

**PIPELINE TASK FORCE MEETING
THURSDAY, September 3, 2020
TELE CONFERENCE
FINAL MINUTES
Meeting was rescheduled from August 27, 2020**

Members Present:

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

Others Present

Rick Smith, Township Manager

COMMON ACRONYMS:

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| <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> |

Call to Order & Pledge of Allegiance

Caroline called the meeting to order at 6:30 p.m. Rick led the Pledge of Allegiance.

Moment of Silence

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

Recording

The meeting is automatically recorded to the cloud via Zoom meeting settings.

Approval of Minutes

The minutes from July 23, 2020, were unanimously approved.

Public Comment

Caroline introduced Don Vymazal, Chief of Staff for State Senator Katie Muth, and asked if he could provide any updates on the Sunoco inadvertent return at Marsh Creek. Don advised the 8,000-gallon release was currently under investigation by DEP, and that several other state agencies such as Department of Conservation and Natural Resources and the Fish and Boat Commission are looking into it. In response to

questions for the Task Force, Don will reach out to Congresswoman Chrissy Houlahan to see if any federal agencies, such as EPA would get involved.

Caroline noted that the August 20th Notice of Violation for Marsh Creek issued by DEP was incredibly detailed. Don noted the DEP had denied Sunoco's request to re-start the HDD, that DEP was attempting to be more transparent, and that the Marsh Creek incident has made more people aware of the problems Sunoco has caused during the construction of Mariner East.

Christina expressed a concern about the qualifications of Larry Gemmenger, "certified wildlife biologist", who is signing the re-evaluation reports that were being submitted by Sunoco to DEP. Rick noted that DEP now required an engineer and geologist to also sign the reports. Don said he would look into the matter but noted that some of DEP's regulations were vague.

Christina updated the TF on her efforts to view the Army Corp of Engineers permit for the project. She was advised to submit a Freedom of Information (FOI) request.

In response to a question about the impact of the Marsh Creek incident drinking water, Don noted that the Downingtown Water Authority did not see an impact and that Aqua was using another source. Don noted that Sunoco was required to notify private well owners prior to drilling.

Don also noted that the sinkhole at Marsh Creek had been stabilized with grout, but since it is a wetland, a restoration plan will need to be developed and approved. Amtrak also has required that Sunoco perform tests to ensure the integrity of their tracks.

Chairperson Report

Caroline stated that the March Creek incident has resulted in more groups and citizens calling on Governor Wolf to revoke the permits issued to Sunoco.

Reports

Legislative Update

Bill informed the TF that HB 2293 had unanimously passed in the House and is now before the Senate. In response to questions Don noted that if the Senate did not act on HB 2293 by the end of the current session, the bill would die and would have to be reintroduced in the next session. He also noted that Covid19 was delaying work on the new PUC regulations for pipeline.

Current Pipeline Events Impacting East Goshen

Rick reported that the Board had not received a response to their letter to Governor Wolf.

Caroline noted the PUC hearings on the Safety Seven case will be held from September 29 to October 9 and again on October 13 to 14. She encouraged people to sign up so they could view the proceedings (via Zoom).

Henry Zwanda joined the meeting and updated the TF on his efforts to place a question about the use of eminent domain by Sunoco on the November ballot and asked the TF for assistance. Caroline noted it was incredibly difficult to get a question on the ballot. Rick said he would provide Henry a copy of the Referendum Handbook issued by the state.

Old Business

Boot Road Geophysical Study

Rick reported that PennDOT sent the Board a letter stating they did not have the funding to have Schnabel (their engineer) perform the final geophysical testing on Boot Road, but they would have Schnabel review the final study submitted by Rettew.

The TF expressed two concerns. The first was that Rettew could send the report to Sunoco for its review prior to submitting it to Sunoco. The second was that Sunoco should use someone other than Rettew to perform the study.

The TF discussed how to address concerns including:

- having the Township fund a study,
- to creating a Go-Fund me account,
- sending another letter to PennDOT.

In response to a question, Rick guessed that Sunoco spent \$20,000 for the study, and he did not think the Board would fund it since Boot Road was a state road.

Christina made a motion to have Rick contact Sarah McInnes, PennDOT Geotechnical Engineer, to ask if they would require Sunoco to have someone other than Rettew perform the study and to request that Rettew not send the study to Sunoco prior to providing it to PennDOT. Caroline seconded the motion. The motion passed unanimously.

Adelphia

Rick advised that Adelphia had received its permits from PA DEP. However, since they still have other permits outstanding, construction would not be starting now.

Budget 2021

It was the consensus of the TF that they would only have the normal expenses in 2021 and they would not need funding for any “special projects.

Adjournment

The meeting was adjourned at 8:34 p.m.

The next meeting is Thursday, September 24, 2020, at 6:30 pm via Zoom

Respectfully submitted,
Rick Smith, Township Manager