

**East Goshen Township
Pipeline Task Force Meeting Agenda**

Thursday, May 13, 2021

6:30 PM

Dial in Number: (929) 205-6099

Access code: 890 8477 4350 # #

During this tele-conference Pipeline Task Force Meeting, public comment will be handled as follows:

- **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 can hit *9 to raise their hand.**
- **Participants 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
April 8, 2021
5. Public Comment
6. Chairperson's Report
7. Old Business – None
8. New Business
 - a. Chester County DA
 - b. Willistown Conservation Trust Water Sampling Program – Lauren McGrath
9. Liaison Reports
10. Any Other Matter
11. Correspondence
12. Adjournment
13. Executive Session to discuss a legal matter.

1 PIPELINE TASK FORCE WORKSHOP
2 THURSDAY, April 8, 2021
3 TELE CONFERENCE
4 DRAFT MINUTES
5

6 **Members Present:**

7 Vice Chair Bill Wegemann; Members: Jim Christenson, Jeannine DelVescovo, Judi DiFonzo,
8 Christina Morley, Gerry Sexton
9

10 **Others Present**

11 David Shuey, Township Supervisor; Rick Smith, Township Manager; Abby Diebold from
12 Senator John Kane's office; Dr. Ira Sasowsky
13

14 **COMMON ACRONYMS:**

<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>CCPC</i>	<i>Chester County Planning Commission</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>

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

17 Bill called the meeting to order at 6:30 p.m. and Christina led the Pledge of Allegiance.
18

19 **Moment of Silence**

20 Christina called for a moment of silence for those serving in the U.S. Armed Forces, those
21 suffering from the COVID-19 pandemic and for the US Capitol police officers.
22

23 **Recording**

24 Bill announced that the meeting is recorded to the cloud via Zoom meeting settings.
25

26 **Approval of Minutes**

27 The minutes from March 11, 2021, were unanimously approved.
28

1 **Public Comment – None**

2
3 **Chairperson’s Report**

4 Jeannine DeVescovo introduced herself and explained she has a vested interest in the
5 community and the safety of the residents.

6
7 Jim Christenson introduced himself and explained he joined the Pipeline TF because he
8 would like to participate in helping to protect the Township residents.

- 9
10 • Adelphia Valve Station – Rick reported that Adelphia started mobilizing at the Paoli
11 Pike site on April 6 to prepare for the valve work that is scheduled for completion by
12 May 7. Bill expressed concern about air quality and emissions from the valve. There was
13 discussion about whether there would be a flare and/or sound when a blow down
14 occurred. Rick confirmed that there will be no flare at this site.
15 • David stated that it would be helpful to know Adelphia’s construction timeline and
16 maintenance schedule. The TF is to provide Bill questions for Adelphia. Bill will compile
17 the questions and forward to Rick for submission to Adelphia.
18 • The TF discussed submitting a Township newsletter article that would explain
19 Adelphia’s process.
20 • Christina added that she purchased an air quality monitor that is currently monitoring
21 from her back yard. She said that if the TF and Township would find it useful, the
22 monitor could be moved to various locations in order to collect air quality data.

23
24 The TF discussed the drilling problems at the Chester County Library. David added that
25 DEP asked Sunoco for a remediation plan.

26
27 **Old Business**

28 **Report - Dr. Ira Sasowsky’s progress**

29 Dr. Ira Sasowsky provided a copy of his draft report that was distributed to the TF
30 members prior to the meeting. Dr. Sasowsky said that it does not appear that the
31 subsidence is related to the ongoing installation of ME2, and that it was not cause by an IR.
32 A clearly identified cause is not known.

33 Dr. Sasowsky listed the following as possible causes of the subsidence:

- 34 • Underground utilities
35 • The abandoned well on the property
36 • Rotting wood (PennDOT’s investigation report noted that that there was a rotting
37 tree, silt, and water.)

38
39 Dr. Sasowsky added the subsidence does not appear to be on a fracture trace. There is no
40 imminent danger of collapse and is categorized as minimal. Dr. Sasowsky recommended
41 that the well be capped or properly abandoned. Dr. Sasowsky recommends that this area
42 be examined and monitored on a regular basis to confirm that the subsidence does not get
43 larger and that no additional low spots develop in the area.

1 Christina asked if the final report could reflect that PennDOT's backfilling of the excavation
2 was not a remediation of the subsidence.

3
4 Rick asked about the effects of water chasing the pipeline. Dr. Sasowsky stated that water
5 could carry away the sediment and stated that he will add to the report.

6
7 Bill questioned that if another subsidence occurs in the future, what should the next steps
8 be? Dr. Sasowsky replied that excavation with independent oversight would be the proper
9 course of action.

10
11 Rick will contact the property owner to request they properly cap the well.

12
13 Christina suggested and the TF agreed to provide an introduction letter for the final report
14 that will be added to the Township's website and other communications.

15
16 **Legislative Update**

17 Bill explained that he has been invited to attend Zoom meetings in order to provide TF
18 updates to Senator Kane's and Representative Herrin's offices.

19
20 **Liaison Reports**

21 Conservancy Board - Christina stated that she reached out to invite the Williamstown
22 Conservation Group to attend a meeting to talk about their water testing program. She has
23 not heard back and will follow up.

24
25 Planning Commission - Bill stated that the Pipeline Safety Awareness Ordinance has been
26 sent to Chester County. Rick added that the Planning Commission should talk about this at
27 their May meeting.

28
29 **Adjournment**

30 The meeting was adjourned at 8:15 p.m.

31 The next meeting is Thursday, May 13, 2021, at 6:30 pm via Zoom.

32
33 Respectfully submitted,

34 *Susan D'Amore*

35
36 *F:\Data\Shared Data\Minutes\Pipeline Task Force\2021\Pipeline TF Mins 04-8-21 DRAFT.docx*

Chester County District Attorney's Office

DEBORAH RYAN
DISTRICT ATTORNEY



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PRESS RELEASE

For more information contact Michelle Bjork, Director of Communications, at mbjork@chesco.org or 610-344-6820.

April 22, 2021

DAO FILES CIVIL ACTION AGAINST MARINER EAST PIPELINE

The Chester County District Attorney's Office (DAO) filed a civil complaint on behalf of the Commonwealth of Pennsylvania against Energy Transfer LP, and its subsidiaries Energy Transfer Operating LP, Sunoco Partners Operations LP, and Sunoco Pipeline LP. The complaint seeks to stop or reduce the number of nuisances that risk the health, safety, and welfare of Chester County residents created by the defendants during the construction, drilling, installation, and other activities connected with the Mariner East Pipeline System.

The DAO expects to enter into a consent decree with the defendants establishing Chester County oversight of future environmental violations. The consent decree would require the defendants to abide by all laws and permits and not create public nuisances under the Pennsylvania Clean Streams Law (PaCSL).

The 23-mile Mariner East Pipeline System includes the Mariner East I Pipeline and the Mariner East II and IIX Pipelines. It is used to transport petroleum and natural gas liquids in Chester County and elsewhere in Pennsylvania.

The Chester County DAO's complaint alleges the defendants created ongoing and continuing public nuisances because their activities violated their Pennsylvania Department of Environmental Protection (PaDEP) work permits, the Constitution of Pennsylvania, and the PaCSL.

PaCSL allows any DAO to file a civil lawsuit as a representative of the Commonwealth against an individual or business within the DAO's jurisdiction if violations of the PaCSL or permits issued by the PaDEP occur. Permit violations that threaten the public's health, safety, or welfare are deemed public nuisances under the PaCSL.

District Attorney Deb Ryan said, "The residents of Chester County deserve to know that the air we breathe, the water we drink, and the land we enjoy are being protected from irreparable damage by large corporations. Our complaint seeks to change the defendants' behavior by forcing them to comply with Pennsylvania laws. It demonstrates to the defendants and others like them that they cannot buy their way out of unlawful conduct. My office appreciates the voluntary negotiations around the consent decree by the defendants to resolve all the issues alleged in this complaint."

The DAO's complaint requests the court to:

- Determine that the defendants' listed conduct and activities are statutory and public nuisances that need to be stopped.
- Prohibit the defendants from continuing or resuming any Horizontal Directional Drilling (HDD) activities that caused or will cause statutory and public nuisances.
- Require the defendants to abate the statutory and public nuisances promptly and at the defendants' sole expense.
- Impose financial penalties the court deems appropriate.

Beginning in June 2017 and continuing through the present, the defendants engaged in HDD for the pipeline that caused repeated and ongoing Inadvertent Returns (IR) to occur. As a result, drilling fluids that are considered industrial waste by PaDEP were discharged and released into the water and environment as pollution. In July 2017, approximately 14 Chester County residents in the Shoen Road Drill Area vicinity had their drinking water contaminated with industrial waste from the defendants' HDD drilling activity.

The PaDEP has alleged that numerous other public nuisances occurred across the county in subsequent months and years, including, but not limited to:

- In October 2017, 500 gallons of industrial waste were discharged into a homeowner's yard on Gateswood Drive in East Goshen Township.
- An IR discharged drilling fluids, causing a sinkhole on Lisa Drive in West Whiteland Township in November 2017.
- An IR caused 1,500 gallons of drilling fluid to be released near Village Square Drive in East Goshen Township.
- Drilling fluids were discharged by an IR along Herman O. West Drive in Uwchlan Township in December 2017.
- An unknown quantity of grout was discharged in a wetland area along the Pennsylvania Turnpike in Upper Uwchlan Township in November 2018.
- In March 2019, hydraulic fluid was discharged into the ground surface near Glendale Road and Concord Avenue in Uwchlan Township.
- In April 2019, an unpermitted earth disturbance occurred at Routes 82 and 30 in Coatesville, sediment-laden water was discharged to a stormwater basin in West Whiteland Township, and drilling activity occurred in East Goshen Township without a 24-hour notice.
- A petroleum pipeline and an abandoned section of pipe were exposed in West Whiteland Township in June 2019.
- In September 2019, the defendant combined two HDDs in violation of a PaDEP permit.
- In August 2020, an IR resulted in the discharge of drilling fluids into a wetland, streams, and Marsh Creek in Upper Uwchlan Township.

A judge is expected to rule on the DAO's civil action soon.

.....
Approved for release by Deborah Ryan, District Attorney

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199



April 29, 2021

Dear Property Owner:

The purpose of this letter is to inform you that the Township has received a Zoning Hearing Board Application from Albert and Lynn Greto owners of 331 Springhouse Ln. The Greto's are requesting dimensional relief from the height requirement for fencing on residential properties.

Fences are regulated in §240-32 E. of the zoning ordinance. Fences are a permitted use and allowed to be a maximum of 6 feet tall within a side or rear yard of residential properties. Specifically, the applicant is requesting relief to permit fencing they have installed to exceed the height requirements of the ordinance.

All property owners within 1000 feet of the property seeking zoning relief are notified of the meeting dates when the application will be discussed. **The scheduled public meetings for review and potential approval of this application are as follows, AND ARE SUBJECT TO CHANGE WITHOUT ADDITIONAL WRITTEN NOTICE:**

May 5, 2021 - Planning Commission meeting (7:00 pm, virtually via ZOOM)

June 1, 2021 - Board of Supervisors meeting (7:00 pm, virtually via ZOOM)

June 8, 2021 - Zoning Hearing Board (7:00 pm, virtually via ZOOM)

Due to COVID 19 protocols all meetings and hearings will be held virtually. The ZOOM meeting information will available on the Township website prior to the meeting at, www.eastgoshen.org. **The application materials are available for review during normal business hours.** Call the Township if you have questions on how to observe or participate in the meetings and or the hearing.

Sincerely,

Mark A. Gordon

Mark A. Gordon
Township Zoning Officer

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FYI

April 27, 2021

Dear Property Owner:

The purpose of this letter is to inform you that the Township has received a Zoning Hearing Board Application from ESKE Development LLC, owner of 1302 Wilson Drive. ESKE Development is requesting a dimensional variance from the rear yard setback requirement for the building located at 1302 Wilson Drive, West Chester, 19380.

ESKE Development is seeking relief from §240-19 G. Lot area, width, building coverage, height and yard regulations. Specifically, the applicant is requesting relief 3.5 feet from the rear yard setback requirement of the ordinance.

All property owners within 1000 feet of the property seeking zoning relief are notified of the meeting dates when the application will be discussed. **The scheduled public meetings for review and potential approval of this application are as follows, AND ARE SUBJECT TO CHANGE WITHOUT ADDITIONAL WRITTEN NOTICE:**

May 5, 2021 - Planning Commission meeting (7:00 pm, virtually via ZOOM)

May 11, 2021 - Board of Supervisors meeting (7:00 pm, virtually via ZOOM)

May 26, 2021 - Zoning Hearing Board (7:00 pm, virtually via ZOOM)

Due to COVID 19 protocols all meetings and hearings will be held virtually. The ZOOM meeting information will available on the Township website prior to the meeting at, www.eastgoshen.org. **The application materials are available for review during normal business hours.** Call the Township if you have questions on how to observe or participate in the meetings and or the hearing.

Sincerely,

Mark A. Gordon

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Township Zoning Officer

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

FYI

April 27, 2021

Dear Property Owner:

The purpose of this letter is to inform you that the Township has received a Zoning Hearing Board Application from CTDI, owner of 1365 Enterprise Drive. CTDI is requesting zoning variances for two proposed wall signs for their property at 1365 Enterprise Drive, West Chester, 19380.

CTDI is seeking relief from §240-22 Q.(5) of the Zoning Ordinance, specifically, relief is being requested for:

- (1) the maximum number of signs permitted on a building
 - a. The applicant is seeking relief to install 2 wall signs (the ordinance permits one wall sign per building)
- (2) the maximum area of wall signs
 - a. The applicant is seeking a variance to install wall signs that are approximately 166.8 square feet each, in area. (the zoning ordinance permits a maximum sign area of 100 square feet)

Additionally the applicant is requesting the Zoning Hearing Board grant such other relief as may be necessary in the judgement of the Board to allow each of the proposed wall signs.

All property owners within 1000 feet of the property seeking zoning relief are notified of the meeting dates when the application will be discussed. **The date of the HEARING is as follows:**

Zoning Hearing Board (Zoning Variance Hearing) – Wednesday, May 26, 2021 @ 7:00 PM

Due to COVID 19 protocols this hearing will be held virtually. The ZOOM meeting information will be available on the Township website, www.eastgoshen.org, no later than May 24th. **The application materials are available for review at the Township building during normal business hours.** Call the Township if you have questions on how to observe or participate in the hearing.

Sincerely,

Mark A. Gordon

Mark A. Gordon
Township Zoning Officer