this completed worksheet to me by no later than Friday, September 25th**. I will follow up with you if I have any questions.

Thank you!

PIPELINE TASK FORCE		2016 Actual	2017 Actual	2018 Actual	2019 Actual	2020 Adopted	2020 Revised	2021 Request	Justification
PIPELINE TASK FORCE EXPENSES	01401 3041	-	-	-	-	2,000	-		
SUBTOTAL		-	-	-	-	2,000	-	-	

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP

CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FYI

July 31, 2020

Dear Property Owner:

The purpose of this letter is to inform you that William and Jessica Boyle, 1137 N. Chester Rd., have applied for a Zoning Variance requesting relief from the zoning ordinance. The Boyles are requesting dimensional relief from the side yard setback requirements of the ordinance; §240-9-G. The applicant proposes to construct a two-story addition that will encroach 6 feet into the required 20' side yard setback area.

Pursuant to Township policy, property owners within 1000 feet of the subject property are notified of Zoning Variance applications.

This application is scheduled to be discussed during the meetings outlined below:

Wednesday August 5, 2020 - Planning Commission meeting (7:00 pm)

Tuesday August 18, 2020 – Board of Supervisors meeting (7:00 pm)

Wednesday August 26, 2020 – Zoning Hearing Board (7:00 pm) **(Zoning Hearing)**

Due to COVID -19 all township meetings and hearings are being held virtually via video / telephone conference. These meetings will be conducted remotely via Zoom teleconference. Members of the public can participate via telephone and view the teleconference on YouTube. Meeting access information can be found on the Township website at <https://eastgoshen.org/> under the Latest News posts.

The public is welcome and encouraged to attend and participate in these meetings. The application information is available for public inspection at the Township Building. Please call the Township staff at 610-692-7171 if you need assistance finding the meeting access information, or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions