



# THORNBURY TOWNSHIP

W W W . T H O R N B U R Y . O R G

**BOARD OF  
SUPERVISORS:**

James H. Raith  
James P. Kelly  
Sheri L. Perkins

*Public Meeting:*

*1st Wednesday of each month*

January 14, 2019

Ms. Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility commission  
Commonwealth Keystone building  
400 North Street, Second room  
Harrisburg, PA 17120

RE: Meghan Flynn, et.al. v. Sunoco Pipeline L.P.  
FLYNN FORMAL COMPLAINT AND PETITION  
Complaint No. C-2018-3006116  
Docket No. P-2018-3006117

Secretary Chiavetta,

We are writing to you once again on behalf of the residents of Thornbury Township, Delaware County, and in support of the above referenced complaint. Thornbury Township has addressed our concerns regarding the safety of the ME1 and ME2 pipelines in previous correspondences to the PUC and other authorities with jurisdiction. Since the PUC determined that Sunoco and/or Energy Transfer partners are a public utility, our municipality has virtually no power to act directly on behalf of our residents' safety.

We have repeatedly requested safety reviews by the Public Utility Commission and others with regulatory authority over the pipeline and transportation of hazardous liquids. We expressed our concerns about the safety of the "work around" now implemented by Sunoco in a letter to the Pipeline Hazardous Materials Safety Administration dated July 19, 2018. (A copy of that letter has been attached.)

In that letter, we requested detailed information regarding the repurposing of the existing twelve inch pipeline. Specifically, we requested the following:

**(i) details outlining any required safety inspections and monitoring that will be undertaken by PHMSA or its designated agent; (ii) protocols and procedures for safety of our residents if there is a leak in the hazardous liquids pipeline; (iii) whether PHMSA will require automatic shut-off valves to address any potential leak; (iv) the pressure at which the hazardous liquids will be transported in the twelve inch pipeline; and (v) what, if any, testing or inspections will be required to ensure the crossover connection between the smaller and larger diameter pipeline can be safely operated.**

In Complaint No. C-2018-3006116, Meghan Flynn et al., reiterate several of the very concerns outlined in our July 17, 2018 letter to the PHMSA. In a letter to you, dated June 6, 2018, we urged that the PUC to exercise its authority to hold Sunoco accountable in the interest of public safety. Again, concerns that are raised by Flynn et al..

To date, we have received no actionable responses to our requests. That leaves us to conclude that the agencies we have requested action from are either unable to act, or are indifferent to our requests. We believe we have clearly defined our concerns. If your agency is unable to address these concerns, please indicate that it is not your responsibility, and direct us to the agency that you feel has the responsibility to address the safety concerns we have outlined.

Again, thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "James H. Raith" with a stylized flourish at the end.

James H. Raith

Chairman

Thornbury Township Board of Supervisors



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BOARD OF  
SUPERVISORS:

James H. Raith  
James P. Kelly  
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*Public Meeting:*  
*1st Wednesday of each month*

July 19, 2018

Howard Elliott, Administrator  
Pipeline Hazardous Materials Safety Administration  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: Sunoco Logistics Pipeline – Thornbury Township, Delaware County,  
Pennsylvania

Dear Mr. Elliott:

We are writing on behalf of the residents of Thornbury Township, Delaware County, Pennsylvania. Sunoco Logistics maintains a twelve (12) inch pipeline within the boundaries of Thornbury Township. Historically, Sunoco's existing twelve inch pipeline has been used to transport petroleum products. Recently, Township officials learned that Sunoco Logistics served "Notification" to PHMSA in which Sunoco expressed an intention to transport Natural Gas Liquids (NGL) in the existing twelve inch pipeline. The Township believes that Sunoco submitted the required notification to PHMSA on or about June 22, 2018 and accordingly Sunoco may be able to transport NGL's in the existing 12 inch pipeline by August 22, 2018.

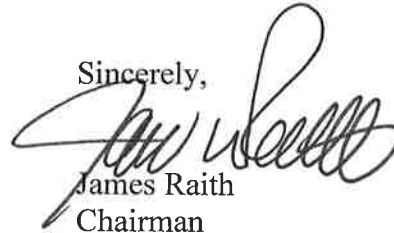
The Township holds serious concerns about the safety of the operation of the pipeline as it traverses a well populated area of our municipality. Although the Township is unsure of the exact age of the existing twelve inch pipeline, it is generally understood that the pipeline is, at a minimum, fifty (50) years old. There are quite valid questions and concerns regarding the pipeline's condition as well as how the twelve inch pipeline will be securely connected to the newly constructed twenty (20) inch Mariner East 2 pipeline. The Township is concerned that such crossover connection will compromise the older existing twelve inch pipeline. Further the Township has additional concerns about Sunoco's ability to regulate or control the pressure change as the hazardous liquids transfer from the larger diameter Mariner East 2 pipeline to the small twelve inch pipeline. Indeed, Township residents have asked many questions about Sunoco's intended repurposing of the twelve inch pipeline and the Township is simply without answers to the valid resident concerns and questions.

The Township understands that it does not share regulatory authority over the pipeline and transportation of hazardous liquids; however we do hold the responsibility of ensuring the safety and welfare of Thornbury Township residents. Accordingly, the Township respectfully requests PHMSA to supply the Township with detailed information regarding Sunoco's proposed repurposing of the existing twelve inch pipeline. Specifically the Township is

requesting PHMSA to provide (i) details outlining any required safety inspections and monitoring that will be undertaken by PHMSA or its designated agent; (ii) protocols and procedures for safety of our residents if there is a leak in the hazardous liquids pipeline; (iii) whether PHMSA will require automatic shut-off valves to address any potential leak; (iv) the pressure at which the hazardous liquids will be transported in the twelve inch pipeline; and (v) what, if any, testing or inspections will be required to ensure the crossover connection between the smaller and larger diameter pipeline can be safely operated.

On behalf of the Township residents and officials, thank you for your time and anticipated prompt response to our requests and concerns. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Raith', written in a cursive style.

James Raith  
Chairman  
Board of Supervisors

cc: Karen Gentile  
OPS Eastern Region Community Liaison  
[karen.gentile@dot.gov](mailto:karen.gentile@dot.gov)

Ian Woods  
OPS Eastern Region Community Liaison  
[ian.woods@dot.gov](mailto:ian.woods@dot.gov)

Board of Supervisors



# THORNBURY TOWNSHIP

W W W . T H O R N B U R Y . O R G

BOARD OF  
SUPERVISORS:

James H. Raith  
James P. Kelly  
Sheri L. Perkins

Public Meeting:  
1st Wednesday of each month

June 6, 2018

Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: *Pennsylvania State Senator Andrew E. Dinniman v. Sunoco Pipeline L.P.*; Docket Nos. P-2018-3001453 and C-2018-3001451**

Dear Ms. Chaivetta:

I am writing on behalf of the residents of Thornbury Township, Delaware County. Our Board of Supervisors has repeatedly conveyed our concerns regarding the safety of both the Mariner East 1 and Mariner East 2 projects. We have sent letters to Governor Wolf, the PUC, our legislators, and others. We have spent countless hours addressing the public's concerns in our regularly scheduled meetings and held several special meetings solely for Mariner East pipeline safety concerns.

Township officials recently reviewed the May 21<sup>st</sup> ALJ Order regarding Senator Dinniman's Emergency Petition in reference to Sunoco's Mariner East 1 and Mariner East 2 activities in West Whiteland Township. We submit that Thornbury Township, Delaware County shares many, if not all, of the concerns articulated by Senator Dinniman. Indeed Thornbury Township believes that all of the residential communities through which ME1 and ME2 exist or are proposed will share the same concerns as those articulated by Senator Dinniman and as such we urge the PUC to exercise its authority to hold Sunoco accountable in the interest of public safety.

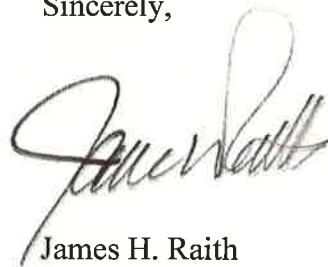
To date in Thornbury Township, Sunoco has experienced several failed HDD drilling activities. In attempting to perform HDD drilling at a site off of South Chester Road in Thornbury Township, Sunoco often lost track of the drill tool. Moreover, Sunoco's above referenced drill site involved 1,350 feet of failed drilling from October 2, 2017 through October 19, 2017. Ultimately the above referenced drilling attempt encountered impassable rock and was abandoned by Sunoco. Thereafter, Sunoco undertook a second unsuccessful attempt to perform an intercept drill from a separate site off of Slitting Mill Road. However after three weeks of attempted intercept drilling, Sunoco abandoned that site and began with an entirely new HDD immediately adjacent to the previously mentioned South Chester Road Site.

The Township has further concerns regarding Sunoco experiencing inadvertent returns during the past failed intercept drilling attempts. As Sunoco experienced at least 6 inadvertent returns during the fall of 2017 drilling in the Township, the Township is concerned such occurrences will be common place in Sunoco's future drilling in the Township. Additionally, Sunoco has shown little to no respect for the restrictions of the Township's grading permit insofar as Sunoco has permitted its existing deficient sound curtain system to remain in a state of partial to complete failure for numerous months. In fact, the Township suspended Sunoco's Thornbury Township grading permit as of February 2018 while simultaneously requesting Sunoco to provide a design for an adequate, substantial and secure sound barrier shielding the Sunoco worksite from residences and businesses. Sunoco has failed to take any corrective steps to secure an adequate and substantial sound barrier system in Thornbury Township.

The Township submits that the May 21<sup>st</sup> ALJ Order confirms that the PUC has the authority to impose inspection and reporting requirements from Sunoco for concerns related to horizontal drilling. We have shared those concerns since the earliest discussions of this project. Accordingly, the Township is writing to request that the PUC and any other agency that has the authority to invoke inspection and reporting requirements related to the safety of the Mariner Projects exercise that authority. Specifically we are requesting an independent evaluation be completed for the new section of pipe that has been installed and other drilling that has taken place in Thornbury Township. Additionally we would ask that the existing pipeline in Thornbury Township, Delaware County be inspected and tested by the PUC or their designated agency.

We thank you for your attention to this matter. Please contact our township manager, Jeff Seagraves at 610-399-8383 ext. 104 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Raith". The signature is fluid and cursive, with a large initial "J" and "R".

James H. Raith  
Board of Supervisors  
Chairman