

East Goshen Township
Pipeline Task Force Meeting Agenda
Thursday, December 10, 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
November 12, 2020
5. Public Comment
6. Chairperson's Report
7. Reports
 - a. Legislative Update
 - **House Bill 2293**
8. Old Business - None
9. New Business
 - a. Consider the following items from the 12/1/20 BOS meeting:
 - 1) The Pipeline Task Force to help the Board determine what is expected and wanted from PennDOT regarding the qualifications, people hired and the processes to be used regarding the subsidence area.
 - 2) The Pipeline Task Force to help the Board narrow a Right-to-Know request to be submitted to the appropriate state organizations.
 - 3) The Pipeline Task Force to draft a letter that the Board will send to DCNR or other appropriate organizations to make inquiries of subsidence area.
 - b. **Pipeline Setback Guideline Draft Ordinance**
 - c. **Annual Planning Session**
10. Any Other Matter
11. Correspondence
12. Adjournment

**PIPELINE TASK FORCE MEETING
THURSDAY, November 12, 2020
TELE CONFERENCE
DRAFT 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:

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

Call to Order & Pledge of Allegiance

Caroline called the meeting to order at 6:32 p.m. and led the Pledge of Allegiance.

Moment of Silence

Caroline called for a moment of silence our first responders, active military and veterans.

Recording

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

Approval of Minutes

The minutes from October 22, 2020, were unanimously approved as amended.

Public Comment

Russ Frank, referring to the November 10th BOS meeting, stated that he supports the TF's views in reference to the whistleblower report and feels that the BOS should approve to pay to have the separate investigation done on the subsidence area.

1 Lex Pavlo supported Russ' comment stating he was stunned that further analysis is not
2 being done at this time as it is important to public safety.

3
4 Ron Cocco thanked the TF for their time and effort in representing Township residents.
5 He expressed concerned that he has witnessed for the last 2 weeks multiple grout and
6 vac trucks around the New Kent site. Rick explained that this is part of the normal
7 pipeline construction operations. Rick continued that based on his conversation with
8 Sunoco representatives, voids in the ground can occur between the casings and outside
9 of the pipe. To avoid future problems, Sunoco fills these holes with grout.

10
11 Joe Larkin also agreed with Russ and Lex stating that he finds it shocking that further
12 investigation is not being done at this time.

13
14 Bernard also supported the previous comments stating that this would be money well
15 spent to find out if the subsidence is serious.

16
17 Melissa DiBernardino said she was also concerned about the amount of time grout and
18 vac trucks were at the New Kent site.

19
20 **Update on Whistleblower Complaint**

21 Caroline stated that she feels an investigation of the subsidence is paramount. The
22 Township cannot rely on state agencies to have East Goshen's best interest in mind
23 and move quickly with information. An investigation will either prove there is no threat /
24 problem, or it will prove that there is a problem that supports the whistleblowers' report.

25
26 Rick gave an update on what is being done as listed on the East Goshen Township
27 [webpage](#). He added that the Township has been in communication with PennDOT. He
28 has requested copies of any reports that are done. David stated that he has been in
29 contact with state and county reps for assistance. He has been advised that the county
30 cannot help us financially because they are facing the same fiscal challenges as local
31 municipalities. The Township has not yet heard back from PennDOT. Representative
32 Comitta's office is requesting that PennDOT excavate the site of the subsidence.

33
34 Christina questioned the method of excavating the site to which Rick explained that this
35 is the typical way the Township investigates this type of problem.

36
37 Melissa thanked the TF for their work and said she is upset and frustrated by the
38 Board's response from the 11/10 meeting. She feels that the whistleblower information
39 is more credible than any information received to date. The Township could make a
40 public statement and ask Sunoco to pay for the study.

41
42 Bill referenced a DCNR report about sinkholes that Christina provided. He also
43 referenced the September, 2020 HDD report that was mailed by Sunoco to residents
44 that live within 450 feet of the pipeline. Based on the facts from these reports, the
45 Pipeline TF should recommend immediately that a study be done by an independent
46 geologist.

1 Judi provided the link to the [DCNR document](#) and stated that page 13 illustrates how a
2 sink hole happens and why there is concern about a depression in the ground.

3
4 ([http://elibrary.dcnr.pa.gov/GetDocument?docId=1752495&DocName=ES11_Sinkholes](http://elibrary.dcnr.pa.gov/GetDocument?docId=1752495&DocName=ES11_Sinkholes_Pa.pdf)
5 [Pa.pdf](#))

6
7 David raised the question to the TF if the request to PennDOT to excavate the site
8 should be withdrawn.

9
10 Gerry suggested that the digging should not occur until after the geologist report was
11 complete. It was the consensus of the TF to not have PennDOT excavate the
12 subsidence. David will talk with Representative Comitta to hold off on this request.

13
14 Caroline made a motion to obtain two (2) verbal estimates from Paul Rubin at
15 HydroQuest Environmental Consulting, to perform a thorough geological analysis and
16 subsurface mapping of 1) the area of the subsidence and 2) the area of HDD 500 (New
17 Kent to just south past the 2nd entrance of Bow Tree). Bill seconded. The motion passed
18 unanimously 5-0. Bill will make the initial call to Paul Rubin to talk about the proper
19 testing technique needed. It was noted that this testing would have to be done in the
20 PennDOT right-of-way or with the permission from the landowner.

21
22 Christina introduced information about Pennsylvania code, Title 42 - Matters Affecting
23 Government Units. She noted that sections 85.22 & 85.42 refer to sovereign immunity
24 and exceptions. She plans to do more investigation.

25 **New Business**

26 **Legislative Updates**

27 Bill reported that the following local election results:

- 28 - Carolyn Committee is now the State Senator of the 19th District
- 29 - Diane Herrin is now the Representative of the 156th District
- 30 - John Kane is now the State Senator of the 9th District

31 **Adjournment**

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

33
34 The next meeting is Thursday, December 10, 2020, at 6:30 pm via Zoom.

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

38
39
40
41 F:\Data\Shared Data\Minutes\Pipeline Task Force\2020\Pipeline TF Mins 11-12-20 DRAFTv2.docx



State House's first pipeline emergency bill signed

ROBERT SWIFT

Capitolwire

NOV 27, 2020

7:15 AM

HARRISBURG — A long-sought bill to give local emergency services access to the disaster response plans of natural gas pipeline companies was signed into law by Gov. Tom Wolf on Wednesday.

This legislation has been debated for several years as incidents with spills, methane leaks and fires have occurred with natural gas pipelines being built through populated suburban areas.

House Bill 2293 is regarded as the first of nearly two dozen pipeline safety bills to have won final legislative passage during the past three years.



Commission, Pennsylvania Emergency Management Agenda and affected county emergency management directors.

Because of security concerns regarding pipelines, HB2293 would require that officials who review these plans abide by a state law protecting confidentiality of public utility information.

A pipeline operator who doesn't comply with an access request could face enforcement action from the PUC under the bill.

"This bill is a great step to ensuring our emergency responders know the best approach to dealing with an issue concerning our existing pipeline infrastructure," said Rep. Chris Quinn, R-Delaware, the bill sponsor.

ADVERTISEMENT

Mr. Quinn said that an agreement by Sen. Katie Muth, D-Montgomery, to withdraw an amendment helped steer the bill through the Senate. Ms. Muth's amendment would have required an operator to submit the emergency plans regardless of a request and make an operator liable for costs associated with an incident, said Mr. Quinn.

The Republican-controlled Senate couldn't reach agreement on the amendment, said Mr. Quinn.

"Sen. Muth's amendment would have strengthened my bill and I support it," said Mr. Quinn. "Unfortunately, the legislative process is often a difficult one and we needed to get something passes to better the current situation."

The impetus for this bill and Senate Bill 284 came after reports that an emergency management plan submitted to Chester County by Energy Transfer Partners for its Mariner II pipeline was redacted, Sens. Andy Dinniman, D-Delaware and Tom Killion, R-Chester, said last year.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2293 Session of
2020

INTRODUCED BY QUINN, COMITTA, FREEMAN, WILLIAMS, SAPPEY, ZABEL,
POLINCHOCK, ULLMAN, PASHINSKI, HOWARD, ROEBUCK AND
YOUNGBLOOD, FEBRUARY 18, 2020

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 26, 2020

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in services and facilities, providing
3 for emergency response plans.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 66 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 1512. Emergency response plans.

9 (a) Plans.--A public utility that engages in the delivery of
10 natural gas liquids through a high consequence area in this
11 Commonwealth as defined in 49 CFR 192.903 (relating to what
12 definitions apply to this subpart?) shall make available UPON <--
13 WRITTEN REQUEST the public utility's emergency response plans to
14 all of the following:

15 (1) The secretary of the commission.

16 (2) The Pennsylvania Emergency Management Agency.

17 (3) The emergency management director of each county in

1 this Commonwealth where the high consequence area is located.

2 (b) Confidential information.--

3 (1) If the emergency response plan under subsection (a)
4 contains confidential security information as defined in
5 section 2 of the act of November 29, 2006 (P.L.1435, No.156),
6 known as the Public Utility Confidential Security Information
7 Disclosure Protection Act, and the public utility has marked
8 the information in the plan as confidential security
9 information, each reviewer of the plan under subsection (a)
10 shall have the following duties:

11 (i) Comply with all requirements of the Public
12 Utility Confidential Security Information Disclosure
13 Protection Act to protect the information from
14 dissemination to the public.

15 (ii) Enter into a notarized agreement with the
16 public utility for the purpose of maintaining the
17 confidentiality requirements under this paragraph.

18 (2) A public utility shall provide a copy of a proposed
19 agreement under paragraph (1)(ii) to the commission before
20 making available an emergency response plan under subsection
21 (a) that contains confidential security information as
22 specified under paragraph (1).

23 (c) Penalties.--A public utility that fails to comply with
24 subsection (a) may be subject to an enforcement action by the
25 commission.

26 Section 2. This act shall take effect in 60 days.

1 **SUBDIVISION & LAND DEVELOPMENT**

2 **ARTICLE VIII SUPPLEMENTARY STUDIES AND PLANS**

3
4 **(This section could be added to the existing Subdivision and Land Development Ordinance)**

5
6 **Pipeline Hazard Mitigation Study**

7
8 **§ 205-40.1 Pipeline Hazard Mitigation Study**

9 **A. Applicability.** A pipeline hazard mitigation study (PHMS), prepared by and sealed by a professional
10 engineer licensed in Pennsylvania specializing in pipeline design and pipeline hazard mitigation or “with
11 the appropriate experience” or “a Hazard Mitigation Planner with appropriate experience” or a
12 certification in the field of Pipelines, shall be submitted to the Township, unless waived or modified by
13 the Board of Supervisors, in the following situations:

14 (1) As part of a preliminary plan submission for any subdivision or land development application
15 which proposes new construction of buildings, structures, roads, driveways, parking areas, or
16 other land disturbance within 1000 feet (or some other distance) of any existing pipeline
17 easement.

18 (2) As part of a tentative plan submission for any application for a planned residential
19 development (prd) which proposes new construction of buildings, structures, roads, driveways,
20 parking areas, or other land disturbance within 1000 feet any existing pipeline easement.

21 (3) As part of a demolition permit application for any structure within 1000 feet of any pipeline
22 easement. Reference in the ZO

23
24 **B. Contents.** The PHMS shall contain the following information, unless waived or modified by the Board
25 of Supervisors:

26 (1) Background information:

27 (a) If not otherwise provided by the applicant, a general description of the site subject to
28 the application, including topography, watercourses, vegetation, landscaping, existing
29 drives, etc.

30 (b) A specific description and classification of the pipelines located within 1000 feet of
31 any proposed land development or land disturbance to include:

- 32 i. Size of pipes
33 ii. Number of pipes
34 iii. Width of easement
35 iv. Materials transported
36 v. Characteristics and Hazards associated with transported materials

37 (2) An assessment of potential impacts to the proposed use and property due to the proximity
38 of the pipeline.

1 (3) Mitigation measures: suggested approaches to mitigate potentially negative impacts to the
2 proposed development, including design alternatives, buffering, landscaping, conservation of
3 existing vegetation, and any other appropriate measures permitted under the terms of this
4 chapter and other Township ordinances.

5 (4) Plan: a plan showing the proposed development and shall include:

6 (a) All underground utilities

7 (b) Driveway entrances

8 **(c)** Full plan of existing and proposed fire hydrant locations

9 **(d)** Emergency vehicle access (Turning templates)

Memo

East Goshen Township

Date: December 2, 2020

To: Business Park Task Force
Conservancy Board
Futurist Committee
Historical Commission
Municipal Authority
Park and Rec Commission
Pipeline Task Force
Planning Commission
Sustainability Advisory Committee

From: Susan D'Amore

Re: Annual Planning Session

The Annual Planning Session will be held on Tuesday, January 26, 2021 at 6:30 PM.

At that meeting each ABC will be able to provide a summary of their accomplishments in 2020 as well as their goals for 2021.

In preparation of this meeting, please provide to me your accomplishments and goals by January 22, 2021 to be included in the agenda packet.

Outlined below are the goals provided from each ABC that attended the 2020 Planning Session on January 28, 2020.

Conservancy Board

- Keep East Goshen Beautiful Day on April 18, 2020. **Comp Plan Objective 11.4**
- Continue maintenance of the blue bird houses in Applebrook
- Continue maintaining Clymer's Woods – replacing dead trees and reapplying wood chips around the trees.
- Maintain the riparian buffer along the creeks **Comp Plan Objective 11.1**
- Continue invasive species control. **Comp Plan Objective 11.6**
- Continue assisting with the pond restoration projects as needed.

Futurist Committee

- Community outreach meetings and resident communications to gather feedback on what residents want to see or not see in East Goshen.
- Business Park Strategic Plan **Comp Plan Objective 7.3 & 7.5**
- Revisit the Futurist Committee Vision statement with the Board of Supervisors to ensure alignment.

Historical Commission

- Invite local scouting troops for a tour of Blacksmith Shop. **Comp Plan Objective 13.1**
- Have a blacksmith challenge to see who could win the title making an 18th century knife or tool. **Comp Plan Objective 13.1**
- Interact with other historical groups. **Comp Plan Objective 13.1**
- Do “The Battle of the Clouds” presentation again. **Comp Plan Objective 13.1**
- Connect the Blacksmith Shop with the Paoli Pike Trail. **Comp Plan Objective 6.2 & 8.6**
- Reorganize the HC office in the township building.
- Coordinate our activities with are other events in the area. **Comp Plan Objective 13.1**

Municipal Authority

- Continue to monitor the upgrades at West Goshen Sewer Treatment Plant and Westtown Way Pump Station. **Comp Plan Objective 10.1**
- Continue to implement the Inflow and Infiltration Plan for the Sewer System **Comp Plan Objective 10.1**
- Continue to operate the Sewer Treatment Plant in compliance with PADEP permit requirements. **Comp Plan Objective 10.1**
- Implement Planned Projects Program:
 - Ridley Creek Sewer Treatment Plant
 - Emergency Generator Replacement
 - Caustic Soda Project
 - Pump Stations
 - Hershey’s Mill Pump Station Generator replacement
 - Hunt Country Pump Station Mag Meter replacement
 - Hunt Country Pump Station Muffin Monster replacement
 - Hunt Country Pump Station Bypass Pump
 - Sewer System
 - Two (2) new Ridley Creek Sewer System Permanent Flow Meters

Park and Recreation Commission

- Develop marketing, programming and trail rules for the Paoli Pike Trail. **Comp Plan Objective 8.6**
- Develop plan for 2021 Full Day summer camp program at East Goshen Elementary. **Comp Plan Objective 9.4**
- Finalize design elements for the amphitheater band shell in preparation for 2021 grant applications. **Comp Plan Objective 9.3**

- Offer nature and art focused programming. **Comp Plan Objective 9.4**
- Host West Chester University's Carnival of Ruin. **Comp Plan Objective 9.4**

Pipeline Task Force

- Review and assess regulatory and technical aspects of pipeline infrastructure projects. **Comp Plan Objective 10.6**
- Provide comments to BOS on relevant pipeline legislation (State and Federal) and regulatory documentation (PUC, FERC, PHMSA, DEP). **Comp Plan Objective 10.6**
- Advise BOS regarding pipeline incidents such as inadvertent returns during drilling, sinkhole formation, ground water issues, noise ordinance violations, spills, leaks and any other environmental violations.
- Recommend securing services of a licensed professional geologist for consultation on relevant documentation, legislation and issues.
- Address questions and concerns from residents regarding pipeline activities.
- Provide input to BOS on communications (i.e. Newsletters, Constant Contact Notifications) to residents regarding pipeline issues and activities.
- Continue investigation of Boot Road Geophysical Survey Reports.
- Provide recommendations to BOS and Planning Commission regarding pipeline setbacks and consultation zones for zoning ordinances. **Comp Plan Objective 6.4**
- Fill vacancy on Task Force.
- Meet with state representatives, state senators, and county commissioners on pipeline issues.
- Provide input to Chester County Pipeline Safety Advisory Board. Contribute to development of an emergency response plan.
- Continue investigation of air quality monitoring and leak detection systems for areas surrounding pipelines.
- Continue investigation of dust monitoring and dust control measures at pipeline construction areas.
- Interact with the Sustainability Advisory Committee.

Planning Commission

- Continue support for following Comprehensive Plan implementing strategies:
 - Objective 6.1 & 6.2 to develop the Town Center and Paoli Pike Corridor
 - Objective 6.3 transforming the West Chester Pike Corridor into a more functional and attractive artery.
 - Objective 7.2 promoting the enhancement of business opportunities along the West Chester Pike Corridor.
 - Objective 9.1 maintaining and expanding the Open Space, Recreation, and Trails Network.

- Objective 9.2 developing the Paoli Pike Trail to create the linkage between West Chester and Malvern through East Goshen from West Goshen to Willistown.
- Business Park Vitalization – review BP ordinance for possible enhancements to promote Business Park Longevity **Comp Plan Objective 7.3 & 7.5**
- Support BOS request for any review of Zoning Ordinance to support Pipeline Safety **Comp Plan Objective 6.4**
- Support BOS request to review existing township Zoning Ordinances for possible revision and updates. **Comp Plan Objective 6.4**

Sustainability Advisory Committee

- Work with the Boy and Girl Scouts to help our youngest residents become future environmentalists.
- Charging stations for current owners of electric and hybrid vehicles is a goal of our committee. **Comp Plan Objective 12.2**
- Work on a proposal for an East Goshen Community Garden which would lead to a home grown Farmer's Market in 2021. A special component of this will be a designated section of plots for children and teens with training sessions to help them.
- A parallel program of educational modules for elementary students at our 2 schools is another work in progress. These will be offered as in classroom opportunities, before and after school programs, and assembly presentations.
- In March, we are offering at least 4 educational sessions.
 - The first will focus on Solar and Geothermal options for homeowners and businesses. **Comp Plan Objective 10.5**
 - The second will provide information on composting, pesticide free lawns and gardens and advice on buying organic products and produce. **Comp Plan Objective 10.5**
 - The third subject will concentrate on water management, to cover storm drains, watering lawns and gardens sustainably, and the purchase and utilization of rain barrels. **Comp Plan Objective 10.5**
 - The fourth presentation will cover how to recycle everything we possibly can to responsibly help protect our environment. **Comp Plan Objective 10.2**
- Collaboration with other East Goshen ABCs on potential joint projects.
- Once we have a number of workshops under our belts for young people in our elementary schools and park, we aim for a joint program with adjacent townships for the junior and high schools in our area.
- Work with other Environmental and Sustainability Advisory Committees from nearby municipalities.