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*Via Electronic Filing*

The Honorable Gladys Brown Dutrieulle  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Third Floor  
Harrisburg, PA 17120

***Re: Public comment of the Downingtown Area School District on Proposed Rulemaking Regarding Hazardous Liquid Public Utility Safety Standards Docket No. L-2019-3010267***

Dear Chairwoman Dutrieulle:

Allow this letter to serve as public comment on behalf of the Downingtown Area School District and its Board of School Directors (“the School District”). The School District is a public school district of the second class, and the eight municipalities it serves are located within Chester County, Pennsylvania. The School district currently operates 16 schools and has a student enrollment of approximately 13,000.

One of the schools, the March Creek 6th Grade Center, serves almost 100% of the sixth grade students in the School District and is within the blast zone of the Mariner East 1 (“ME1”) pipeline and/or a work-around 12-inch diameter pipeline in Upper Uwchlan and Uwchlan Townships. The Marsh Creek 6<sup>th</sup> Grade Center (and the Shamona Creek Elementary School) are directly across the street from the valve station along Dorlan Mill Road, in Upper Uwchlan Township, making the comments below particularly poignant for those facilities.

**Comments**

1. Leak/vapor detection systems in above-ground and underground facilities.

The School District supports Pennsylvania House Bill 1735, designed to provide real-time detection of leaks and other product releases to community first responders. The School District proposes that the PUC should implement this program (with a similar funding mechanism imposed on the pipeline) so that the School District would be the beneficiary of such a detection system and immediate notification in the event of a leak within the proximity of one its schools. The leak/detection systems should be site-specific and designed to specifically address the hazards posed by the facilities causing the risk and the best method of detection

(without limitation camera, video, vapor and gas detection).

2. Automated monitoring and communication systems.

The School District understands that pipelines currently monitor their operations at remote locations, sometimes thousands of mile away. The PUC should consider requiring this constant monitoring to occur at a more local level (County-wide or region-wide) and require that results of monitoring be integrated with and immediately and directly relayed simultaneously to the relevant County Department of Emergency Services and the facility(ies) at risk.

3. Age/at-risk population appropriate notice, education and training.

As it relates to the risks posed by pipelines, the School District (like all school districts in the Commonwealth) is concerned with the safety of its students, teachers, administrators and members of the public that utilize its properties. The School District services a unique and at-risk segment of the population – children – and the adults who are responsible for their safety throughout a large geographical area. The PUC should consider requiring the pipelines (at their expense) to: a) provide immediate notice to the specific building and designated building representative potentially affected by an event that may require evacuation or some other hazard or emergency response, b) provide age-appropriate education to those facilities as to the procedure to be followed in the event of the need for a hazard or emergency response and, c) occupation-appropriate training to employees of the school district responsible for the safety of the students (from bussing to and from school, while in the school building itself or outside at recess or at a school-sponsored or school-sanctioned event).

4. Product specific and age-appropriate planning.

Closely related to Comment 3 above, is the necessity for the development of an immediate response plan to any hazardous or emergency situation. There is currently a lack of any incident-specific plan relating to a pipeline emergency, especially a plan to be implemented within the first 30 minutes of a pipeline incident. The pipelines should be required to develop and provide an immediate site-specific response plan for each at-risk school building, at the pipelines' expense. These plans should be developed in conjunction with an Environmental Safety Study and could include an evacuation plan, a shelter in place plan or other response uniquely designed to account for the type of incident, the location of the school, the topography, the surrounding population, the road system, the student population, the number of students with a disabilities, transportation issues, potential rally points and other relevant considerations.

5. Ignition Sources.

Proximate ignition sources (overhead electrical lines and traffic and pedestrian control devices, for example) to above-ground facilities, such as the valve station on Dorlan Mill Road, create an unreasonable and unsafe condition that can be remedied by a requirement imposed on the pipelines that they either relocate those ignition sources or their above-ground facilities at their expense.

6. Implementation of Pipeline and Hazardous Materials Safety Administration (“PHMSA”) considerations and other safety enhancements.

Implementation of the PHMSA safety guidelines are generally encouraged and as they relate to pipeline school building are particularly necessary, as are other common sense safety enhancements.

- a. The PUC should promote the removal and relocation of valve stations, like the one within close proximity of two schools along valve station along Dorlan Mill Road, in Upper Uwchlan Township.
- b. As it relates to the a work-around 12-inch diameter pipeline referenced above, it should be discontinued as this conversion to a HVL pipeline is dangerous and was done without notice an opportunity for the School District to be heard on the risk sprung upon the March Creek 6<sup>th</sup> Grade Center and the Shamona Creek Elementary School.
- c. All future potential pipeline conversions to HVL products should be approved only after advertisement, applications to and hearings before the local municipality and the Commonwealth.

7. Definition of “hazardous to life, property of the environment”.

Implementation of a PUC standard or formula for the determination of whether a pipeline is “hazardous to life, property of the environment”, under 49 U.S. Code section 60112 will allow for a standard to determine whether pipelines within close proximity to schools fit the definition. Such a standard will allow, considering all of the circumstances involving that pipeline (including but not limited to, the product, the pipeline’s safety and compliance record, set backs, the community, test and monitoring results, the age and condition of the pipe, its equipment and material) whether sanctions can be imposed upon the pipeline, up to and including a shut-down of the pipeline, due to the unsafe condition created for a school.

The School District would also note that it supports the comments of the State Senator Thomas Killion (9<sup>th</sup> District, Delaware and Chester Counties) and Representative Danielle Friel Otten (155<sup>th</sup> Legislative District) many of which are in-common with the safety concerns expressed by the School District.

Respectfully,

/s/ Jane Bertone

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President, Board of School Directors  
Downingtown Area School District

CC: Dr. Emilie Lonardi, Superintendent