

**EDGMONT TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**PROCLAMATION**

**A PROCLAMATION** of the Board of Supervisors of Edgmont Township, Delaware County, Pennsylvania, joining with its neighboring municipalities, Middletown Township and Thornbury Township and expressing great concern to the Governor of the Commonwealth of Pennsylvania, to the Secretary of the Pennsylvania Department of Environmental Protection and the Chairman of the Public Utility Commission regarding hazardous liquids transmission pipeline projects that threaten the health, safety and welfare of Township residents.

**WHEREAS**, Sunoco Pipeline L.P. (Sunoco) has announced that it is currently transporting highly volatile natural gas liquids (NGLs) under pressure through Edgmont Township, a "high consequence area," using a repurposed transmission pipeline installed in the 1960s with a capacity of 70,000 barrels (2,940,000 gallons) per day (Mariner East 1); and

**WHEREAS**, an additional proposed Sunoco pipeline known as Mariner East 2 could, if constructed, transport through Edgmont Township an additional 275,000 barrels (11,550,000 gallons) per day of these same NGLS (with the potential to expand to 450,000 barrels (18,900,000 gallons) per day); and

**WHEREAS**, the highly volatile NGLs, which are being transported through the Township for the first time by Sunoco, are, if released, gaseous, invisible, odorless, toxic, heavier than air and highly flammable; and

**WHEREAS**, the Mariner East project has the potential to jeopardize public safety in Edgmont Township by construction methods, accidental leaks, explosions, or fire.

**NOW THEREFORE, BE IT PROCLAIMED**, that the Board of Supervisors of Edgmont Township, Delaware County, joins with its neighboring municipalities, Middletown Township and Thornbury Township, to express its deep concern about the existing and proposed Sunoco Mariner East transmission pipelines to the Governor of the Commonwealth of Pennsylvania, the Secretary of the Pennsylvania Department of Environmental Protection and the Chairman of the Public Utility Commission. Of particular concern to the Board of Supervisors and residents of Edgmont Township are the following:

**FIRST CONCERN:** Essential to the powers of the Township, are the police powers granted by the Second Class Township Code and the power to regulate the uses and development of land by the Pennsylvania Municipalities Planning Code. Exemptions given to public utilities under each of these enabling bodies of law severely preempt the Township's ability to exercise its police powers and its ability to fully protect the health, safety and welfare of its residents and are contrary to the Commonwealth's ongoing obligation under Article 1, Section 27 of the Constitution of the Commonwealth, which provides:

*The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.*

The consequences of such exemptions squarely favor commerce over community safety and are contrary to the preservation of the public trust created by the Commonwealth Constitution. Legislation is needed to more fully empower the Township to exercise control over public utility facilities at the local level, which in turn supports the Commonwealth's responsibility toward the citizens of the Commonwealth under Article 1, Section 27 of the Commonwealth Constitution.

**SECOND CONCERN:** The Mariner East 2 project, including the repurposing of Mariner East 1 to carry NGLs creates a high level of risk to Township residents and their property due to the nature of these highly volatile liquids being transported and proposed to be transported through the Township. This risk must be demonstrably mitigated by such measures as the development of an incident response plan which includes (but is not limited to) viable worst-case evacuation routes developed in cooperation with the Township personnel and affected residents; enhanced safety equipment and safety training for first responders; and separation of new pipelines from existing residences by a distance equal to or greater than the Potential Impact Radius (PIR) of those pipelines.

**THIRD CONCERN:** Over the last 2½ decades, there have been releases from the original Mariner East pipeline which have resulted in damage to property within the Township. Those releases involved petroleum products and occurred prior to the recent repurposing of the pipelines to carry NGLs. The most recent release which occurred on April 10, 2015, caused and continues to cause concerns among affected residents as the breach in pipeline integrity was not detected by Sunoco. The release and subsequent clean up resulted in significant tree clearing and wet lands disturbance. More importantly, local private water supplies still appear to be adversely impacted with residents continuing to report oily residue and unusual color in their potable water supply.

The inherent dangers of transporting highly volatile NGLs under pressure through Edgmont Township, coupled with the fact that if released, these liquids are gaseous, invisible, odorless, toxic, heavier than air and highly flammable, exponentially magnify the need for Sunoco to have reliable methods and safeguards in place (a) to prevent releases in the first place and (b) to immediately detect, control and stop any NGL releases which may occur. These risks can be mitigated by the installation of automatic shutoff valves prior to the Township boundary where the transmission pipelines enter, as well as at the boundary where the transmission pipelines exit the Township and in other appropriate locations within the Township established to maximize resident safety. To the extent that release detection instruments can also be provided to affected residents adjacent to transmission pipelines, they should be provided and maintained by Sunoco with appropriate training provided to residents and Township personnel. This would afford an additional level of safety and notice for Township residents whose properties would be most immediately and severely impacted by a breach of the pipeline and provide Sunoco with the ability to more quickly respond to an emergency, hopefully avoiding the loss of persons and mitigating damage to property.

**FOURTH CONCERN:** The Mariner East 2 project may threaten the private water supply of a number of Township residents as the proposed construction methods has potential to create voids between the proposed pipeline and surrounding earth and that it is Sunoco's intention to leave these voids ungrouted, creating an unacceptable pathway for groundwater contamination. Proper and reasonable safeguards would be for Sunoco to establish a benchmark of the condition and quality of each of the wells within a prescribed radius along the project and monitor those same wells for an acceptable period of time post-construction to reasonably ensure no degradation of the groundwater.

**FIFTH CONCERN:** The Mariner East 2 project construction may disturb and alter essential elements of thoughtfully approved subdivisions. Such disturbance will adversely affect safeguards both within and without those subdivisions which have been carefully implemented in the establishment of those subdivisions. Sunoco must be required to restore such conditions and safeguards to the condition which the same were in immediately prior to the commencement of any construction.

In addition, the introduction of heavy construction equipment on local Township roads may cause significant inconvenience to the traveling public, as well as damage to Township road infrastructure which was not designed to handle such activity. Sunoco needs to ensure the continuity of traffic flow and protect against damage to Township road infrastructure and enforce measures which guaranty that its contractors use only local roads approved by the Township for Mariner East project purposes.

**SIXTH CONCERN:** To the extent that the Mariner East 2 project is approved by all necessary agencies with jurisdiction there over, the Commonwealth must insure that such construction includes the simultaneous construction of both the proposed 20" pipeline and contemplated 16" additional pipeline, whether or not the such construction

is deemed advisable or advantageous by Sunoco. To do otherwise will cause another significant period of hardship, consternation and anxiety to the residents of Township and surrounding community. This is a circumstance which is both unnecessary and easily avoided.

**PROCLAIMED** by the Board of Supervisors of Edgmont Township, Delaware County, Pennsylvania, at the regular meeting of said Board held this 19th day of December, 2016.

**BOARD OF SUPERVISORS**

Edgmont Township,  
Delaware County, Pennsylvania

Ronald Gravina  
Ronald Gravina, Chairman

Randolph Bates  
Randolph Bates, Vice Chairman

Henry Winchester III  
Henry "Hank" Winchester, III, Supervisor

Attest:

Samantha Reiner  
Samantha Reiner, Secretary

(TOWNSHIP SEAL)