Good Morning Chairman Yaw, Chairman Tomlinson, Senator Dinniman, Senator Rafferty, Senator Leach and the Committee Members. My name is Melissa DiBernardino and I am one of the leaders for Goshen United for Public safety and Del-Chesco United for Pipeline Safety. Thank you very much for giving me the opportunity to testify today. I am passionate about the need for added and stricter pipeline regulations in Pennsylvania. The lack of regulations, leading to loopholes has placed countless Pennsylvanians at risk and we are in dire need of protection. The people of power, present today, have the ability to make that a possibility and I hope that this hearing will help you understand what you can and should do.

I feel strongly about the subject because of the dangers that this Natural Gas Liquids pipeline project directly threatens my children and so many others. In Pennsylvania, and only in Pennsylvania, a pipeline operator is allowed to route a pipeline wherever they choose. In the case of this project, the operator chose to use an existing easement dating back to the early 1930's originally intended to carry home heating oil, a fairly benign product. In 2014, they repurposed and redirected the flow of this line. Today it carries artificially liquefied ethane, butane, and propane, at a maximum PSI of 1480. This is not comparable to what this pipeline's original purpose was and the majority of the contents will be used in the production of plastic in Europe. Coincidentally, PHMSA has a bulletin out, discouraging operators from projects like this because of the risks involved. However, it is only a suggestion, not a regulation.

PHMSA
Pipeline and Hazardous Materials Safety Administration

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ADB-2014-04

Sep 18, 2014

Docket Number PHMSA-2014-0400

Notice: Issuance of advisory bulletin

Summary: PHMSA is issuing this advisory bulletin to alert operators of hazardous liquid and gas transmission pipelines of the potential significant impact flow reversals, product changes and conversion to service may have on the integrity of a pipeline. Failures on natural gas transmission and hazardous liquid pipelines have occurred after these operational changes. This advisory bulletin describes specific notification requirements and general operating and maintenance (O&M) and integrity management actions regarding flow reversals, product changes and conversion to service. This advisory bulletin also recommends additional actions operators should take when these operational changes are made including the submission of a comprehensive written plan to the appropriate PHMSA regional office regarding these changes prior to implementation.

Two of my children, ages five and seven, currently attend Saints Peter and Paul Elementary School. It lies a mere 100 ft from the pipeline described. The two additional pipelines that are currently being installed use horizontal directional drilling and will go in the same easement. In 2014, when the original line was repurposed, I asked the principal what information the school was given. This was her response: “I did not hear from East Goshen Township directly. The pastor may have”. I was notified on October 27, 2014 by letter from Sunoco Logistics that the pipeline known as Mariner East will soon begin transporting propane. By mid-2015, the line is scheduled to ship propane

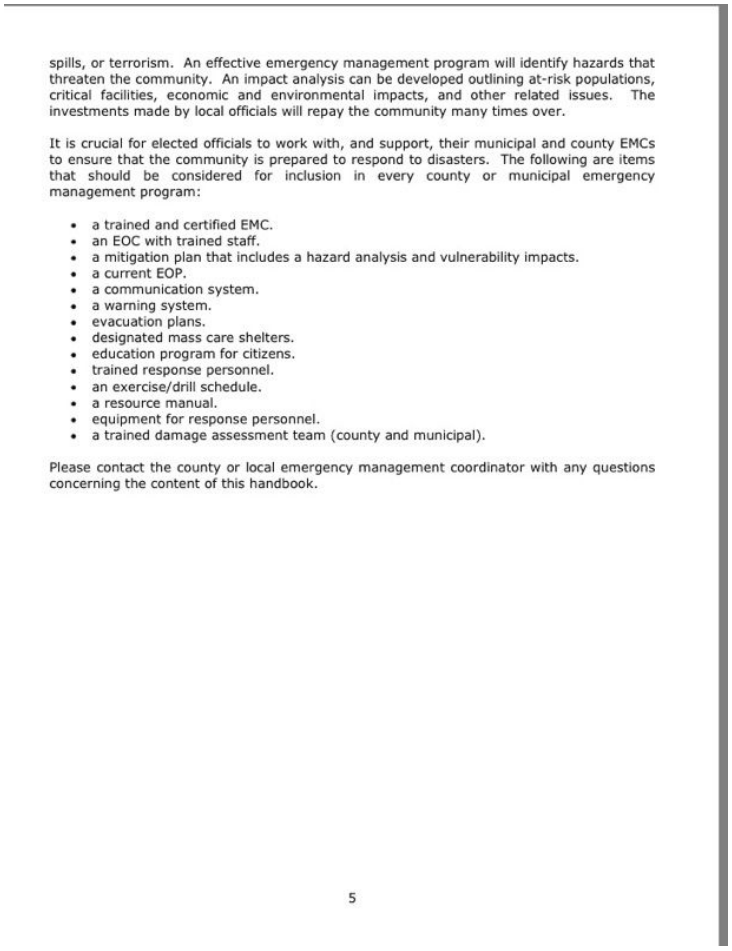
and ethane. That letter was signed by Kevin Doherty. It is important to note, that absolutely nothing changed in regards to public awareness or emergency response as a result of this letter. I believe that this company, benefited because of the lack of information that this correspondence contained. A school that is responsible for over 400 children took a short letter which contained no helpful information and filed it away because they didn't understand nor were educated about imminent danger and risks presented. Subsequently, there were no preparedness or evacuation plans made.

Until groups of concerned citizens started raising awareness of the dangers we faced; pushing our emergency personnel and elected officials to help, there was no effort to become educated about and prepared for these risks. I was completely in the dark about this project until I started asking questions when construction began in May of 2017. After learning enough to be extremely alarmed, I called the governor's office only to be directed to call the Department Of Environmental Protection. After being transferred multiple times on the phone with the DEP, I was told that they were instructed to direct all callers' inquiries about the Mariner East Pipeline Project to Sunoco/ETP. This was after a pipeline safety meeting that our township held in June where 90-95% of residents' questions went unanswered. You can listen to the June 27th Fugette meeting Audio: https://eastgoshen.org/pipelines/sunoco.
It was alarmingly clear after that meeting that we had a potentially fatal situation right in our own backyards. What made it more alarming was that while our Emergency Response is outstanding in all other aspects of their duties, preparedness and

emergency response for this new risk was something where they were substantially lacking information. In their defense, almost 3 years into Mariner 1 line running they had not been given any kind of training by the operator for the high pressured, highly volatile, highly combustible, colorless and odorless threat running right through our county. In Chester County we have over 30,000 people living in an evacuation zone. The pipes run under little league fields, next to libraries, and malls. The pipes are directly in front of elementary schools and nursing care facilities. In the event of a leak or rupture, the vapors that escape are also heavier than air and will collect in low lying areas prior to finding an ignition source. These sources can be things as simple as a car engine, cell phone, doorbell, or possibly even the equipment that our first responders use. The only evacuation plan that is in place is to run on foot, upwind, up land, at least one half of a mile.

Please take a moment and try to imagine this task attempted at my childrens' elementary school. Here there are 400 children ranging in ages from 3-14. Now try to imagine this evacuation taking place at the nursing care facility that sits next door. Some residents here are not mobile on their own, others rely on a breathing apparatus, which would be an ignition source. Now imagine workers at the multiple day care facilities along the path. They are faced with the task of running for their lives while holding up to 4 infants who they are responsible for at any given time. As hard as it is to imagine, this is the reality that we face.

According to, Pennsylvania Statute Title 35 Chapter 77, elected officials and emergency personnel who have a duty to protect are severely out of compliance because of the lack of preparedness plans for this new risk.



spills, or terrorism. An effective emergency management program will identify hazards that threaten the community. An impact analysis can be developed outlining at-risk populations, critical facilities, economic and environmental impacts, and other related issues. The investments made by local officials will repay the community many times over.

It is crucial for elected officials to work with, and support, their municipal and county EMCs to ensure that the community is prepared to respond to disasters. The following are items that should be considered for inclusion in every county or municipal emergency management program:

- a trained and certified EMC.
- an EOC with trained staff.
- a mitigation plan that includes a hazard analysis and vulnerability impacts.
- a current EOP.
- a communication system.
- a warning system.
- evacuation plans.
- designated mass care shelters.
- education program for citizens.
- trained response personnel.
- an exercise/drill schedule.
- a resource manual.
- equipment for response personnel.
- a trained damage assessment team (county and municipal).

Please contact the county or local emergency management coordinator with any questions concerning the content of this handbook.

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http://www.pema.pa.gov/Documents/1/Acts%20Bills%20and%20Titles/Title%2035%20Health%20and%20Safety%20%20Emergency%20Management%20Services.pdf

The photograph below shows how close an NGL pipeline project will be to a daycare facility.

Our first responders are told not to enter an area where a vapor cloud is detected (and I wouldn't think it would be fair to expect such a thing). IF that is the case, and it is a possibility that our only other possible notification system, reverse 911 could ignite the vapors, what then? At the same time, a school district in Delaware County was practicing drills for a pipeline emergency by having buses pull up to the school to evacuate the children. Had this been an actual emergency, the uniformed action of pulling buses into a possible vapor cloud, as a result of being unprepared, could have been the cause of hundreds of lives lost.
http://www.delcotimes.com/general-news/20170507/glenwood-elementary-drills-for-a-pipeline-emergency

After 3 years of this pipeline operating, emergency personnel had never seen the company's risk assessment, risk management plan, or integrity management plan. When they were finally given permission to "brief" the risk assessment last fall, they were only permitted view it. They were forbidden to take photos and notes. This was due to confidentiality laws, under national security. I suppose our protectors were expected to leave this briefing and be able to then create an Integrity Management Plan (IMP) of their own from what they remembered? It is impossible to have an adequate IMP without assessing the risks and creating modeling that is reflective of severity, conditions, and topography. In addition to lacking critical information needed to protect us, these brave and selfless heroes are being asked to respond to an impossible

situation, simply due to no siting regulations. Now, after being alerted to the risks by citizens, they had to apply for grants to obtain the equipment and training they so desperately needed. Last fall, Chester County EMS worked extremely hard to apply for a $72,000 grant in order to get the equipment to practice for a pipeline incident. The monies for items like this, that would help to prepare and possibly save lives, would be readily available if there were a transmission tax that the townships that face these risks on a daily basis could access.

http://www.dailylocal.com/general-news/20171105/county-gets-public-safety-grant-from-sunoco-pipeline-first-responder-fund

Please take the distance between the pipeline and houses in the following article into consideration. The distance of two football fields is considerably more than most houses in Pa have from pipelines.

http://www.philly.com/philly/business/energy/pipeline-explosion-2015-atex-mariner-east-me2-risk-assessment-20180209.html?mobi=true


GTI

Another area I would like to address, which will further demonstrate the need for additional and stricter regulations, is the method of installation being used for the project. Horizontal Directional Drilling or HDD is considered by the industry and regulators as experimental. This fairly new method being used by pipeline operators allows them to install the pipelines without trenching all the way through the right of way. It is generally completed in three stages. The first stage consists of directionally drilling a small diameter pilot hole along a designed directional path. The second stage involves enlarging this pilot hole to a diameter suitable for installation of the pipeline. The third stage consists of pulling the pipeline back into the enlarged hole.

There are regulations in place for open trench that would put this method into question. The only regulations that exist for HDD are for environmental protection alone. There is nothing in place, not even enough research, that ensures that this a safe way to install pipes. While pulling the pipes through the borehole, where is the guarantee that there is no damage being done to the pipe? Even minimal scratching to the coating would be a problem as this would allow corrosion to start much sooner.

An issue that my community is facing right now is unstable ground due to geography that cannot tolerate this type of installation. Drilling through karst, schist rock and a fault line has lead to multiple growing sinkholes dangerously close to homes and even an Amtrak rail. This comes after over one hundred inadvertent returns and damaged aquifers. While this method of installation is far less costly than the open trench method, the damage that it has the potential to cause is not worth it.

Horizontal directional drilling seems to go against what the following regulations address:

https://www.law.cornell.edu/cfr/text/49/195.246

https://www.law.cornell.edu/cfr/text/49/195.206

https://www.law.cornell.edu/cfr/text/49/195.561

Concerns regarding HDD

http://www.materialsperformance.com/articles/coating-linings/2017/09/the-hidden-damage-done-to-protective-coatings

I want to share an experience with you that drives home the fact that we are dealing with a company (some would say industry) that has our safety last on their list of priorities. This is because they've weighed out the costs of taking serious steps to ensure the safety of the public vs the costs of the aftermath in the event of damages, injuries, and deaths resulting from a leak or rupture. Earlier this month, as a result of horizontal directional drilling, there was a situation where sinkholes opened up, dangerously close to homes and an Amtrak line. Ultimately, exposing the operational 80 year old repurposed NGL pipeline. The operators solution to this situation was to start filling the sinkholes with a cement mixture. Even though, there was no excavation done to find out the severity of the problem. Worried about the dangers of an operational HVL pipeline in obviously unstable ground, going through a fault line, I called an official from the pipeline operator and asked him to confirm that they had shut

down the operations of the exposed pipe. He said, “They did not”. I responded, “I want to know why and I feel strongly that they should”. I went on to explain the obvious; unstable ground, with an 80+ year old pipe on which they dumped a concrete mixture over would make it even more dangerous, with the additional weight, should the ground shift more. There’s a fault line right there!”.

At this point, he came back at me by saying that he didn’t know what credentials I had to assume this but that they had people in place to make sure that it was safe and they saw no reason to shut the line. Fast forward, to four days later. A. petition for emergency relief, was brought to the Pa PUC for a shut down of this line because of a “possible catastrophic event”. It took an agency that the operator didn’t even notify to force the operator to keep us safe. I’ve been told that this operator was offered to shut it down voluntarily and they declined. The only measure they took was to lower the pressure by twenty percent. It is important to note, that by making this minor adjustment, which was not making the situation safe, they were in compliance.

Knowing that our safety rests in the hands of a company (again, one could say industry) that does only the required minimum to be in compliance, raises serious concerns about what would happen if there is a leak detected because of a drop in pressure. Given that the particular project that threatens my children, carries a liquid that becomes a colorless, odorless, heavier than air vapor if leaked, we heavily rely on the operator to take swift action in notifying the appropriate authorities. Unfortunately, if the company is

not notified, the only other way of detecting a leak, seems to be people passing out from the asphyxiating vapors that they cannot smell or see; or these vapors finding an ignition source.

I hope that I have been able to help you understand how important it is to have strict regulations in place for the public's safety. For too long the people and their safety has been put aside for profit. What is being permitted happen because of greed is egregious and needs to stop. I ask all of you to think of the evacuation recommendation I mentioned while you consider these bills and hopefully more in the future. Thank you again for the opportunity to speak to you today.

Melissa DiBernardino

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Photos of the people of Pa's persistence growing:

http://bit.ly/2FJZGDv