

**PIPELINE TASK FORCE MEETING  
THURSDAY, October 22, 2020  
TELE CONFERENCE  
FINAL MINUTES**

**Members Present:**

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

**Others Present**

David Shuey, Township Supervisor; Rick Smith, Township Manager

**COMMON ACRONYMS:**

|                 |  |
|-----------------|--|
| <i>ACOE</i>     | <i>Army Core of Engineers</i>                              |
| <i>BI&amp;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>DCNR</i>     | <i>Department of Conservation and Natural Resources</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>FOI</i>      | <i>Freedom of Information</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. Bill led the Pledge of Allegiance.

**Moment of Silence**

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

**Recording**

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

**Approval of Minutes**

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

**Chairperson Report**

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

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

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

### **Public Comment**

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

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

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

Melissa later commented that the pipes were never sheltered back in 2016. In turn they were exposed to UV rays until they were buried.

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

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

### **New Business**

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

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

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

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

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

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

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

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

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

Caroline made a motion that the Board consider revoking the Municipal Erosion and Sedimentation permit. Bill seconded. Motion pass 4-0 with Judi abstaining. Christina stated that she does not believe the permit was ever evaluated for compliance after the request that David made in the 12/5/19 Pipeline TF meeting. Judi questioned whether if the subsidence was caused by the current existing drilling or was it caused by something else such as pipeline maintenance, rainwater, etc.

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

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

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

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

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

Rick stated that the BOS authorized the ordinance, and the hearing is scheduled for the November 10<sup>th</sup> BOS meeting. Rick added that once the ordinance is adopted, Sunoco could appeal.

**Any Other Matter**

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

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

**Adjournment**

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

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

Respectfully submitted,  
*Susan D'Amore*