COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: MARCUS HOOK

* * * * * * * *

BEFORE: STEPHANIE BERARDI,

Regional Communications Manager

AMANI REID,

Environmental Justice Coordinator

JAMES REBARCHAK,

Air Quality Program Manager

JANINE TULLOCH-REID, Air Quality

Environmental Engineer and Manager

DAVID SMITH,

Air Quality Engineering Specialist

HEARING: Tuesday, September 19, 2023

6:03 p.m.

LOCATION: Ballrooms at Boothwyn

1405 Meetinghouse Road

Boothwyn, PA 19061

WITNESSES: None offered

Reporter: Ethan Reese

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PROCEEDINGS

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MS. BERARDI: People just signing in now, and we're going to get started here. some water here, there's emergency exits here and there, and the bathrooms are located through the hallway to the left if you need them. We also have a question box. If you want to ask your question in advance, you can go ahead and put them in the box and when we get to the question and answer part, we will be able to take those questions ahead of time. I think that's you'd have opening. Okay, we're going to get started and we just have a few announcements before we actually go into the meeting, so we give people time to sign in. So, good evening. Welcome to the Pennsylvania Department of Environmental Protection's meeting and hearing tonight. Thank you all for coming. My name is Stephanie Berardi. I'm the Regional Communications Manager for the Pennsylvania Department of Environmental Protection

I want to thank the Ballrooms at Boothwyn for hosting us. And I'd also like to thank Energy Transfer Marketing and Terminals, also known

Southeast Regional Office in Norristown.

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as AT&T, for coming out this evening. I believe
Representative Craig Williams may also be joining us
this evening. And Josephine Laird, Borough Council
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4 President. I'd like to thank them also for

5 attending.

I'm also joined tonight by James
Rebarchak, Air Quality Program Manager. We also
have Janine Tulloch-Reid, Air Quality Environmental
Engineer and Manager. David Smith, Air Quality
Engineering Specialist. He is in the back signing
people in. Amani Reid, Environmental Justice
Coordinator. She's in the back here. And also,
Jane Pardys, she is my assistant back there helping
everyone get signed in.

Public participation is an important part of DEP's regulatory and oversight responsibilities. There are many ways that the public can play a role in DEP's decision making processes. The most effective way is to do this to express comments during designated public comment periods, which includes participating in events like tonight's public meeting and hearing.

I'm going to turn things over to Amani to talk about the environmental justice policy. We are in an environmental justice area, so Amani, if

1 | you wanted to come over and say a few words.

MS. REID: Good evening, everyone.

3 Amani Reid, Eastern Regional Coordinator with the 4 Office of Environmental Justice. Just for some

5 | background, the Office of Environmental Justice was

6 established as a point of contact for Pennsylvania

7 residents in low-income areas and areas with a

8 higher number of minorities. Its primary goal is to

9 increase community's environmental awareness and

10 | involvement in the DEP's committing process.

11 Under the guidance of the

12 | Environmental Justice Advisory Working Group, the

13 DEP developed the Enhanced Public Participation

14 | Policy for Environmental Justice. The policy was

15 | created to ensure that environmental justice

16 | communities have the opportunity to participate and

17 | be involved in a meaningful matter throughout the

18 permitting process when companies propose permitting

19 | facilities in their neighborhood or when existing

20 | facilities expand their operations. And you'll find

21 more information in the policy, we have some

22 | information on the back table as well on that.

23 And as we know, Marcus Hook is an

24 environmental justice area. As part of this

25 | participation process, we conducted outreach in

- 1 | Marcus Hook, Chester Borough, and Upper Chichester.
- 2 | This included over two dozen churches and
- 3 | congregations, local shops, libraries, community
- 4 | centers, and restaurants in Chester and Marcus Hook.
- 5 | We informed the entire Chichester School District to
- 6 | help get the word out as well. And we outreached
- 7 | the community centers in the area to include Chester
- 8 | City Hall. Multiple email blasts were sent out for
- 9 this public hearing as well.
- 10 Once again, our mission and goal is to
- 11 | fulfill a critical role within the Department of
- 12 | Environmental Protection, which is to ensure that
- 13 | Pennsylvania is most at risk from pollution and
- 14 other environmental impacts have a voice, excuse me.
- 15 | In the decision making process. The Office of
- 16 | Environmental Justice will be hosting a public
- 17 | comment period from September 16th to October 29th
- 18 of this year. For comments on our interim final
- 19 | environmental justice policy, you can find more
- 20 | information on the table at the front when you
- 21 | leave, and you can find more information on the
- 22 | website as well. Thank you so much.
- MS. BERARDI: Thank you, Amani. At
- 24 | this time, Energy Transfer will go over the project
- 25 | in more detail, and you'll be able to ask questions

and receive the answers by our program staff and Energy Transfer personnel. This will be off the formal record.

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5 | (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

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MS. BERARDI: It is time - it is time for us to begin the formal public hearing to obtain public comments regarding AT&T's plan approval.

DEP's staff here is tonight - is here tonight to receive testimony from the public so that it - so that all relevant comments can be considered in the Department's review of the permit application and draft permit for this proposed project.

In addition to providing testimony, the oral testimony presented here tonight, members of the public may also submit written testimony no later than Friday, September 29th, to the DEP by email or by post mail. If you'd like to submit written testimony, please see us afterwards for contact information.

DEP gives equal consideration to all public comments, regardless of whether a comment is received verbally tonight or in writing prior to the deadline. Please note that our purpose here tonight

- 1 | is to listen to your comments and gather your input
- 2 | that may be useful during the permit review process.
- 3 DEP staff does not directly answer questions or
- 4 | respond to individuals commenting during this
- 5 official proceeding. All formal testimony given
- 6 | tonight or provided in writing by the deadline will
- 7 | be addressed in writing by DEP in what is called a
- 8 comment and response document.
- 9 Finally, let's establish a few ground
- 10 rules. Please turn off cell phones or put them on
- 11 vibrate. Take any calls outside of the auditorium.
- 12 | I'll call in people to speak in the order which they
- 13 | signed up and who the next speakers will be.
- 14 | Whenever your name is called, please approach the
- 15 | microphone, say your name, spell it, and give your
- 16 | comments. Please speak loudly and clearly into the
- 17 | microphone so everyone can hear you, including the
- 18 | stenographer.
- 19 Each person will be allowed a maximum
- 20 of three minutes to offer testimony. We have about
- 21 27 registered speakers this evening. We will ask
- 22 all speakers to not exceed their three minutes to
- 23 keep the proceedings moving forward and to ensure
- 24 | that all speakers have a fair and equal opportunity
- 25 | to present testimony.

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Each organization is - is requested to
1
2.
    designate one witness to present testimony on its
3
    behalf, and time may not be relinquished to others.
4
    I'll keep the time and hold up warning signs as the
5
    speaker approaches the end of their time.
                                                As stated
    previously, if a speaker runs out of time, remaining
6
7
    comments can be submitted in written form.
8
    respect - please be respectful of everyone's
9
    opportunity to speak and to be heard.
10
    interrupt the speaker by clapping, booing or
11
    speaking out of turn. I thank you in advance for
12
    your cooperation with the ground rules.
13
                   Our first speaker this evening is Echo
    Alford.
14
15
                   MS. ALFORD:
                                My name is Echo Alford.
16
    That's E-C-H-O A-L-F-O-R-D.
17
                   I'm here tonight on the behalf of the
18
    Clean Air Council, a member supported nonprofit
19
    environmental organization that has been working to
20
    protect everyone's right to breathe clean air for
    over 50 years. Furthermore, I'm also a lifelong
21
                                 I've been here with my
22
    resident of this community.
23
    family for over 25 years.
2.4
                   There are a number of reasons that
25
    Energy Transfer's permit application to expand
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ethane chilling capacity at the terminal should not
be approved. Marcus Hook Terminal is one of the
largest pollution sources in our heavily polluted,
highly industrial region, and it is currently listed
so being in high priority violation of the Clean Air

Act by the EPA.

Marcus Hook Terminal is now attempting to add an additional 10,000 barrels a day ethane chilling operation that will require many new air pollution sources. Marcus Hook and surrounding municipalities are host to a concentrated cluster of major polluting facilities, and DEP does not require an accurate assessment of the effect from the combined exposures from this project with existing pollution sources already in the community. And these cumulative impacts exacerbate health inequalities and racial and social injustices, and absolutely should be considered by DEP in its permitting process.

Residents around here are majority black and brown, and many live on incomes below the poverty line, making our community an environmental justice area according to DEP itself. Our community deeply feels the effect of living in close proximity to so many polluting facilities. Residents complain

of constant odors, headaches, nosebleeds, burning
eyes, nose and throat, increased cancer and asthma
rates and much more.

2.0

Marcus Hook Terminal and Energy
Transfer have a long history of permit violations.
While Energy Transfer has been indicted on multiple
criminal charges related to the construction of
Mariner East in Pennsylvania. Violating regulations
is not something Energy Transfer does by chance. It
is a continual, intentional strategy to maximize
profits and undermine the rights and the health and
safety of the citizens of Pennsylvania.

You've also said that this project has no relation to LNG, but you've also said that the expansion is based on demand from customers. So how can we expect you to believe that at some future time, you know, Energy Transfer will not decide to, you know, sell that ethane to an LNG facility? In fact, a 2005 paper by leading petrochemical industry leaders extolled the virtues of the colocation of NGL and NGL - and LNG facilities -.

MS. BERARDI: Thirty (30) seconds.

MS. ALFORD: Yes, thank you. So regardless of whether or not they are intending to give this to Energy Transfer - I'm sorry. Yep. Let

me start there.

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2 My testimony today is only the tip of 3 the iceberg. The council has submitted written 4 testimony outlining many more technical and 5 practical issues. Energy Transfer has shown time 6 and again that they do not respect and will not 7 abide the regulations that DEP and EPA have set for 8 them, nor do they respect or care for the rights of 9 the people to breathe clean air. For these reasons 10 and more, DEP should not approve any new permits for 11 the criminally indicted Energy Transfer or Marcus 12 Hook Terminal anywhere in Pennsylvania.

MS. BERARDI: Thank you. I'm going to call the next three speakers so you can line up, and that way we can move to the next speaker. Corwin Walk is the next speaker. Corwin Walk.

17 <u>PUBLIC MEMBER:</u> Corinne. Corinne
18 Walk.

MS. BERARDI: Corinne Walk? Okay.

Tom Nixon. Tom Nixon, last call. Eve

21 Miari. Okay. We have Physicians for Social

22 Responsibility. We have either Linnea or Tammy. I

23 don't know who would like to give testimony on

24 behalf of the organization.

25 <u>PUBLIC MEMBER:</u> We're - we're going to

1 provide written comment.

4

5

MS. BERARDI: Thank you. Next is

3 | Zulene Mayfield and Tracy Carluccio. Is Tracy here?

MS. CARLUCCIO: Yes.

MS. BERARDI: Okay.

MS. MAYFIELD: Good evening. Zulene

7 | Mayfield, Chester Residents Concerned for Quality

8 | Living. I am going to submit written testimony.

9 You can put that down because I think it's annoying.

10 | First of all, this is a hearing, and I have an issue

11 | with the whole process that you got the polluter in

12 here giving the presentation to the community.

13 | Either it's going to be an informational meeting

14 | held by DEP, or it's going to be a hearing.

In 1996, this organization sued the

16 DEP. You guys are ripe for another lawsuit because

17 | you are melding a lot of things together. I've

18 | never heard of a public hearing where people were

19 relegated to three minutes. Nobody can give

20 testimony in three minutes on an issue this

21 important.

22 PUBLIC MEMBER: Right.

MS. MAYFIELD: Nobody. And for you

24 to come into these - into these environmental

25 | justice communities where they're supposed to be

enhanced, enhanced education, enhanced methods that
you are supposed to deal with these communities and
you guys are failing every freaking time. Every
time.

2.4

Listen, I can tell you right now, I - I can tell you what Chester Residents Concerned for Quality Living is about to do to DEP. It's going to be despicable. Thirty (30) years and you guys have not learned a damn thing, a thing about dealing with these communities. Our income may not be as affluent as other places, but my damn brain works. Our brains work. And we understand when we are being disrespected. We understand when you are being condescending to our communities. We understand that you are giving the polluters more deference and leeway than you've ever given our - given our communities.

Make me understand that. They should - they should not have been here. Either you guys are going to put forth the information or make them and require them to do it in a separate forum. But to meld this mess together, no. No. And I'm going to deal with every legislator and to hold you guys accountable for this BS.

MS. BERARDI: Next speaker, please.

MS. CARLUCCIO: I'm testifying today 1 2. in opposition to the approval of the proposed air 3 quality plan on behalf of Delaware Riverkeeper Network's more than 26,000 members, many of whom 4 5 live and work in this region. 6 First and of the highest priority, 7 Marcus Hook and the areas adjacent are already overburdened with pollution from this terminal and 9 other facilities. There is simply no way to justify 10 any additional air pollution. And there's another

Environmental Justice Enhanced Public Participation
Policy here, but there are public involvement
actions in this policy that must be done before any
permitting, before public hearings such as this.

DEP states that it's following the

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Policy.

problem.

Not only is the Marcus Hook community an area of concern, according to the PennEnviroScreen, but this would be a trigger project, we believe, as well, adding more requirements. In short, this hearing is premature. This announced intention of DEP to approve the permit is premature. And as DEP moves ahead, this project will be in violation of its own Environmental Justice Enhanced Public Participation

Dangerous air pollution - pollutants 1 2. from this expansion, such as nitrogen dioxide, 3 volatile organic compounds, and particulate matter 2.5 will harm the health of residents, will 4 5 negatively impact people's lungs and heart, will impair neurological development, and will increase 6 7 smog and ozone. And the region currently doesn't 8 even meet federal air quality standards.

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And as far as water quality, Delaware County has the most polluted streams in all of That says it all too. DRN is opposed Pennsylvania. to this approval because there is no disclosure of the full footprint of this chiller either. Where will the ethane come from? What is it for? Will exports expand? For instance, there's a special permit request before the United States Department of Transportation to transport ethane by railcar into Marcus Hook. Is this how it will get here? Ethane by rail is currently banned to protect public safety. This would add more dangers and a bigger footprint.

Will the pipelines need to expand to get it here? We also know that ethane is a refrigerant used to freeze natural gas into liquid methane or LNG. Is this what it's really for? DEP

- 1 must let the public in on the full implications of
- 2 | this expansion. Otherwise, we are left in the dark
- 3 once again and without the facts needed to
- 4 | meaningfully participate in DEP's decisions that so
- 5 directly impact everyone, not only in this room, but
- 6 | in this entire region.
- 7 Finally, Delaware Riverkeeper Network
- 8 | is opposed to increasing the amount of ethane that
- 9 | is going to be handled here. Ethane is extremely
- 10 | flammable and it's potentially explosive. If it
- 11 escapes into the air, it can kill. There are no
- 12 benefits, only burdensome costs to the public and
- 13 | the environment. And that is completely
- 14 unacceptable. It is intolerable, and this permit
- 15 | must be denied.
- 16 MS. BERARDI: Brian Kelly. After
- 17 | Brian is Lewis Freeman.
- 18 MR. KELLY: Good evening. Thanks for
- 19 | having us tonight. My name's Brian Kelly. I'm a
- 20 resident of Aston, PA and a member of the
- 21 | International Brotherhood of Electrical Workers
- 22 | right here in Boothwyn. Local 654, has been proudly
- 23 | serving Delaware and Chester County since 1939. We
- 24 provided skilled labor to more than 100 contractors
- 25 | locally here in the area.

```
Our members and contractors are local
1
2.
    craftsmen and business owners. They live in the
3
    county, they work here, they pay taxes here, they
4
    volunteer here, and they support the local
5
    businesses, which is a driving force in the economic
    structure of our communities. Projects like the one
6
7
    proposed tonight are essential to members of the
    building trades, especially now in times of economic
9
    uncertainty. Local craftsmen working on these
10
    projects are highly skilled and trained to deliver
11
    the most efficient products safely and
12
    professionally. I ask this DEP to approve the
13
    permit. Thank you.
14
                   MS. BERARDI:
                                 Thank you, Brian.
                                                     Lewis
15
    Freeman?
16
                                   Lewis is not here.
                   PUBLIC MEMBER:
                   MS. BERARDI: Lewis is not here.
17
18
    Virginia Marcille. Am I saying your name right?
19
    Marcille-Kerslake.
2.0
                   MS. MARCILLE-KERSLAKE:
                                            Close enough.
21
                   MS. BERARDI:
                                 Thank you.
22
                   MS. MARCILLE-KERSLAKE:
                                            Good evening.
23
    My name is - I'm sorry.
2.4
                   MS. BERARDI: Just say your name and
25
    spell it.
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MS. MARCILLE-KERSLAKE: My name is

Virginia Marcille-Kerslake, V-I-R-G-I-N-I-A M-A-R-C
I-L-L-E, hyphen, K-E-R-S-L-A-K-E, and I am a

resident of Chester County.

I'm here to request the current application be denied. In short, this proposed ethane expansion at Marcus Hook Terminal would bring further harm to communities and the environment. Energy Transfer's Marcus Hook Terminal is already one of the largest pollution sources in this heavily polluted industrial region and has a history of permit violations. Residents in Marcus Hook and surrounding environmental justice communities are already deeply impacted by the effects of living near a cluster of major polluting facilities.

This proposed expansion will only worsen the health, inequalities and racial and social injustices in these communities. The DEP should be taking this into strong consideration in its permitting process. The DEP should also be requiring additional evaluations from Energy Transfer, including an estimate of the emergency flaring incidents and emissions associated with the project based on past emergencies at the terminal, how Energy Transfer will reduce methane and VOC

leakage and a thorough analysis of the facility's current and proposed air pollution impacts to the surrounding urban area.

2.

2.4

This expansion would also inversely impact Pennsylvanians along Mariner East. The increased ethane would mean increased risk for densely populated communities in the blast zone such as mine and many others in Delaware and Chester County. It could mean a further increase of pressure in the existing Mariner East pipelines or the repurposing of 90 plus year old pipelines again.

I have stood before the DEP and submitted public comment on numerous occasions, as have thousands of Pennsylvanians impacted by Mariner East construction. While it is unpleasant, Mr. McGinn might say uncivil to state that, but it must be stated. That our extremely valid concerns for deficiencies and other problems in Energy Transfer's applications were ignored and the DEP repeatedly issued permits and restarts for the projects anyway.

In the end, Energy Transfer racked up close to 200 notices of violation from the DEP and 48 criminal charges from the Attorney General. And it is the families and communities, including my own, who suffered the consequences along with our

```
lakes, streams and aquifers. We request that under new leadership, you do not make this mistake again and instead thoroughly consider the deficiencies in this application and the impacts to the environment and communities, particularly these EJ communities.
```

I'm going to end with this bold 6 7 statement from Governor Shapiro from last August when he was AG. And I quote, every time Energy 8 9 Transfer bids for a new project here in the 10 Commonwealth of Pennsylvania or somewhere across 11 this country, their criminal conduct will stick with 12 This is now one of those times. them forever. 13 Thank you.

MS. BERARDI: James Thompson followed
by Garland Thompson.

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MR. THOMPSON: Good evening. My name is James Thompson, J-A-M-E-S T-H-O-M-P-S-O-N. I'm a union electrician. I've lived and worked here in this area for 48 years. I started out my life born in Chester, then I moved to North Wilmington and currently live in Bethel Township.

I've been employed on several projects at the Energy Transfer facility in Marcus Hook.

I've been able to purchase my home, pay taxes, and raise my family because of manhours worked on these

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projects. Energy's Transfer's commitment to
1
2.
    utilizing the best trained construction workers in
3
    the industry has been demonstrated every time.
4
    Their job sites create the highest safety standards
5
    for workers and the surrounding community. I ask
6
    that DEP approve these permits for future work.
7
    Thank you.
8
                                 Garland Thompson, that's
                   MS. BERARDI:
9
    you?
10
                   MS. THOMPSON:
                                  Good - good evening,
11
    I'm Garland Thompson. That's G-A-R-L-A-N-D T-H-O-M-
12
    P-S-O-N.
13
                   Unlike some of the people here who
    have opposed this project, I was born in Chester
14
15
    Hospital 80 years ago. My father worked at the
    Marcus Hook refinery. He also made his trade at
16
17
    Sunship (phonetic), or he worked in Viscose, also in
18
    Marcus Hook. And as a child, I toured that plan.
19
                   I am a nuclear submarine sailor.
                                                      Т
20
    spent ten years as a Navy submariner and as a
21
    telephone switchman, working in technology.
22
    1975, I got into journalism so I could cover science
23
    and technology, and for most of my career, including
24
    my days at the Baltimore Sun where I was the
```

principal writer about science and technology, and

also on WYPR Radio in Baltimore, also editor of the Philadelphia Tribune. And I have to say that as the editor of the Tribune, I remember trying to cover something called a cancer cluster in this region, except that the cancer cluster turned out not to be true after I sent reporters to do it before I left town.

2.

I speak as both a journalist and a person who was deeply involved in engineering and had training at the highest levels, but also as a concerned citizen. I live in Delaware County. This is the county and the state where I was born. My father worked in these plants here. My uncles worked in these plants here when there were no pollution controls, and that's not true today.

I've heard a number of statements that are factually not true. But I want to talk about a bigger picture. And the bigger picture is this.

Because of what I do, I travel the country, and I have seen in Texas very many plants like this one that are growing because there's another pipe called Texas, ATEX, Appalachia to Texas that brings bigger quantities of Marcella Shale natural gas liquids down to Texas to be processed in similar ways to what Energy Transfer is doing here.

```
I've never worked for Energy Transfer,
1
2.
    so I can't be seen as their employee, and they've
    never paid me for anything, though I've met some of
3
    their executives. What I see in Texas is this.
4
5
    Doing the things that I hear my neighbors complain
6
    about in our state, Texas now is growing so rapidly
7
    it has outgrown California, 40.3 million people.
8
    All those people are not moving to Texas because
9
    they're going to die there.
                                 They're moving to
10
    Texas.
            They're going to prosper there.
                   We used to have those kinds of
11
    industrial jobs in this region, in this town, in
12
13
    this borough, in my City of Chester, in
14
    Philadelphia, where I finished my higher education
15
    and law school. We don't have that anymore.
16
    don't have the opportunities. We're watching while
17
    the opponents stop things or try to stop things from
18
    developing here, but they just go someplace else in
19
    the country.
2.0
                   PUBLIC MEMBER:
                                    That's what we want
21
    them to do.
22
                   MS. THOMPSON:
                                   I do not want to see
23
                  And I support this project, and I
    that happen.
24
    really don't care who doesn't like it. I said what
25
    I said.
```

Libby Madarasz, did I

```
2
    say your name right?
3
                   PUBLIC MEMBER:
                                   There you go.
                                                   Tell
4
    the truth about it.
5
                   MS. MADARASZ: Hi. My name is Libby
    Madarsz, L-I-B-B-Y M-A-D-A-R-A-S-Z.
6
7
                   I'm here tonight as a resident of
8
    Chester County. I'm not directly impacted by what's
9
    going on at Marcus Hook with the air quality, but
10
    the Mariner East pipeline has come through my
11
    community. And for four years, I watched ET come
12
    through wreaking havoc. They polluted a stream that
```

runs through my neighborhood. They spilled tens of

thousands of gallons of sludge in the lake where I

kayak every day. They created over 13 sinkholes in

my neighborhood, in the wetlands. They plugged up

those sinkholes with grout, and now stagnant water

sits because it cannot percolate through the soil.

MS. BERARDI:

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Energy Transfer is not a good neighbor. Energy Transfer has the worst safety record of all pipeline companies. Now they want to expand. Expanding requires them to come through neighborhoods like mine again. What damage will they cause this time?

We see them digging up the 90-year-old

- pipeline and putting patches on it. And we are 1 2. concerned that their - their plan is to repurpose 3 these 90-year-old pipelines and push this ethane 4 These same pipelines used to carry 5 petroleum. And just a mile from my house, over 70,000 gallons of petroleum leaked out of those 6 7 pipes. And the fact that they're putting Band-Aids 8 on them and wanting to send ethane through is pretty 9 And all of this is to make more plastic concerning. which will pollute the oceans. 10 11 I know Virginia Kerslake already said this, but I also wanted to close with a statement 12 13 because it's so impactful. I met with Josh Shapiro 14 at the lake after the pollution, and I just wanted 15 to repeat the quote from him. Every time Energy
- 16 Transfer bids for a new project here in the
- 17 Commonwealth of Pennsylvania or somewhere across the
- 18 country, their criminal conduct will stick with them
- 19 forever.
- Let their criminal behavior be a
- 21 roadblock to their desire to expand. It really
- 22 | should be. They should not be able to keep pushing
- 23 through. Thank you.
- 24 MS. BERARDI: Thank you. I just want
- 25 | to remind everybody to please keep all other

```
activity outside of this room so that people can
have a turn to testify without interruption. So,
```

- 3 | there's any conversations that need to be had
- 4 outside of this room, please take them outside.
- 5 Our next speaker is Christina
- 6 Digiulio.
- 7 MS. DIGIULIO: This thing's on? Hi,
- 8 | I'm Christina Digiulio, C-H-R-I-S-T-I-N-A D-IG-I-U-
- 9 L-I-O. I am a resident of Chester County,
- 10 Downingtown, Pennsylvania, where Mariner East
- 11 destroys the lake and my water, most likely.
- So, I could talk about science. I'm a
- 13 | field scientist. I'm not testifying under
- 14 | Physicians for Social Responsibility, Pennsylvania.
- 15 I'm also a certified demographer. I know Mr.
- 16 | McGinn very well. Interestingly enough, I'm not
- 17 | sure I feel like we're in Delaware County here, but
- 18 | he is an Aston Township Commissioner, ward what?
- 19 But I don't know if that was mentioned. And he is a
- 20 public relations, a government, a liaison for a
- 21 | fossil fuel industry. I don't know how that works
- 22 | and how there's no conflict of interest in that.
- 23 And when somebody's feeding fodder to a community
- 24 and telling it and saying that it is called
- 25 | education, public education, which they got dinged

on in the PUC trials where it's safe to say - I
mean, you know, there has to better public
ducation.

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I don't consider PR and look at all the jobs. And in fact, everybody here who is talking about jobs and economy to the DEP? Your purview in this permitting has nothing to do with that.

PUBLIC MEMBER: Hello.

MS. DIGIULIO: So, I don't - I'm - I'm so grateful for your experience and whatnot, but as a scientist, your purview is to listen to that. And when we're talking about the theoretical modeling, we already know that there's no due diligence in getting the actual empirical data that is required to get the known. For these communities, they deserve that. And at least, I'm sorry it will take so much time, but that's a scientist to make sure you're protecting the health and safety of these people.

PUBLIC MEMBER: Right.

MS. DIGIULIO: And I'm not okay when I know you had empirical data, and still permitted out of - the same with a theoretical data saying it's low risk for sinkholes, low risk to harm our water.

- 1 And then you went back to the same area they
- 2 drilled, and they did exactly what we were saying in
- 3 | our comment. At some point, we're not just
- 4 residents. We're scientists. We're, you know,
- 5 | we're advocates. We are people.
- 6 We're not, as Zulene said, we got
- 7 | brains. And we're all connected here. So, we're
- 8 | not letting this system that they are a system, and
- 9 they need each other to function. They have planned
- 10 us to be a hub. They have planned us to be a
- 11 | sacrifice zone, and we're not allowing that. Your
- 12 | job is to protect us, not their plans, not their
- 13 | expansion.
- 14 And I'm just speaking as a scientist
- 15 | that I need you guys to absolutely abide by good
- 16 | practice. I don't care what the regulations are,
- 17 because as a state, you can go above and beyond the
- 18 | federal regulations. Thank you very much.
- MS. BERARDI: Our next speaker is
- 20 Laura Obinsky. Is Laura here? Laura Obinsky? Ted
- 21 Uhlman, followed by Luke Wiedman. Ted.
- MR. UHLMAN: Yes, I'm Ted Uhlman, U-H-
- 23 L-M-A-N. I live in Marple Township. And so, I got,
- 24 | like, just four or five bullet points here. First
- 25 | thing I want to do is, you know, everything that

1 Zulene Mayfield said, I agree with her 100 percent.
2 I have to.

But, you know, so - so my bullet points are things that have already been said I think pretty much. This is an environmental justice area with high rates of asthma and cancer, and putting an additional facility of this kind in there seems to be a problem. I think, whether it's improved technology or just get rid of some of the, maybe the Covanta place or something like that. I think that the people in Chester deserve to have better air quality, not - not facilities that it's going to add to the problem.

So - so again, you got the trainer facility, you got the Covanta incinerator. And - and of course, the Marcus Hook Terminal. And, you know, earlier I was - I was asking about this Marcus Hook Terminal, and I think I had a pretty straightforward question when I said I'm - I'm kind of confused about, you know. Is this the Sunoco race fuels thing or is this the Marcus Hook Terminal? And I think I got a pretty non-committal answer.

24 And then I look at this thing that 25 they, you know, some of the PR stuff that was handed out, and son of a gun, it looks like Energy Transfer owns Sunoco and Energy Transfer owns the Marcus Hook Terminal. And it's all the same stuff. And if they - if they can't come straight with that kind of stuff, what - what else are they not going to be straight about? Okay.

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So yeah, yeah. You know, when I was looking at the EPA, it kind of said that there was no - that they have been out of compliance since April of 2023. And somebody couldn't give me a very straight answer about, like you know, is this still a problem? Or if you're not in compliance, I think some - some people coming to these meetings should know what the nature of that noncompliance is.

And I also saw on the EPA website that there was like \$838,000 in - in penalties for - for you know, environmental problems. Environmental Energy Transfer, of course, has been indicted for its violations of environmental rules in Mariner East. And - and I absolutely share the concerns about how this will fit hand in glove with an LNG export facility. So that concludes my comments. Thank you very much.

PUBLIC MEMBER: Thank you.

MS. BERARDI: Ted Uhlman. Sorry, Luke

1 Wiedman.

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MR. WIEDMAN: Hello. My name is Luke
Wiedman, spelled L-U-K-E W-I-E-D-M-A-N. I am a
member of the Party for Socialism and Liberation and
also a lifelong Delaware County resident who has
lived and worked in close proximity to the Marcus
Hook Terminal for many years.

Energy Transfer's disregard for the people of our community and for our health and wellbeing is appalling. They have shown time and time again that they will not adhere to the DEP or EPA's regulations. And yet, the DEP continues to allow them to build new polluting infrastructure in this community. In fact, their practices have been so egregious that the Attorney General of Pennsylvania found saw - saw fit to indict Energy Transfer on 48 counts for crimes committed during the construction of the Mariner East pipeline, 48 counts.

PUBLIC MEMBER: Crimes.

MR. WIEDMAN: Crimes. Criminal activity. This is a community that is already being exploited by far too many corporations seeking to make a quick buck off the backs of residents who are a majority black and brown and living in poverty.

These corporations promise jobs and prosperity, yet all we see is pollution while the CEOs rake in millions.

The people of Marcus Hook and surrounding communities deserve to bleed - the people of Marcus Hook and surrounding communities deserve to breathe clean air just as much as the people who can afford to live in the more affluent communities where they are not building these. The - the people of these communities deserve to have clean water, to drink more than Energy Transfer deserves to build this polluting monstrosity. You cannot google Energy Transfer without seeing story after story of peoples whose lives have been ruined, communities polluted, and futures in jeopardy. The truth is that everything and everywhere Energy Transfer goes and does, destruction follows.

It is DEP - it is the DEP's responsibility to protect the citizens of Pennsylvania by regulating facilities like this. But the DEP allows companies like ET to blatantly ignore those regulations, pay a fine and carry on making money. These fines do nothing to hold them accountable. They simply write it off as the cost of doing business. The DEP's inaction to stop them

- or hold them accountable is, in my opinion, criminal in itself.
- Do not listen to the polo shirts and black slacks that have been paid to be here by Energy Transfer and listen to the actual residents of this community. We do not want this. You have the opportunity to do the right thing here. Please do your job. Protect the residents of Pennsylvania.
- 9 Thank you.
- MS. BERARDI: The next speaker is
 Brandon Riboliti. Brandon? Last call for Brandon.
- 12 Next up is William Adams. After William is Gary
- 13 Andress.
- MR. ADAMS: Good evening. My name is
- 15 my name is Bill Adams, and I am the President and
- 16 Assistant Business Manager of IBW Local Union 654.
- 17 I'm a lifelong Delaware County resident and I live
- 18 in Aston Township.
- I appear can you hear me? I'm
- 20 sorry. Hold it up? I'm sorry. You want me to
- 21 | start again?
- 22 PUBLIC MEMBER: No.
- 23 MR. ADAMS: I appear I appear this
 24 evening in support of approving the permits for the
- 25 ethane and shelling expansion project in Marcus

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Energy Transfer since 2013 has employed
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    Hook.
2.
    thousands of building trades workers on various
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    projects within their Marcus Hook plant.
4
    last ten years, over seven million man hours have
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    been worked on phased infrastructure upgrades at
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    Energy Transfer facilities. Their commitment to
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    employing highly skilled and trained construction
    workers from the community has allowed opportunities
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9
    for residents to pay for homes, pay taxes, and raise
10
    their families.
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                   I'm here to talk about infrastructure.
12
     Infrastructure jobs that Energy Transfer should be
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    applauded for. I ask the DEP to approve the
14
    necessary permits for this project. Thank you.
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                   MS. BERARDI:
                                 Gary. After Gary is
16
    George Parsons.
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                   MR. ANDRESS:
                                 Good evening.
                                                 My name
18
    is Gary Andress, G-A-R-Y A-N-D-R-E-S-S. I'm also a
19
    resident of Delaware County, living in Wallingford,
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is Gary Andress, G-A-R-Y A-N-D-R-E-S-S. I'm also a resident of Delaware County, living in Wallingford, born and raised, and spent a lot of my career working in what was Sun Oil, now Energy Transfer, Monroe, Tri Union (phonetic) Chester. These - these jobs, these - these localities, they - they give us, they my members - I'm an Assistant Business Manager, Teamsters Local Union 420. They give our members

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1 really good life sustaining jobs, right? High

2 working wages for highly trained people. And Energy

3 Transfer, I think, has been a good partner. And I'm

4 here to just ask you guys to support this project.

5 | Thank you.

6 PUBLIC MEMBER: No.

7 <u>MS. BERARDI:</u> George. After George

8 and Bill Delacy.

9 MR. PARSONS: George Parsons, D-E-O-R

10 - G-E-O-R-G-E P-A-R-S-O-N-S. I'm a resident of

11 | Garnet Valley since 1998, where we have raised our

12 | family. I have lived less than five miles from

13 here, up off of Naamans Creek Road, and I don't

14 believe I have been poisoned on a daily basis. And

15 | I apologize for my polo shirt. I happen to like

16 them.

17 I am also a 420 steam fitter for

18 | nearly 40 years, and I have worked in the facility

19 when it was a refinery back in the '90s until it

20 closed in 2011. Why does this matter? Because I

21 | want our younger generation to have the same

22 opportunities that I have had working as a skilled

23 tradesperson. I was able to send two children to

24 | college who are very productive working adults to

25 | this day.

Be it as if they could be a skilled tradesperson in the facility as a steam fitter, electrician, a boiler maker, carpenter, iron worker or instrument technician, or eventually one of the operators in the facility. These are good paying jobs with benefits that provide a sustainable living wage. Not just 100 jobs that are mentioned in the hearing, but five times that if you consider the support jobs for the project and the ripple effect offered outside the community in - from the facility in these neighboring communities. Everything from truck drivers, equipment repair, warehouse workers, and local hospitality as well. This project will generate revenue for the towns, the county, and the State of Pennsylvania.

As I mentioned previously, I have worked in the facility when it was a refinery and also extensively since it had been converted into its current operation. I sit before you here as a working-class resident of this community, not someone with an axe to grind against ETP or the PDAP (phonetic). And I can honestly say I feel safe working in the facility and living in the area. I trust the science that is behind the chiller expansion project design, engineering, and the daily

- 1 operations of the facility.
- In conclusion, this is an excellent
- 3 opportunity for the community to benefit once again
- 4 | from a local project employing local people, and
- 5 | benefit the residents of our communities and the
- 6 | Commonwealth of Pennsylvania. I urge the PA DEP to
- 7 approve this permit. Thank you.
- 8 PUBLIC MEMBER: You live here. Why
- 9 | would you encourage -?
- MR. DELACY: Hello, everybody. My
- 11 | name is William Delacy.
- MS. BERARDI: Keep let's let's,
- 13 please let the next person speak uninterrupted.
- 14 Bill.
- MR. DELACY: Hello, everybody. My
- 16 | name's William Delacy. I'm a Delaware County
- 17 | resident. I've lived here my whole life. I live in
- 18 | Ridley Park. I've lived in Chester for years. I
- 19 | live in Aston now.
- I drove right up from the refineries,
- 21 from from the money that were dumping into this
- 22 | area to build an energy area. You know, I'm not I
- 23 | was working in Monroe, but it's different. This
- 24 | money feeds my family. I made it a point to get
- 25 | here. I worked a ten-hour shift, came right here

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1 because we need this to go through. We need to keep
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- 2 | feeding our families. And people are complaining
- 3 | about, you know, pollutions, and that's something to
- 4 | think about, but you know? We monitor it very well.
- 5 | I see the safety down there. I see them going
- 6 around with the sniffers guys everywhere.
- 7 You know what else? We all have food.
- 8 | We all have good jobs. We're working our butts
- 9 off. There's this is a good thing.
- 10 PUBLIC MEMBER: No, it ain't.
- 11 MR. DELACY: Flat out. I lived in
- 12 Chester. I understand what they're saying. I lived
- 13 | right down there. You know what?
- 14 PUBLIC MEMBER: No, you don't.
- MR. DELACY: I said I did, two years.
- 16 Oh, I didn't? Okay.
- 17 MS. BERARDI: We need to focus and
- 18 | allow the speaker to speak uninterrupted.
- 19 MR. DELACY: Yeah. Some people have
- 20 problems taking directions, but anyway it is it is
- 21 a great opportunity for this area to this is a
- 22 great opportunity for this area to grow, to prosper,
- 23 to go back to the way when we had tons of business
- 24 down here and use the skills that we have in this
- 25 | area to to do a safe job. And that's great for

- 1 our community. I'm one from this community, and I
 2 support this.
- MS. BERARDI: Thank you. If we have any more commentary during the next presenting person, we're going to need to ask you to take it outside. We need to make sure everybody has a turn to speak uninterrupted.
- The next speaker, I'm sorry. Michael

 Whitaker. Michael, would you like to offer

 testimony? This is for the record. After Michael

 Is David Kronheim.
- 12 Hello. Well, I wish MR. WHITAKER: 13 that they don't approve this thing behind the fact 14 that - like I said, I'm not a chemist, but it seems 15 like, I mean he was showing me all these things far 16 as look how it used to be and how it is now, but it's still cancer. I mean, I don't know how much it 17 18 goes up in the air and how it spreads, but it's just 19 that we need different kinds of jobs in this area. 20 You know, go from oil to gas. I don't know. That's 21 all I had to say.
- MS. BERARDI: Thank you. And I
 apologize. I missed Lora Snyder as well. Lora, you
 can speak after Michael. Oh, come on down. Come on
 down. I I actually missed Lora. I'm sorry.

It'll be Michael and then David.

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MS. SNYDER: All right.

Good evening. Lora Snyder, L-O-R-A S-

4 N-Y-D-E-R. I've been in Delaware County my whole

5 | life. I'm an occupational therapist for 35 years,

6 | working with the residents in Delaware County.

We see the asthma; we see the cancer rates skyrocketing. We do not need more cumulative effects of more industry here. We've seen our purple air PM 2.5 go up to 400, which I didn't even think was possible this past summer with the wildfires in Canada. We couldn't breathe. We all see what that felt like. We do not need more

emissions in Delaware County. We do not need it.

Specifically for Energy Transfer, DEP, you have in your guidelines that you will not issue new permits for companies with criminal records.

This company, Energy Transfer, has one felony and 48 criminal charges. Governor Shapiro had mentioned that as well as his AG, and his quote was given tonight. But DEP, you also have that in your guidelines. So, I just want to, you know, refresh your memory on that.

Everything Zulene has said, everything else, environmental justice, we do not need more

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1 cumulative. We need clean air. Article 1 Section
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2 27. We deserve the right for clean air, clean

3 | water, and to preserve our resources in

4 Pennsylvania. Thank you.

5 MS. BERARDI: Michael.

6 PUBLIC MEMBER: Michael went before

7 Lora.

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MS. BERARDI: David, you're next.

MR. KRONHEIM: Yeah. David Kronheim,

10 | K-R-O-N-H-E-I-M. All right. Comments.

11 Marcus Hook Industrial Complex has

12 applied to increase their supply of ethane chilling,

13 | which would increase air pollution despite Delaware

14 | County failing to meet national ambient air quality

15 standards. Ethane is isolated from natural gas.

16 | Natural gas is 85 percent to 90 percent methane.

17 | Methane is more than 25 times as potent as carbon

18 dioxide at trapping heat in the atmosphere. That's

19 | the main thing.

We want to have a healthy environment.

21 If climate change overtakes us, our children won't

22 | get any jobs. They'll all be dead. Okay? Natural

23 - natural gas is a fossil fuel that comes from

24 | fracking. I could say a few words about fracking,

25 | but I don't have time. But nobody likes it. Who's

The US gas export industry emits the most 1 near it? 2. methane relative to other major suppliers, according 3 to a US government and UK government analysis in 4 2019, with methane leaks occurring in voluminous 5 quantities during production, transport, and 6 storage. So, I would suggest that DEP, when they look for the best available technology, they 8 9 look outside the US because we're doing a terrible 10 And rewrite this whole application and review job. 11 it from start to end. Ethane is mainly used to 12 produce ethylene, or feedstock to make plastics. Wе 13 have more than enough plastic pollution. 14 Marcus Hook is adjacent to Trainer, 15 which is adjacent to Chester City. Marcus Hook, Chester City, and Trainer are all environmentally -16 17 environmentally disadvantaged environmental justice

which is adjacent to Chester City. Marcus Hook,
Chester City, and Trainer are all environmentally environmentally disadvantaged environmental justice
communities with high legacy pollution and health
burdens. This ethanol project would produce a host
of air pollutions, which would worsen the effects
for Chester City, where 38 percent of the children
have asthma, five times the - the national average.
Where am I?

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The Covanta Plant. Now I'm going to talk about the other environments, the other

1 | pollutions we have in the City of Chester. Covanta

2 | Plant in the city of Chester has the largest

3 | incinerator with the fewest pollution control

4 devices in the country. Hundreds of trucks run with

5 | their motors idling in the streets of Chester each

6 day to bring in trash to Covanta and bring out toxic

7 ash from Covanta, which is sent to landfills.

8 | Covanta employs six Chester City residents out of

9 | 105 employees.

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10 Covanta, since 2017, decreased their

11 | host fees to Chester City by over \$10 million.

12 Chester City has been run for the benefit of vendors

13 and special interests rather than for the benefit of

14 | the community. Without Covanta, there will be less

15 air, land, and water pollution. Instead of burning

16 | waste, landfills were used instead. This would

17 | encourage the use of landfills closer to the origin

18 of the trash now being burnt, rather than trash

19 being shipped to Chester City from multiple states.

20 | I request PA DEP to close Covanta down to stop their

21 | consistent violations of public health.

Am I out of time?

MS. BERARDI: Yes.

MR. KRONHEIM: All right.

I'll also say that you also allow

- 1 DELCORA to burn sewage. And the problem with that
- 2 | is they're going to double their volume let me,
- 3 | I'll be finished in a half a second. Double their
- 4 | volume of sewage being sent to us. And the least
- 5 | you could do is make them use the technology to stop
- 6 | burning that stuff. There's anaerobic digesters and
- 7 pools they could utilize or or put in more space.
- 8 It's a horror story.
- 9 MS. BERARDI: Our last registered
- 10 | speaker is Rafael Hernandez.
- 11 MR. HERNANDEZ: Rafael Hernandez. R-
- 12 A-F-A-E-L H-E-R-N-A-N-D-E-Z. Chester resident,
- 13 lifelong other than when I was young. But Delaware
- 14 | County, I've lived in Philadelphia ever since I was
- 15 a kid. After that, I went to service.
- Anyway, they keep saying, no
- 17 | significant impact from emissions. No significant
- 18 | impact from emissions. They keep saying it, but the
- 19 residents know better. What does that mean? No
- 20 | impact to those that have moved from the area or
- 21 | never live here? Any emission that adds to the
- 22 existing fallout to the community. Let's not
- 23 | sugarcoat it. Let's not play the BS. We all know,
- 24 | we're not stupid.
- 25 Does this mean that we can expect

cancer or another health condition a little earlier 1 2. from this expansion? I know it's not going to 3 reverse it. It's going to make it sooner. 4 the benefits to the pipeline trades. I get it. at the cost of everyone else's wellbeing, it is a 5 6 negative to everyone. What is the point of a good 7 job and the tax base if our children will suffer the 8 consequences and have a shorter life expectancy? 9 Those highly paid jobs they speak of, those people 10 can afford to live plenty of miles from here. 11 their opinions do not matter to the affected 12 community.

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The jobs that are created, sure, there are jobs created. In the healthcare industry, funeral homes, and - and so on with that. not created. I'm sorry. The jobs they're claiming is a - claiming their jobs creation is a benefit. It's like saying, let's not worry about crime. Let's just not worry about crime. Because you know what that does? It creates jobs for police. creates jobs for the - it creates jobs for the hospitals. It create, yeah. So you know what? Let's not worry about crime either. Forget about Next time I hear somebody complain about crime. crime that's in these trades, I'm going to - I'm

1 going to remind them of that.

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2. Crime creates jobs. Just like 3 polluters create jobs. I get it. Supply and 4 demand, I get it. Yeah, my damn - excuse me. МУ 5 cell phone. Pretty much a lot of other things are 6 made or as a result of these industries. However, 7 we also know that all these things are created with a very short lifespan so that they could continue to 8 9 make more and more money.

I am a veteran. I did not serve and survive to come back home to allow my fellow citizens to be killed by the polluters, investors, and the trade that support them just to make a damn buck. I request Energy Transfer be denied this expansion. Thank you.

MS. BERARDI: Is there any other - anybody else would like to testify? Please make sure you state your name and spell it.

MR. BURNS: My name is Adam Burns, A-D-A-M B-U-R-N-S. I live in the area, and I would like them to approve this. There's less pollution today than there was ten years ago. There's going to be very minimal - you act like people are going to be passing away when they're not going to be. People are getting cancer from other reasons other

- 1 than this project. The local taxes would help the
- 2 community. There's so many reasons why this should
- 3 | happen, like everything's so minimal. And that's
- 4 | pretty much all I got to say. Thank you.
- 5 MS. BERARDI: Thank you.
- 6 MS. STEVENSON: My name is Carla
- 7 | Stevenson, C-A-R-L-A S-T-E-V-E-N-S-O-N. My father
- 8 | was a worker for LI Chemicals for years. I'm only
- 9 here to state he passed away from liver cancer. I
- 10 rest my case.
- 11 PUBLIC MEMBER: Working in these
- 12 plants.
- MS. BERARDI: That's fine. You can go
- 14 | ahead and say your name and spell it.
- 15 MS. WHITAKER: My name is Myra
- 16 | Whitaker, M-Y-R-A W-H-I-T-A-K-E-R. I live in Twin
- 17 | Oaks, Pennsylvania. I've been there all my life.
- 18 | My dad worked at the old refinery in Marcus Hook,
- 19 and he died of cancer. My mother died of breast
- 20 cancer. My dad, he died. I had breast cancer
- 21 | twice, liver cancer now, and also colon cancer, and
- 22 | I had a brain tumor.
- So I know that a lot of this chemistry
- 24 | that's going on in Marcus Hook has a lot to do with
- 25 | everything that's going on. We don't need no more

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1 pollution at all. I live it, and I know it's a lot
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2 of people in Twin Oaks with cancer, different kinds

- 3 of cancer, and I know it's caused from all of that.
- 4 | So it's too much pollution, too much. So, I do not
- 5 | want any more, you know, plants or anything coming
- 6 | into this Delaware County at all.
- 7 And Chester really suffered with all
- 8 | the pollution of the truckers, tractor trailers
- 9 going through there. It's the noise, that's
- 10 | pollution, the --- the fumes from them trucks, all
- 11 | that traffic going through there, it's just
- 12 terrible. So that's all I have to say.
- 13 MS. BERARDI: Thank you. Is there any
- 14 other speakers that would like to testify? Hearing
- 15 | none, this will conclude tonight's public hearing.
- 16 As a reminder, written comments on this application
- 17 | will be accepted until 5:00 p.m. on Friday,
- 18 | September 29th. If you wish to submit written
- 19 comments or questions, please see us or write down
- 20 this email address, ra-epseroaqpubcom@pa.gov.
- 21 Thank you for being here and thank you
- 22 | for your comments. We appreciate your interest in
- 23 | this project. Have a safe trip home, and good
- 24 night.
- 25 HEARING CONCLUDED AT 8:03 P.M.

CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Regional Communications Manager Berardi, was reported by me on September 19, 2023 and that I, Ethan Reese, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 11 day of October, 2023

Ethan Reese,

Court Reporter