

**PIPELINE TASK FORCE MEETING
THURSDAY, December 10, 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:

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| <i>ACOE</i> | <i>Army Core of Engineers</i> |
| <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>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. and led the Pledge of Allegiance.

Moment of Silence

Caroline called for a moment of silence our first responders, health care works and government officials.

Recording

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

Approval of Minutes

The minutes from November 12, 2020, were unanimously approved as amended.

Public Comment

Public comment was conducted throughout the meeting as needed.

Chairperson Report

Caroline reported that Sunoco is legally challenging DEP regarding the Marsh Creek reroute order. Melissa clarified that the ruling should occur in the next few weeks and will determine if Sunoco will stop construction until a hearing about the rerouting takes place.

Christina added that there was testimony by the ARM consultant regarding work done by Rettew. This consultant, hired by the PUC, gave compelling testimony that there was no subsurface impact found by Rettew. Later, large sink holes opened at this same location. Christina continued that she would transcribe the video of this testimony provided by Melissa so it can be added to the minutes. Melissa noted that the testimony referred to multiple roadways such as Pottstown Pike and Valley Road. Christina noted that this situation is similar what occurred at Boot Road.

Caroline reported that Sunoco asked for an increase in the temporary workspace and easement in Media Borough. The Borough declined Sunoco; however, Sunoco ignored this.

Legislative Update

Bill explained that the House Bill 2293, the first safety-related pipeline bill, was signed by Governor Wolf. He continued that the Task Force will need to support the other safety related pipeline bills (about 2 dozen) that are in progress. Rick added that due to new legislature in Harrisburg, the bills will need to be reintroduced.

New Business

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.***

Christina explained that she informed the BOS that PennDOT should supply the qualifications of people working at the site and a provide a report with a detailed explanation of work to be completed. Bill asked if the Township could be on site during the work. Rick explained that he requested to be notified, to be given a copy of the report and the Township's Public Works director will visit the site during the dig.

Melissa asked Rick for an update on Margo Lane which is being converted to public water. Rick stated that Aqua will run the water main next year. Two chemicals were in the well water: 1) from the lead in gasoline and 2) naturally occurring.

Rick noted that the PUC is aware of the whistleblower subsidence and they are investigating the depression.

Christina noted that she has received many files in response to her the right to know request that she is currently working through. Christina asked Rick to inform PennDOT in writing that there is a concern about the proximity of the subsidence to the wetlands.

Joe Buonanno said that to adequately evaluate the current problems, East Goshen should hire a chemist, a geologist and an "OGM" (Oil, Gas & Mineral) litigator. Joe commented that the Pipeline TF is doing a great job.

Bill stated that the Township should seek services from Dr. Ira Sasowsky for a desktop study. He is a professionally certified hydrogeologist that has extensive background in Pennsylvania. He can analyze the information that the Township and the Pipeline Taskforce possesses. Bill made a motion that the TF recommend to the Board of Supervisors that they hire Dr. Ira Sasowsky, from Sasowsky Earth Science Consultants, Ltd. to oversee and conduct an independent desktop study for the cost of \$4,300. Caroline seconded. The motion passed 5-0.

2. The Pipeline Task Force to help the Board narrow a Right-to-Know request to be submitted to the appropriate state organizations.

Christina reported that she sent Rick suggested language for submitting a new Right-to-Know request.

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.

Christina stated that nothing on this topic has been completed to date. She explained that at a previous BOS meeting she suggested contacting DCNR's Bureau of Topography and Geology because of their publications on sinkholes. She also suggested that DEP should inspect the area to help determine if the subsidence is a threat. There was conversation regarding DEP consulting with the Bureau of Abandoned Mine Reclamation (BAMR) for recommendations. It was agreed to table this item until a later meeting.

Pipeline Setback Guideline Draft Ordinance

Christina attended the Planning Commission's meeting where the Pipeline Setback Ordinance was discussed. She explained that implementation of the ordinance would be triggered by an application for new land development/construction that is within 1000 feet of the existing pipeline easement. Christina asked the TF for input to this ordinance. Judi suggested that consideration be made to odorize the product.

Gerry recommended that the limit not go below the 1000-foot distance. Caroline will email Ernie with this recommendation. Rick noted that this ordinance needs to go to county for a 30-day review. Caroline asked the group to email her any other additions.

Melissa asked that the setback start with the edge of the easement to which Rick replied that the ordinance does refer to the easement edge.

Melissa asked why the pipes along Bow Tree are of a different color than previous pipes. Rick responded that he has contacted Sunoco and they stated that the pipes were provided by a different supplier.

Annual Planning Session

The TF agreed to review Bill's notes and meet to discuss the Annual Planning Session in a workshop meeting on January 14, 2021.

Adjournment

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

The next meeting is Thursday, January 14, 2021, at 6:30 pm via Zoom.

Respectfully submitted,
Susan D'Amore

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