

East Goshen Township
Pipeline Task Force Meeting Agenda
Thursday, November 12, 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
October 22, 2020
5. Public Comment
6. Chairperson's Report
7. Reports
 - a. Legislative Update
 - b. Current Pipeline Events Impacting East Goshen
8. Old Business
 - a. Update on whistleblower complaint
9. New Business
10. Any Other Matter
11. Correspondence
12. Adjournment

1 PIPELINE TASK FORCE MEETING
2 THURSDAY, October 22, 2020
3 TELE CONFERENCE
4 DRAFT MINUTES

5
6 **Members Present:**

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

9
10 **Others Present**

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

12
13 **COMMON ACRONYMS:**

ACOE	Army Core of Engineers
BI&E	Bureau of Investigation and Enforcement
BOS	Board of Supervisors
CCATO	Chester County Association of Township Officials
DCNR	Department of Conservation and Natural Resources
DEP	Department of Environmental Protection
EGT	East Goshen Township
EGSEA	East Goshen Safety and Environmental Advocates
ET	Energy Transfer Company
FOI	Freedom of Information
HDD	Horizontal Directional Drilling
IR	Inadvertent Return
ME1	Mariner East 1
ME2	Mariner East 2
PHMSA	Pipeline Hazard Materials and Safety Administration
PUC	Public Utility Commission
TF	Task Force

14
15 **Call to Order & Pledge of Allegiance**

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

17
18 **Moment of Silence**

19 Caroline called for a moment of silence for those lost in the service, first responders,
20 those that were lost to COVID and for all health care workers.

21
22 **Recording**

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

24
25 **Approval of Minutes**

26 The minutes from September 24, 2020, were unanimously approved as amended.

27
28 **Chairperson Report**

29
30 Caroline reported that the Safety Seven hearing ended after 12 days. She stated that
31 powerful testimony was given, and the evidence was presented in a comprehensive
32 way that highlighted the problem. She explained that a Sunoco expert spoke about what

1 impacts pipeline coating. This representative did not visit East Goshen to see the
2 project and stated that pipes should be placed in the ground as soon as possible to
3 avoid too much UV exposure because that will degrade the coating.
4

5 Caroline explained that the pressing issue in the Township and with Pipeline TF is the
6 whistle blower complaint involving the Bow Tree site. She stated that for two years, the
7 Pipeline TF has raised and documented concerns regarding the safety of the pipeline.
8 She indicated that East Goshen is still without a credible safety plan for its residents.
9

10 **Public Comment**

11 Lora Snyder, Edgemont, stated that the geology reports across Chester and Delaware
12 Counties are not being done correctly. She stated that the sink hole incident is not
13 isolated to East Goshen and Bow Tree and is concerned about what is happening. She
14 would like to see the drilling halted while investigation moves forward.
15

16 Lex Pavlo said that he was disappointed when he first read the Township website
17 regarding the whistle blower incident. He was grateful to read the update and asks for
18 continued transparency and timely communication from the Board.
19

20 Melissa DiBernardino said that she disagreed with that the statement that the Township
21 does not have enough information regarding this incident. She continued that this is an
22 ongoing problem with studies of these issues. She is concerned about the hazardous
23 threat to our property and environment and feels that actions should be taken while the
24 fact-finding mission continues.
25

26 Melissa later commented that the pipes were never moved indoors from 2016 in turn
27 being exposed to UV rays until they were buried.
28

29 Caroline added that the whistle blower's concerns are being seen in real time and that
30 there have been recent sink holes in West Whiteland, Middletown and Upper Uwchlan.
31 She stated that East Goshen and Chester County need to work together.
32

33 Sam Rubin stated that the Township has options such as revoking permits.
34

35 **New Business**

36 **Discuss the Sunoco/ME pipeline whistleblower complaint in East Goshen 37 Township involving a dispute regarding geophysical surveys** 38

39 Bill thanked Christina for all her documentation and her attention to detail.
40

41 Bill expressed concern that the PUC letter received about the Township's RTK request
42 will not be answer until November 20, 2020. He stated that they cannot wait that long to
43 decide on what to do.
44

45 Caroline made a motion requesting that the BOS ask Chester County to utilize their
46 current geologist to conduct an independent investigation around the Bow Tree area.
47 Bill seconded. The motion unanimously passed 5-0.

1 Caroline made a motion that the BOS actively partner with Chester County and other
2 municipalities that are also experiencing the same and similar issues as the Township
3 with respect to the Mariner East pipeline construction. Christina seconded. The motion
4 unanimously passed 5-0.

5
6 Caroline noted that East Goshen Township has led in the battle against this pipeline by
7 forming the TF, which is unique to Chester County, by donating to citizen risk
8 assessment and by holding multiple public meetings.

9
10 Christina indicated that she found information on the DEP website regarding an HDD
11 reevaluation report for Uwchlan (HDD Site 310). She explained that in this report the
12 geophysical data is not marked as confidential. There was discussion that Mr.
13 Greminger was no longer involved in this process.

14
15 Caroline and Christina stated the independent contractors that did the studies were not
16 given complete data. Melissa added that the expert witnesses making assumptions
17 based on limited information. Caroline added that the theme of this meeting is that the
18 proper information was not provided, and conclusions were based on limited
19 information.

20
21 Gerry questioned if Chester County had issued permits to which Rick answered that the
22 County did not issue any separate permits.

23
24 Caroline made a motion that the Board consider revoking the Municipal Erosion and
25 Sedimentation permit. Bill seconded. Motion pass 4-0 with Judi abstaining. Christina
26 stated that she does not believe the permit was ever evaluated for compliance after the
27 request on 12/5/19. Judi question whether if the subsidence was part of the existing
28 drilling / permit or was it part of pipeline maintenance.

29
30 Bill questioned what legal options were available so that the Township does not have to
31 wait until the RTK is answered by 11/20/20. David replied that the Township is not
32 solely relying on the RTK and has a lot of data points in. David reiterated there is
33 intention to have Christina interviewed by council.

34
35 Caroline made a motion that the Pipeline Task Force do not use or adopt the term
36 "earth feature". Christina seconded. Motion unanimously passed 5-0.

37
38 **Review Pipeline Saturation Ordinance from 10/6/20 BOS meeting**

39 David explained that this ordinance is unique and was never done before. He stressed
40 that the Board is serious about this ordinance and did not want aspects of this
41 ordinance preempted by case law.

42
43 Christina asked about adding rights to the environment as done in the Huntington
44 County ordinance. She explained the same rights were given to natural and water
45 resources as given to the residents.

1 Rick stated that the BOS authorized the ordinance, and the hearing is scheduled for the
2 November 10th BOS meeting. Rick added that once the ordinance is adopted, Sunoco
3 could appeal.

4
5 **Any Other Matter**

6 Caroline clarified that Senator Killion did not withdraw as an intervenor to the Safety
7 Seven Case. He only withdrew from participating in the hearing and was not an active
8 participant in the hearing.

9
10 Rick explained that the Township is monitoring the depth of the sink hole with survey
11 equipment.

12
13 **Adjournment**

14 The meeting was adjourned at 8:30 p.m.

15
16 The next meeting is Thursday, November 12, 2020, at 6:30 pm via Zoom.

17
18 Respectfully submitted,
19 *Susan D'Amore*

20
21 *F:\Data\Shared Data\Minutes\Pipeline Task Force\2020\Pipeline TF Mins 10-22-20 DRAFT.docx*