

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: AMENDMENT APPLICATIONS FOR CHAPTER 102 AND
CHAPTER 105 FOR MARINER EAST 2 PIPELINE, CHESTER
COUNTY

TELEPHONIC HEARING

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BEFORE: JOHN REPETZ, Chair

HEARING: Wednesday, June 16, 2021

6:06 p.m.

LOCATION: Telephonic Hearing

WITNESSES: Senator Katie Muth, Joseph McGinn, Carl
Marrara, Kevin Sunday, Thomas Shepstone, Laura
Obenski, Christina Digiulio, George Alexander, Helen
Kissick, Bill Adams, Michael Butler, Virginia
Marcille-Kerslake, Colin Hanna, Earl Baker, Bill
Godsey, Marcia Gentry, Christina Coleman, Kurt
Knaus, Charles Melancon, Lisa Longo, Libby Madarasz,
Eve Miari, Lynn Robinson, Craigg Cody, Chris Rupp

Reporter: Jessica L. Ashman

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CHAIR: Good evening. My name is John Repetz. I'm a Community Relations Coordinator for the Pennsylvania Department of Environmental Protection. I will serve as moderator for this evening's public hearing regarding permit amendment applications submitted by Sunoco for the Mariner 2 East Pipeline near Marsh Creek State Park. These hearings are typically held in person in the area in which the proposed changes are requested.

While the majority of COVID-19 restrictions have been lifted, many still feel unsafe gathering in person in large groups indoors. In an effort to make this proceeding available to as many interested estate holders as possible, this hearing is being held virtually in tandem with a 45(a) public comment period. This hearing is accessible by both internet and phone. And written comments can be submitted electronically through email or mailed directly to the Southeast Regional Office.

All comments regardless of the method in which they are submitted carry equal weight and considerations for the evening. As for the purpose

1 of this evenings hearing and the current comment
2 period, Sunoco Pipeline LP also known as SPLP,
3 Sunoco, Energy Transfer, or ETP submitted two
4 amendment applications for its Chapter 102 and
5 Chapter 105 permits for the portion of Mariner East
6 2 Pipeline, currently known as HDD 290. This is the
7 same location as SPLP's August 10th release of
8 approximately 8,000 gallons of drilling liquid which
9 impacted the area.

10 These amendments or modifications, if
11 approved, would authorize SPLP to change its
12 construction method from horizontal directional
13 drilling to open trench or open cut methods and
14 alter the pipeline. The full submissions in details
15 of SPLP's proposed amendments have been available
16 online for review since April 7th.

17 We are here this evening to receive
18 oral comments from interested state holders,
19 residents, neighbors, and legislators. All
20 comments, whether delivered here this evening, or
21 submitted in writing before the end of the comment
22 period on June 23rd, 2021, will be treated with
23 equal weight and consideration as DEP continues and
24 finishes its technical review of these requests.

25 As for the format of this evening,

1 unlike a public meeting where this back and forth
2 question and answers, this formal public hearing is
3 designed for DEP to receive your testimony. DEP
4 will not respond to questions during this hearing.
5 Rather, DEP will review all comments received and
6 provide responses through a comment response
7 document. As I mentioned previously, permits
8 provided in writing will be given equal
9 consideration to those - to those provided orally.

10 Those who pre-registered with me will
11 be un-muted in the order you registered and will be
12 given three minutes to provide your comments. We
13 will put a list of speakers in order on the screen.
14 Once your time has expired or you have concluded
15 your remarks, you will be re-muted and the next
16 person on the list will be un-muted and given their
17 time. All other participants and those who did not
18 indicate they were interested in speaking will
19 remain muted for the duration of the hearing.

20 Use of threatening or offensive
21 language will result in a warning or potential
22 removal from the event. In order to capture all
23 oral testimony, a stenographer is online and will
24 generate an official transcript of this evenings'
25 hearings. We will also not be using the chat

1 function to submit questions or comments and ask
2 that you please limit the chat box to letting U.S.
3 know about any technical issues you may have.
4 Comments submitted in the chat box will not be
5 collected. Only those submitted to the provided
6 email account or mailed to the regional office will
7 be counted as public comment.

8 We will now begin taking our formal
9 testimony. Please forgive any mispronunciations.
10 And we ask that you please state your first and last
11 name before you begin your testimony. If you joined
12 through your computer, you will see the three minute
13 timer on your screen so you may track your time.
14 For those joining by phone, I will let you know when
15 you have about 30 seconds remaining.

16 COURT REPORTER: Hello. This is the
17 Court Reporter again. I'm sorry to interrupt but
18 the last thing I heard was about the 30 second
19 remaining remark.

20 CHAIR: Now appearing on your screen
21 is the list of the names of the speakers and the
22 order in which they will speak. First speaker this
23 evening is Senator Katie Ruth with Joe McGinn on
24 deck. Senator Ruth, you have three minutes.

25 SENATOR RUTH: Thank you again for

1 having me this evening. I just want to verify that
2 you can hear me okay.

3 CHAIR: Yes we can.

4 SENATOR RUTH: Thank you. I'm pleased
5 that public comment has been an opportunity here and
6 we can speak on regard - regarding this project and
7 specifically the environmental harm that has been
8 caused not only to our park but the area all around
9 it and the community living all around the recent
10 debacle at HDD 290.

11 It has been over ten months since
12 Sunoco released thousands of gallons of industrial
13 waste into the waters of Marsh Creek State Park.
14 This incident, while incredibly public and widely
15 reported represented just one in a string of
16 contamination events, sinkholes and lawsuits against
17 this project stretching over five years.

18 With this in mind before I discuss
19 specific failures of this proposal, I simply want to
20 ask again, at what point is enough is enough? If an
21 employee is consistently damaging private property,
22 such as an example in an office space, like pouring
23 white out into the water cooler, he would be fired.
24 And this operator has done enough damage over many
25 instances over many drill sites, contaminating water

1 throughout the entire Commonwealth. And there's no
2 - there's no accountability. Yet this company has
3 caused untold harm to our communities and
4 constitutional protected environmental rights and we
5 continue to provide this free pass via permits and
6 fees that they don't seem to care about, just keep
7 paying them and damage along the way.

8 At what point do we pull the plug on
9 this project and admit that it cannot be completed
10 safely and should have never been permanent in the
11 first place? And that it should not be located
12 anywhere near schools, parks, communities,
13 libraries, and nursing homes.

14 However, specific to this current
15 major modification request, while switching from 40
16 mile directional drilling to an open trench
17 technique would potentially reduce the risk of
18 contamination, it certainly does not eliminate all
19 risk. I'd also like to add that many of the
20 geo-physical assessments that have been requested by
21 the PUC and DEP have been marked proprietary by
22 Sunoco, so no one really knows what these reports
23 say, which was huge issue to actually how this is
24 going to be conducted and given permits again
25 without any access to the public for this

1 information.

2 And we know the geology of this
3 location is incredibly unstable, highlighted by the
4 series of sinkholes that happened since August 10th.
5 Despite some efforts to say that many or some of
6 these sinkholes were a ground hog, we all know that
7 is simply not true. Construction activity can very
8 easily destabilize these conditions, resulting in
9 earth disturbances in and around the active 16 inch
10 and 8 inch pipelines, therefore putting our
11 communities in danger.

12 A catastrophic failure of this
13 pipeline could result in extreme public and
14 environmental harm. These are not hypothetical
15 events. The failure and subsequent explosion of the
16 revolution pipeline in South Month Pennsylvania on
17 September 10th, 2018 resulting in complete
18 destruction of single family homes, a farm, several
19 vehicles, and for approximately three acres of
20 forest. If a similar event were to occur in the
21 densely populated area of Chester County, the
22 devastation would be unthinkable.

23 And of course, let's not forget that
24 Sunoco has yet to clean up their mess from the time
25 they tried to install this big metal pipeline.

1 830,000 gallons of drilling mud and industrial waste
2 lie dormant at the bottom of Marsh Creek Lake for
3 months. We can't get fish. Recreation has been
4 compromised. People can't utilize this park and it
5 causes significant impact to water quality, aquatic
6 life that has resulted in the closure of a
7 significant portion of Marsh Creek known as Ranger's
8 Cove.

9 Marsh Creek State Park is the most
10 heavily used park in the state park system and the
11 continued closure and contamination of this resource
12 represents the complete failure of our environmental
13 regulatory system. The DEP has a duty and
14 obligation under law and regulation to enforce the
15 law of our Commonwealth. By allowing this company
16 to continue to simply modify its plan every time
17 they spill represents gross negligence on the part
18 of the Department and their goal to protect the
19 environment.

20 We have reached a point where the
21 blame for future environmental harm is no longer
22 borne solely by the corporations constructing this
23 pipeline. The unwillingness of the agency that is
24 used to enforce the law and regulations to protect
25 Pennsylvania and our environment and our resources

1 is simply beyond unacceptable. I urge the
2 Department to demand full complete restoration of
3 Marsh Creek State Park prior to even consideration
4 of this approval of this permit.

5 And finally, I must again enquire at
6 which point do we recognize that this project simply
7 should have never been permitted in the first place,
8 with all sorts of technical deficiencies that have
9 still yet to be defined are completed, I doubt this
10 can be managed because we know it can't be managed.
11 And we've seen that. We ask you deny this reckless
12 corporation the ability to cause additional harm and
13 deny its permit. The DEP can no longer continue to
14 slap its stamp of approval on the degradation of our
15 shared environment resources.

16 And I ask for this permit be denied as
17 deficient and for the Secretary to pull the permit
18 for the damage across facilities and communities
19 throughout our Commonwealth including the 17
20 counties that Mariner 2 Pipeline spans. Thank you
21 for allowing me to testify today.

22 CHAIR: Thank you, Senator.

23 Joe McGinn is next with Carl Marrara
24 on deck.

25 COURT REPORTER: And I'm sorry to

1 interrupt but could everyone spell their names for
2 me, please, that'd be much appreciated since I'm
3 just by phone now.

4 MR. MCGINN: Good evening, John. Can
5 you hear me?

6 CHAIR: Yes I can. Go ahead.

7 MR. MCGINN: Great. My name is Joe
8 McGinn. I'm Vice President of Public Affairs for
9 Energy Transfer and our subsidiary, Sunoco Pipeline.

10 I appreciate the opportunity to
11 deliver testimony tonight on behalf of the company
12 to enter a proposed permanent modification of
13 Freeform Township, Chester County, which we're
14 referring to as our 290 major mod. I could talk
15 about the billions of dollars in investment Energy
16 Transfer's made in Pennsylvania as part of this
17 project and the efficacy and steps via pipelines.
18 But tonight, I'm going to focus on what this project
19 is and the benefits to the environment.

20 The reasons for our proposed change
21 comes down to the safety of the surrounding
22 environment and of the general public. After
23 carefully evaluating many alternative options to the
24 existing construction method of HDD 290, the
25 modification we proposed best adapts to the local

1 geology and offers the least temporary impact or
2 disruption to the surrounding community by limiting
3 extended road closure and completely eliminates the
4 potential for future inadvertent return of drilling
5 - drilling mine.

6 This section of pipe is on the last
7 section of the 20 inch adhesion pipeline to be
8 completed in Chester County. And - and for that
9 matter, across Pennsylvania. The 16 inch ME2X
10 pipeline has already been installed in this area.
11 The approximately 350 miles of 20 inch pipeline to
12 be installed, this represents approximately one half
13 to one percent of the pipeline installation.

14 So talking of the installation, our -
15 our proposed modification changes the pipeline
16 installation method from an HDD to an open trench.
17 So while upland access are available, open cut
18 installation is typical method used for construction
19 or repair of various utilities, whether it be
20 pipelines, or things like sewer and water lines.

21 Open cut installation consists of
22 digging a trench with excavators, or wheel ventures,
23 or laying the pipe into the trench and pack filling
24 the top-soil or temporary top-soil where applicable.

25 The road crossing would be completed in - in a

1 matter of days, depending on weather and work hours,
2 with the entire section completed in five to ten
3 weeks.

4 And this construction method is the
5 best case scenario to minimize potentially temporary
6 environmental impact compared to other alternate
7 installation methods for this particular work
8 location. It also builds on the success of a
9 similar major modification nearby in Upper Uwchlan
10 Township in what we call HD 280.

11 Focusing on the land route, our
12 proposed modification would also change our
13 pre-planned route slightly, rerouting a 1,300 foot
14 section of the route, which will minimize the
15 disruption to the surrounding community by requiring
16 only a detour of a relatively brief road closure as
17 opposed to other options that would call for an
18 extended road closure along a major and heavily
19 trafficked thorough fair.

20 In terms of weather protection and
21 restoration, we will continue to exceed industry
22 standards to limit additional disturbance to the
23 wetlands before restoring it to its original state
24 or better. Following installation, we are committed
25 under a Chapter 105 permit to monitor the recovery

1 of the wetland for five years.

2 To reiterate, we spent time working
3 with environmental and construction engineers to
4 evaluate a number of alternative options to modify
5 the originally permitted route method. Our proposed
6 route paired with the change in installation method
7 to an open cut is the best overall option among the
8 alternatives to HDD 290 considered for this work
9 location.

10 Under the oversight of the DEP, we
11 have carefully planned every aspect of construction
12 to minimize temporary impacts to the surrounding
13 environment and community. Any disturbance will be
14 fully restored following construction and we - as we
15 have successfully done throughout the pipeline
16 construction project.

17 Upon the approval of this
18 modification, we look forward to safely and
19 efficiently completing ME2 construction in Southeast
20 Pennsylvania, using the most advanced safety
21 technology and monitoring systems, as well as teams
22 of experienced contractors. This will also U.S. to
23 complete a statewide project and restore the land to
24 its original state or better before safely placing
25 our pipelines into service.

1 Thank you for your time and for the
2 opportunity to submit this testimony.

3 CHAIR: Thank you, Joe.

4 Carl Marrara is next with Kevin Sunday
5 on deck. Carl, you have three minutes.

6 MR. MARRARA: Thank you so much. My
7 name is Carl Marrara. Last name spelled
8 M-A-R-R-A-R-A. We the Pennsylvania Manufacturer's
9 Association express our support for Energy
10 Transfer's Mariner East pipeline construction.
11 We're a statewide non-profit trade organization
12 representing major factors of our Commonwealth.
13 Generating over \$94 billion annually in product,
14 employing over 560,000 hardworking Pennsylvania's
15 own taskforce, and supporting supply chains,
16 distribution and retailing networks that sustain
17 millions of additional Pennsylvania jobs.

18 Manufacturers depend on reliable and
19 affordable natural gas access to remain economically
20 competitive. Total natural gas demand is poised to
21 increase by 40 percent over the next decade. And
22 researchers with the National Association
23 Manufacturers found that the key drivers of this
24 demand will be for manufacturing and for power
25 generation. Therefore, projects such as Energy

1 Transfer's Mariner East are still vitally important
2 to the production center of our Commonwealth's
3 economy.

4 Energy Transfer has taken all the
5 necessary precautions to keep this construction
6 project safe for all communities involved and for
7 the workers who are constructing this pipeline.
8 With the final stages of construction before them,
9 they have requested to alter the method for
10 construction in one location to ensure the safety of
11 the local environment and community.

12 Pipelines have proven to be the safest
13 and most effective way to transport energy and
14 natural resources. The faster the permit process
15 can be approved to this last location, the faster
16 Pennsylvania will be able to prosper from the
17 revenue, job creation and affordable energy that
18 this pipeline will also provide. The economic
19 contributions of this new pipeline are immense.
20 Already pipeline construction has contributed more
21 than \$9.1 billion to the Pennsylvania economy with a
22 billion of this towards Pennsylvania's total tax
23 revenue. With the expansion of pipeline networks,
24 we'll unleash the real potential for an energy
25 enabled economy in our Commonwealth.

1 Pennsylvania is the second largest
2 producer of natural gas in the country and our
3 ongoing production has made the United States the
4 largest producer of this vital commodity in the
5 world. However, many Pennsylvania-based users are
6 still limited by their lack of access to a nearby
7 pipeline. Because this project spans 300 miles it
8 allows new opportunities for a myriad of
9 manufacturing suppliers across the state.

10 Projects such as this will expand tht
11 access, fortifying our markets with affordable
12 energy and affordable gas. Pennsylvania has the
13 opportunity to strengthen America's energy
14 leadership again to abundant, efficient and clean
15 burning natural gas. Pennsylvania's natural gas
16 revolution is bringing our manufacturers new
17 momentum with a buzzing cost-competitive energy.
18 But to fully realize the potential, Pennsylvania
19 needs robust infrastructure for transmission. And
20 that is why we support Energy Transfers Mariner East
21 pipeline project. And we urge you to do the same
22 with the changes they are requesting. Thank you.

23 CHAIR: Thank you, Carl.

24 Kevin Sunday is next with Tom
25 Shepstone on deck. Kevin, you have three minutes.

1 MR. SUNDAY: Good evening. My name's
2 Kevin Sunday, Director of Government Affairs with
3 the Pennsylvania Chamber of Business and Industry.
4 We're the largest broad-based business advocacy
5 organization in the Commonwealth. We represent more
6 than 9,000 member companies across all industries.
7 I want to thank DEP for the opportunity to provide
8 comment on this important project as the agency
9 considers these Chapter 102 and 105 permits.

10 We support DEP approving these permits
11 for the following reasons. The development of
12 infrastructure, in particular energy infrastructure,
13 is hard to - is paramount to the continued economic
14 vitality in Pennsylvania as a region. The recent
15 events of the shutdown of the Colonial Pipeline and
16 the implication of Russian LMG into the Boston
17 Harbor in recent winters has shown the United States
18 is lacking in sufficient energy infrastructure.

19 Second, the continued development of
20 infrastructure will ensure the significant
21 documented problems with respect to improved air
22 quality and greenhouse gas emission reduction that
23 have occurred over the past two decades as a direct
24 result of increased domestic energy production.

25 Third, we recognize wetlands are a

1 crucial component of a well-functioning ecology and
2 as such would note that these permits include
3 extensive mitigation requirements for temporary
4 disturbance of wetlands as well as a multi-year
5 monitoring plan to ensure the recovery of the
6 effected wetland area. Bedding, E&S blanketing and
7 mulching are also being proposed to minimize
8 regression and mixing of dry land and wetland soils.

9 And with respect to protecting water
10 quality, the company will also conduct weekly water
11 quality tests for various indicators of local water
12 quality, increased to a daily frequency during
13 construction.

14 Finally the proposed open cut is to
15 conducted quickly with minimal impact on the local
16 environment. In all cases, the permit conditions
17 proposed within these applications meet or exceed
18 relevant regulatory requirements and will result in
19 the completion of this much needed energy project,
20 which in turn will support the continued vitality of
21 an industry that pays higher than minimum wages
22 compared to any other sector and position United
23 States to lead the world in natural gas productions
24 while providing the lowest or near lowest electric
25 fuel utility cost for residents and businesses among

1 any developed nation.

2 The increased energy and national
3 security will bolster the geo-political independence
4 of our allies, positioning the United States as a
5 resource in manufacturing and other vital economic
6 sectors. For these reasons, we urge DEP grant these
7 proposed modifications so the project can move
8 forward to completion.

9 Again, thank you for your
10 consideration of all of the commentators views and
11 perspective this evening. We are happy to
12 supplement to the comments with comments written in
13 the docket. And we'd be happy to give questions you
14 may have on this - on this statement. Thank you.

15 CHAIR: Thank you, Kevin.

16 Tom Shepstone is next with Jason Fink
17 on deck. Tom, you have three minutes.

18 MR. SHEPSTONE: Thank you very much.
19 I'm a planning consultant, a Pennsylvania residents,
20 and a natural gas consumer. I want to thank you for
21 this opportunity to comment on the Mariner East 102
22 and 105 permit modification application, which I
23 totally support.

24 Mariner East is an absolute
25 cornerstone for Pennsylvania's energy industry and

1 the economy of the Commonwealth. This is especially
2 so with the respect to the potential of the
3 Philadelphia region. It has, with its location, the
4 potential to serve as another Houston, providing
5 good paying jobs across the board and driving up
6 opportunity throughout the area. The energy
7 industry in Pennsylvania is nothing less than
8 critical to its economy.

9 It employs an estimated 300,000 people
10 in a variety of capacities, but is especially
11 important to the many skilled laborers who rely on
12 projects just like Mariner East to put food on their
13 families' tables. I'm talking not only about
14 construction workers, but also those jobs are
15 dependent on the energy and resources delivered.
16 Mariner East has created more than 50,000 direct and
17 indirect jobs and will create some 350 permanent
18 jobs in the Keystone state once fully completed.

19 Mariner East construction, in fact,
20 has provided a financial jolt to many local
21 businesses as trade union members have spent money
22 at local hotels, restaurants, and retailers. In
23 total, this project is projected to provide over \$9
24 billion of economic benefit to the Commonwealth.
25 The reliable energy and resources Mariner East will

1 deliver cannot be fully experienced or obtained if
2 the project cannot be completed in a reasonable
3 fashion, which in this case, necessitates the
4 request permit modification.

5 By simply transporting natural gas
6 from Western Pennsylvania to locations along the
7 line, millions of Pennsylvania homes and businesses
8 will gain through increased access to affordable
9 energy delivered in the safest means available, not
10 to mention those benefiting by producing the gas.
11 Already half of Pennsylvanians rely on natural gas
12 as a primary heating fuel and it will only continue
13 to drop in price and offer consumer savings with
14 Mariner East fully operational.

15 These modification requests are
16 necessary based on what has been learned. They also
17 represent construction best practices and meet the
18 expectation that DEP put on the company when it
19 asked for alterations. They therefore should be
20 approved without further delay. Prompt completion
21 of the Mariner East pipeline is essential for
22 Pennsylvania and for the Philadelphia region to
23 realize its true potential. And for that reason, I
24 ask you to approve the proposed - proposed permit
25 modification for this pipeline project. Thank you

1 again very much.

2 CHAIR: Thank you, Tom.

3 Jason Fink is next with Dennis
4 Rochford on deck. Jason, you have three minutes.

5 MR. JAGIELA: John, we do not have
6 Jason on the line or with us.

7 CHAIR: Okay.

8 We will then move on. Dennis Rochford
9 is next with Helen Kissick on deck.

10 COURT REPORTER: Excuse me, can anyone
11 hear me?

12 MR. JAGIELA: John, we do not have
13 Dennis or Helen on the line right now.

14 CHAIR: Okay.

15 So then we move on and next on the
16 line is Lauren (sic) Obenski with Christina Digiulio
17 on deck. Lauren, you have three minutes.

18 MS. OBENSKI: Good evening. My name
19 is Laura Obenski and I'm a resident of Uwchlan
20 Township, Chester County. I'm registering my
21 comments this evening in opposition to the proposed
22 plan to reroute construction of the Mariner East
23 pipeline project to Upper Uwchlan Township.

24 With all due respect, Sunoco
25 representing safety is the leading cause of this

1 modification. Our community is safest without
2 energy transfer in it and this has been demonstrated
3 it time and time again by their own incompetence and
4 noncompliance. Energy leadership, economic benefits
5 and job creation, none of this is even remotely
6 relevant when Energy Transfer cannot complete the
7 job safely, on time, in compliance with state law,
8 or as written on their own paper.

9 It's hurtful for this community to
10 even begin considering prolific impact proposed by
11 the two plans in order to form public comment while
12 our state park remains roped off due to the spill
13 that occurred nearly a full year ago. The
14 industrial waste discharged illegally into our state
15 park is still remaining at the bottom of the lake,
16 untouched by cleanup ever.

17 Why are we allowing serial offenders
18 the privilege to operate in proximity to our natural
19 resources and our homes when they have proven time
20 and time again that they're willing and eager to be
21 reckless and dishonest in their behavior to get this
22 project complete at any cost? We're not here
23 tonight considering plans proposed by a company with
24 a clean slate. We're not considering plans proposed
25 by a company with a short list of outstanding tasks.

1 We're considering yet another set of plans by a
2 company that has used every opportunity to proceed,
3 every opportunity to advance their own interests in
4 direct contrast with the interest of the health,
5 safety, and well-being of our community.

6 This is a company that has willfully
7 and intentionally been misleading and dishonest to
8 the communities that they operate in and with the
9 agencies tasked with overseeing their project. The
10 original plan to drill in the areas which were
11 affected by the spill into Marsh Creek Lake last
12 summer was analyzed and chosen by Energy Transfer
13 because it was the best option that resulted in the
14 least amount of impact to our natural resource and
15 our community. That's not how it worked out.

16 Why are we now considering options
17 that are even worse than the initial plan which
18 caused so much damage and still to this day has not
19 been cleaned up? Enough is enough.

20 I stood before a panel of state
21 agencies several years ago and asked when exactly
22 enough would finally be enough. Where is the bottom
23 line? I didn't get an answer and I still haven't.
24 Our state agencies have still declined to quantify
25 their standards for impact to the environment, to

1 the well-being of our natural spaces and our
2 families when it comes to the Mariner East project.

3 My daughter, an avid cyclist and
4 member of our local youth mountain bike team spends
5 many hours at Marsh Creek weekly riding the trails
6 and learning about the importance of trail
7 stewardship. Her team makes it a priority to
8 maintain and protect the trails of Marsh Creek State
9 Park so that they're there to be enjoyed for years
10 to come and to understand the value of our natural
11 spaces.

12 Near feet away, industrial wastes
13 leaked into our lake and diesel generators run to
14 protect our wetlands from the hands of the
15 corporation who was permitted to do as they please
16 with no recourse. How can our community prioritize
17 environmental preservation, teach our kids the value
18 of our natural resources, and simultaneously allow
19 ongoing corporate destruction in the same spaces?

20 The fact that Energy Transfer cannot
21 safely, properly, and effectively complete their own
22 project should not be my families project - my
23 families problem. It's not my pastor's problem or
24 my counties problem. It shouldn't even be the State
25 of Pennsylvania's problem. It is squarely Energy

1 Transfer's problem.

2 And yet the burden has continually
3 fallen on my own community members to have to bear
4 witness, report, document, follow-up, document
5 again, follow-up again, come testify at hearings,
6 file complaints, and demand enforcement. We have
7 been harassed, photographed, and taunted in our
8 neighborhoods. It's clear our state agencies do not
9 have the resources to provide adequate oversight for
10 a company that has zero ability or desire to safely
11 operate in our community.

12 To continue to permit and increase the
13 damage caused in our community is grossly negligent.
14 We demand the immediate restoration of our park.
15 Please allow our community the opportunity to defend
16 what it was and recover from the trauma of these
17 many years of environmental degradation, public
18 nuisance, and ongoing violation. Our families and
19 our natural resources are afforded protections under
20 the law and those rights became inconsistent with
21 the continued allowance of this damaging and
22 reckless project a long time ago. Please deny the
23 permits. Thank you.

24 CHAIR: Thank you, Lauren.

25 Christina Digiulio is next with Jim

1 Snell on deck. You have three minutes.

2 MS. DIGIULIO: Can you hear me?

3 Before you start my time, can you hear me?

4 CHAIR: Yes we can.

5 MS. DIGIULIO: Okay.

6 I have a question real quick because
7 I'm not really sure - it's for clarification of what
8 this hearing is. I believe you are a scientific
9 agency and I thought it was really strictly about
10 the science.

11 Is that correct? I mean, I have your
12 mission statement being the protection of our
13 natural resources, that's what we're to speak to.

14 Am I correct?

15 CHAIR: That is what you're asked to
16 speak to, yes.

17 MS. DIGIULIO: Thank you very much.
18 All right.

19 With that, so I am a resident of Upper
20 Uwchlan Township. I live on Marsh Creek. I am also
21 the person who submitted photographs of the original
22 spill. So I'm going to read you what the scientific
23 method as a scientist.

24 I'm going to say - I'm going to tell
25 you the scientific method is an empirical method of

1 acquiring knowledge that has added to the
2 development of science. It involves careful
3 observation, applying rigorous skepticism about what
4 is observed. It recognizing that cognitive
5 misassumption can distort how one interprets the
6 data and the information. It involves formulating
7 hypotheses based on such observation, experimental
8 and measurement based testing of deductions drawn
9 from the hypotheses and refinement or amendment of
10 the hypotheses based on the experimental findings.

11 These are the principles of scientific
12 method and is applicable to all scientific
13 enterprises. Now being that the Department of
14 Environmental Protection is a scientific case -
15 agency, I am kind of thinking so why am I hearing
16 Shepstone and other talk about the benefits to the
17 economy. Because that is not its purview and you
18 are to be ruling on the scientific aspect we're
19 talking about.

20 Now in that, also we have empirical
21 data. We are basically a test. You have
22 experimented and theorized that this could come
23 through and be fine. I am a well owner. I'm a
24 private well owner. And I have not been given
25 what's called informed consent. The DEP is allowing

1 the penetration or basically creating a conduit by
2 drilling or trenching into our groundwater without
3 proper groundwater impact studies prior to this
4 allowance.

5 You are bound to do those. And in
6 that, I am not fully informed. Neither are you, if
7 you don't have those studies to the impact of this
8 process to our groundwater. And when I say
9 empirical data that is the data is - that we have,
10 which we have lots of it showing that you have come
11 in and still continued to permit after you have
12 data. You keep theorizing that this is going to
13 work without acknowledging the empirical data. That
14 is not a part of the scientific process. As a
15 scientific agency, that is a bit disgraceful. You
16 wonder why people don't trust science anymore.

17 So I believe what the DEP's suffers
18 from cognitive misassumption because you're saying
19 that you have to listen to the fossil fuel - I call
20 playbook framework of why they make U.S. feel like
21 we need them - this pipeline and it's - you are not
22 to even look at that actually. You are supposed to
23 look at exactly what going to be done. And they are
24 going through forested and wetland and there is no
25 ground - groundwater impact studies.

1 I will not - I do not consent as a
2 resident of Upper Uwchlan Township to be forced to
3 drink from a well that has been contaminated. I do
4 not consent to the DEP allowing this company to do
5 anything until you have proper groundwater impact
6 studies. That's all I have.

7 CHAIR: Thank you, Christina.

8 Is Jim Snell on the line? Jim
9 informed me earlier today that he might not be
10 available but would be submitting written comments.
11 So -.

12 MR. JAGIELA: Jim Snell is not on the
13 line.

14 CHAIR: Okay.

15 We will continue to move on then.
16 Next is George Alexander with Bill Adams on deck.
17 George, you have three minutes.

18 MR. ALEXANDER: Can I be heard?

19 CHAIR: Yes you can. Go ahead.

20 MR. ALEXANDER: Thank you for the
21 opportunity to comment on Sunoco's proposed reroute
22 of the Mariner East pipeline near Marsh Creek Lake.
23 My name is George Alexander and I'm a Chester County
24 resident.

25 On September 11th of last year, as a

1 result of a release of thousands of gallons of
2 drilling fluid into Marsh Creek Lake, the DEP
3 ordered Sunoco to use a different route, one that
4 Sunoco itself had mentioned as practical option in a
5 previous application for this segment of the
6 pipeline involved in the spill. But the company
7 never seriously considered implementing that
8 reroute.

9 In April, it filed a document with the
10 DEP assessing 11 possible routes for the pipeline
11 segment and the route that Sunoco prefers is called
12 option four in that document. The route that the
13 DEP has instructed Sunoco to follow is referred to
14 as the 1.01 mile reroute. I'll call it the original
15 reroute.

16 So which is better for the
17 environment? Sunoco's option four or the original
18 reroute? Sunoco's document makes that comparison
19 impossible. First it's immediately clear that
20 option four comes much closer to the lake than the
21 original reroute. In fact, option four comes the
22 closest to the lake of all the options Sunoco
23 considered. And the original reroute is the
24 farthest away. That in and of itself suggests that
25 the original reroute is the better option.

1 Both routes involve trenching through
2 wetlands and streams and Sunoco failed to properly
3 compare them. Sunoco in its evaluation of the
4 wetlands and streams along the original reroute
5 states that these impacts are based on desktop
6 assessment only, end quote. In other words, the
7 company never bothered to send someone out to
8 actually look at this route in the field.

9 Sunoco claims that its option four
10 would involve trenching through slightly less
11 wetland area than the original reroute. But how did
12 Sunoco determine this? The company provides
13 detailed maps of the option four wetlands but none
14 of - none for those along the original reroute.

15 Similarly, Sunoco indicates the extent
16 of streams which is 200 square feet in the option
17 four that would need to be temporarily diverted.
18 But it does not give that information for the
19 original reroute.

20 In a footnote, the company says that
21 to determine - determining the stream impact area
22 for the reroute would require measuring the stream
23 banks and bed. If Sunoco was serious about
24 evaluating that route, they would have send someone
25 out to do those measurements.

1 Sunoco says it considers the original
2 reroute impracticable because easements from the
3 turnpike authority would have to be obtained. But
4 Mariner East already runs along-side the turnpike
5 for many miles in the Mechanicsburg area. Why is it
6 practicable there and - and not here?

7 These are only the most obvious
8 problems with Sunoco's assessment. I conclude that
9 Sunoco decided it could simply ignore the order that
10 the DEP had given it. That must not be allowed.
11 The DEP must insist that the company do a realistic
12 comparison of its option four with the original
13 reroute that the DEP ordered.

14 Until the company can show that option
15 four is - is better for the environment, the DEP
16 should insist on the original reroute. It certainly
17 has not shown that yet. Thank you.

18 CHAIR: Thank you, sir.

19 Helen Kissick was having some
20 technical issues earlier. We're going to circle
21 back to her comment right now. So Helen, you are
22 next with Bill Adams on deck. Go ahead Helen.

23 MS. KISSICK: Thank you. My name is
24 Helen Kissick. And I'm speaking today in support of
25 the Mariner East pipeline permit modification, as it

1 will help bring economic strength and stability to
2 Pennsylvania.

3 As President and Executive Director of
4 the Beaver County Chamber of Commerce, I have
5 promised to lead and advocate for economic progress
6 across my community and to support local and
7 regional businesses, as well as the individuals who
8 make up our business networks across the state.
9 During construction, Mariner East has generated more
10 than 9,500 jobs, steady work of the highest skilled
11 union workers here in Pennsylvania.

12 Our country is in dire need of
13 expanded infrastructure and Pennsylvania is no
14 exception. Mike Rosenbridge's pipeline
15 infrastructure is badly needed across the
16 Commonwealth to support our growing energy sector.
17 This pipeline network provides the safest, most
18 efficient means of transporting the products from
19 Houston in western Pennsylvania to facilities like
20 the Marcus Hook Industrial Complex in Delaware
21 County, which acts as a hub to transport products
22 locally, regionally, and across the world.

23 Additionally, projects like Mariner
24 East provides Pennsylvania works with the
25 opportunity to work at home, be home for dinner,

1 sleep in their own beds. Without increased
2 development like this, these workers are forced to
3 travel elsewhere for work. This is a project that
4 is providing jobs for our local workers, ensuring
5 that the investment remains in our local community.

6 Beaver County Chamber of Commerce has
7 outlined values that we adhere to and carry with
8 U.S. in our work. One of them is planning long term
9 for the best interest of the organization and
10 members. The degree of planning behind this project
11 is part of what makes my colleagues and I so
12 confident in its benefits to the surrounding area.
13 Those constructing Mariner East are committed to
14 transparency, working closely with land owners and
15 other partners, exceeding regulations, and ensuring
16 the land is properly restored.

17 The project's willingness to work in
18 partner with others is key for U.S. as collaboration
19 is another of our core values. The modifications
20 proposed to the construction method are being made
21 based on the reality in the field. Their
22 alternation - their alteration to the original
23 proposed plan to ensure the safety of the local
24 environment and community. These are made through
25 consultation with experts and it's the right move to

1 ensure completion of the project and safe operation
2 of the pipeline.

3 I hope you will take into
4 consideration the economic and environmental
5 benefits of the Mariner East. Our vision as a
6 Chamber is for Beaver County to be the premier place
7 to live and work in the region. With that goal in
8 mind, this project will help bring back jobs to the
9 region while strengthening our infrastructure. I
10 look forward to seeing a positive and productive
11 partnership between the project and the DEP. Thank
12 you.

13 CHAIR: Thank you, Helen.

14 Now we'll resume the order with Bill
15 Adams and Connor Young is on deck. Bill, you have
16 three minutes.

17 MR. ADAMS: Good evening. Thank you
18 for the opportunity to speak. On behalf of IVW
19 Local 654, we support the proposed modifications to
20 construction of the Mariner East pipeline project in
21 Chester County.

22 We are confident that this new
23 approach will protect the environment, the workers,
24 and the surrounding community. Pennsylvania's
25 energy industry has grown to support real jobs and

1 significant investments. Mariner East is a big part
2 in that. Energy Transfer's pipeline network and its
3 formed sub-industrial complex continue to be a major
4 catalyst for our states energy infrastructure bill
5 count.

6 Mariner East alone has provided
7 thousands of jobs for skilled laborers, including
8 members of my local IVW Local 654. Billions in tax
9 revenue, real energy savings for Pennsylvania
10 consumers. Never underestimate what it means to
11 have a solid job and consistent paycheck. That's
12 what this project has meant for so many members of
13 IVW Local 654 and the surrounding building trades.
14 Work opportunities like those offered by Mariner
15 East and Marcus Hook let members do their jobs and
16 be home each evening for dinner with their families.

17 From an environmental perspective, we
18 know pipeline's are a safer means of transportation
19 for energy products than railways or highway. If
20 pipelines weren't used, these necessary products
21 would be transported through communities and
22 neighborhoods on trucks and trains. The goal always
23 then is to ensure these pipelines are constructed
24 responsibly and operating safely. These proposed
25 modifications do just that.

1 IVW Local 654 serves as a loyal
2 partner to our surrounding community. We have set
3 up food drives in support of local pantries in the
4 area during the recent pandemic. And we take on a
5 number of other philanthropic causes. In short, we
6 would not support something that is adverse to the
7 well-being and success of our local businesses and
8 community members.

9 This new approach to construction is
10 the best approach and deserves your approval so the
11 work on this pipeline can finish and Pennsylvania
12 can realize the full potential of this project.
13 Thank you for your time.

14 CHAIR: Thank you very much.

15 Connor Young is next with Tom Ferro on
16 deck. Connor, you have three minutes.

17 MR. JAGIELA: John, we do not have
18 Connor or Tom on the line right now.

19 CHAIR: Okay. Thank you, Darek.

20 So moving on, we will go to number 16.
21 Michael Butler is next with Virginia Kerslake on
22 deck. Michael, you have three minutes.

23 MR. BUTLER: Thank you. My name is
24 Michael Butler. On behalf of Consumer Energy
25 Alliance, I testify today to share our support for

1 the necessary permits needed for the Mariner East
2 pipeline project. This pipeline will deliver
3 critical energy to consumers across the region and
4 has the potential to be a cornerstone in the
5 Pennsylvania economy for decades once it's finally
6 completed. In order to realize these benefits, we
7 urge the Department of Environmental Protection to
8 complete thorough review process so the proposed
9 Chapter 102 and Chapter 105 permit modification.

10 As of 2006, Consumer Energy Alliance
11 is a non-profit - non-partisan, non-profit
12 organization representing virtually every sector of
13 the U.S. economy from the iron and fuel industry to
14 truckers, airlines, agriculture, labor unions,
15 restaurants, manufacturers, renewable energy
16 providers, small businesses, and families. Our
17 members support a rational all of the above energy
18 policy that utilizes all of our domestic natural
19 resources, from traditional and renewable while
20 ensuring consumer progress and protecting our shared
21 environment.

22 After several years, we can see the
23 light at the end of the tunnel for the construction
24 of the Mariner East. This section is the final
25 piece to the link the pipeline statewide and these

1 are the last permits that must be granted so this
2 infrastructure project can be finished and and
3 produce its full value for our state.

4 Commonwealth produces some of the
5 largest natural resources in the United States.
6 Here at the Consumer Energy Alliance, we believe
7 that a strong economy of well-paid families and
8 saving jobs are strengthened by commitments to
9 strong - to a strong energy industry and
10 environmental stewardship. In Pennsylvania the
11 resources are available and that means access to
12 transport them are critical as well. It's our
13 understand the Mariner East has undergone some of
14 the most rigorous federal and state reviews to date
15 to ensure the pipeline will operate safely for
16 decades.

17 Once these permits are reviewed and
18 granted consumers, families, farmers, and businesses
19 can continue to flourish with greater energy
20 security this would supply. Commonwealth should
21 recognize the importance of vital infrastructure so
22 we can continue to enjoy affordable reliable energy
23 that has driven down cost for our communities and
24 neighbors while also see remarkable improvements in
25 air quality and reduce carbon emission. The Mariner

1 East systems and other projects like are the means
2 to make that happen.

3 Thank you for the opportunity to
4 provide testimony today. We urge you to approve and
5 grant the necessary permit modifications to the
6 Mariner East project to reach completion. Thank
7 you.

8 CHAIR: Thank you, Michael.

9 Moving on, it's Virginia Kerlake's
10 turn and Craig Barrette on deck. Virginia, you have
11 three minutes.

12 MS. KERSLAKE: I'm Virginia Kerlake
13 and I'm a resident of West Whiteland Township and a
14 frequent visitor to Marsh Creek Lake to kayak and
15 hike. Because this is a DEP hearing, I'm going to
16 actually talk about the environment.

17 My thought is the DEP acted swiftly
18 and appropriately, timely halting construction in
19 order to remove the waste from Marsh Creek Lake in
20 accordance with the plan that Energy Transfer itself
21 previously submitted as feasible. It's newly
22 proposed plan to open trench along the same route
23 with a detour towards the lake risks impacting this
24 valuable natural and water resource and surrounding
25 residential properties once again.

1 This new route crosses the same
2 wetland. This will require extracting groundwater
3 to keep the trench dry, which will present multiple
4 concerns. The extraction of groundwater will likely
5 be a massive amount, similar to current Mariner East
6 construction through wetland in West Whiteland where
7 I live, which requires pumping 700 gallons per
8 minute or one million gallons per day. To haul this
9 away will require one 500 gallon water trucks pump
10 every seven minutes, 24/7. This is unrealistic.

11 The alternative is to filter the water
12 and discharge into a waterway. Again, in West
13 Whiteland, this is presenting problems. Once the
14 filtration system has failed and resulted in NRB.
15 The new backup plan is to dump this massive amount
16 of sediment and water into the public sewer when
17 this filtration system failed again. We'll see how
18 that goes.

19 In addition to the sediment issue, the
20 discharge of extracting ground water itself can
21 impact surrounding vegetation. I visited the
22 property in Berks County where this has kill
23 numerous matured conifers. This property also now
24 has large swamp areas due to what has formed during
25 open trench construction.

1 The extraction of groundwater will
2 contribute to sinkhole formation in this area where
3 we are underneath construction that's resulted in
4 multiple sink holes as the underlying bedrock
5 continues to dry, where multiple sinkholes
6 permanently forced five families from their homes.
7 We see this happening again in West Whiteland
8 Township now with several sinkholes forming as the
9 groundwater's extracted. The most recent was 23
10 feet long.

11 This proposal also requires diverting
12 two creeks which feed into Marsh Creek Lake,
13 impacting the lake and the wetlands, including its
14 habitat. This may include the protected bog turtle.
15 The only bog turtle field survey conducted for this
16 proposal was by Energy Transfers' contracted
17 consultants, not by the U.S. Fish and Wildlife
18 Service or other agents or agency.

19 I ask that the DEP deny this proposal,
20 which is in the best interest of this corporation,
21 not the environment. Furthermore, no plan should be
22 approved until Energy Transfer has secured the
23 abandoned borehole and fully completed the
24 remediation.

25 But really what the DEP must do is

1 pull the permits for this project. Enough is
2 enough. Thank you for the opportunity to comment
3 tonight.

4 CHAIR: Thank you, Virginia.

5 Craig Barrette is next with Colin
6 Hanna on deck. Craig you have three minutes.

7 MR. JAGIELA: John, Craig isn't on the
8 line.

9 CHAIR: Okay. Moving on.

10 Then Colin Hanna is next with Earl
11 Baker on deck. Colin, three minutes.

12 MR. HANNA: Thank you John. I have
13 also submitted written testimony. I just want to be
14 sure that has been received, John.

15 CHAIR: Yes, I will double check that
16 and let you know. Thank you.

17 MR. HANNA: Terrific. Thank you.

18 So my name is Colin Hanna. I'm a
19 former Chester County Commissioner. I was
20 Commissioner of Chester County from 1995 to 2003.
21 I'm grateful for the opportunity to present this
22 testimony this evening.

23 The developers of the Mariner East
24 pipeline have proposed a new method of installation
25 for a section of the pipeline near Marsh Creek in

1 our county and recently filed the necessary permit
2 amendment requests, which have been extensively
3 referred to so I won't go through the numbers here.

4 This new request eliminates the
5 possibility of the inadvertent leakage of drilling
6 influence, largely because it does not use drilling
7 fluids. So the problem that has been cited in the
8 past would not have the opportunity to recur if the
9 - these amendments are approved. As we look towards
10 Pennsylvania's future, the Mariner East pipeline is
11 precisely the type of infrastructure project it will
12 allow U.S. to continue benefitting from the
13 Commonwealth's abundant homegrown resources.
14 Therefore, I urge you to approve both amendment
15 requests.

16 I had the honor of serving as the
17 Chester County Commissioner for eight years. And
18 during that time watched Pennsylvania's energy
19 success story unfold. I was also proud to be part
20 of the County's Watershed Action Plan, which set the
21 standards for other municipalities across the
22 country, demonstrates how energy development and
23 environmental protections can coexist.

24 Chester County led the way within
25 Pennsylvania in developing a water resources

1 department. We take the - the protection of our
2 water resources in Chester County very seriously.

3 The natural gas industry is a critical
4 force in the economy as other persons this evening
5 have indicated. But it is also of global strategic
6 importance. Its importance goes beyond the
7 boundaries of the Commonwealth of Pennsylvania.
8 Because exporting liquefied natural gas to our
9 allies in Europe will lessen their dependence on
10 natural gas from Russia. Pennsylvania's natural gas
11 industry directly supports over 100,000 jobs,
12 supports almost 23 billion in labor income to the
13 Commonwealth, and provides affordable and reliable
14 natural gas to families and business across
15 Pennsylvania.

16 Mariner East is already part of that
17 success story, generating over \$120 million in tax
18 revenues for the Commonwealth from direct, indirect,
19 and induced economic activity. And that's just
20 during construction. Natural gas allows U.S. to
21 phase out less clean burning fuels and reduces our
22 greenhouse gas emissions.

23 Pipelines like Mariner East are
24 critical to those environmental efforts because they
25 are not only the safest means of transporting

1 energy, but also help reduce emissions by keeping
2 additional fuel trucks off our highways. Mariner
3 East is poised to bring a lifetime of benefits to
4 Pennsylvania. But only if it is completed.

5 The amendments request should be
6 granted so that this temporary success story can
7 become a permanent one. Thank you for the
8 opportunity to present these thoughts.

9 CHAIR: Thank you, Colin.

10 Earl Baker is next. Daniel Brost is
11 on deck. Earl, three minutes.

12 MR. BAKER: Can you hear me okay?

13 CHAIR: Yes we can, sir.

14 MR. BAKER: I'm Earl Baker and I'm
15 speaking out today regarding the two new permit
16 amendment requests submitted for the Mariner East 2
17 pipeline chapters 102 and 105 that are currently
18 under review by your department.

19 The request is for the pipeline work
20 in Chester County, specifically to change the
21 installation method for a portion of the 20 inch
22 pipeline located near Marsh Creek Lake. I would
23 urge approval of both requests so that this critical
24 infrastructure project can be completed and
25 Pennsylvanians can begin reaping the multitude of

1 economic and environmental benefits it will provide.

2 As a former three term County
3 Commissioner and two term State Senator of Chester
4 County, I've watched Pennsylvania grow into a
5 natural gas power player thanks to our abundant
6 natural resources. This boom has provided jobs and
7 economic growth to the Commonwealth, and affordable
8 energy to families. Our energy industry supports
9 over 320,000 jobs and contributes over \$45 billion
10 to the economy.

11 The Mariner East pipeline, once
12 completed, will be another center in our energy cap.
13 Almost 10,000 jobs have been created. And
14 Pennsylvania has experienced a \$9.1 billion economic
15 impact all during construction. That investment is
16 expected to increase once the pipeline is completed
17 and is fully operational.

18 Our commitment to natural gas away
19 from coal has helped the environment, another reason
20 to support the project. This pivot has allowed
21 Pennsylvania to reduce its total carbon dioxide
22 emissions by nearly 30 percent. We can reduce our
23 emissions even further by transporting energy
24 resources through pipeline, which are more
25 environmentally friendly than tanker trucks and rail

1 cars. Not to mention, far safer.

2 It's been a bumpy road for the Mariner
3 East Pipeline but the time has come to finish the
4 job. The amendment requests should be approved.
5 Once completed the resulting benefits will make the
6 ride worthwhile. Thank you for the opportunity to
7 make these comments.

8 CHAIR: Thank you very much, Earl.

9 Moving on, are either Daniel Brost or
10 Bill Godsey on the line?

11 MR. JAGIELA: Daniel is not, but Bill
12 is.

13 CHAIR: Daniel previously stated he
14 would submit written comments. Bill, you have three
15 minutes with Marcia Gentry next.

16 MR. GODSEY: Thank you very much.
17 Good evening. My name is Bill Godsey. I've been in
18 the oil and gas business for more than three
19 decades. I started my career admits the challenges
20 for the oil and gas division of the Texas Railroad
21 Commission. And since I started to operate in the
22 handful of roles in the service businesses,
23 specializing in water quality and groundwater
24 issues. I'm speaking tonight to express my support
25 for the approval of the major modification 290 as

1 the completion of the Mariner East pipeline is
2 crucial to the state of Pennsylvania.

3 Pennsylvania is the second largest
4 producer of natural gas in the country, which falls
5 - falls short of the pipeline infrastructure needed
6 to connect production and consumer. Pipelines are
7 the safest means to transport energy resources since
8 recently dined by President Biden's Energy Secretary
9 Jennifer Granholm. The Mariner pipeline spans over
10 300 miles providing energy from western Pennsylvania
11 to the largest industrial complex and telemarketing.

12 Propane and butane products are used
13 by Pennsylvanians and are transported thanks to this
14 pipeline. The original plan was to use horizontal
15 directional drilling, or HDD for the construction of
16 the pipeline because of the limited impact it would
17 cause to existing surface infrastructure. While it
18 is one of the industry's best practices, it was
19 confirmed by local geological experts, the
20 determination has been made that the alternative
21 methods might be environmentally preferable for the
22 specific sides at hand.

23 The current plan is to install the
24 pipeline in its location near Marsh Creek by digging
25 a trench in the surface, dropping the pipe and

1 restoring the area. Like in HDD, this is also an
2 industry wide best practice method for the
3 installation of pipelines, utility and
4 telecommunications.

5 The potential short term impacts to
6 the local environment such as preventing inadvertent
7 returns fluid from entering the water body and a
8 more defined construction time are the key of
9 benefits. The regulatory standards that pipeline
10 developers must comply with have never been more
11 strenuous. It is important to know that Mariner's
12 developer meets and exceeds each and every one of
13 these regulations. They've gone out of their way to
14 remedy concerns from environmental groups and create
15 even more communication and reporting with local
16 authorities and regulators to show yet again their
17 commitment to the local environment and communities.

18 The completion of Mariner East will
19 provide producers in western Pennsylvania with
20 greater access to local markets regionally and
21 beyond. The puzzle cannot be complete without the
22 missing pieces, which is Mariner East. The pipeline
23 has been built by best trained hired skilled workers
24 in Pennsylvania. Using local skilled labor provides
25 greater investment into the local community, but

1 also goes a step further to ensure the pipeline is
2 being built to operate by the safest means possible.

3 At the end of a long workday, these
4 workers are able to eat dinner with their family and
5 sleep in their own bed. It is time now that the
6 regulators allow the project to move forward to
7 completion. The proposal to alter the construction
8 methods have been laid to ensure environmental
9 safety and should be approved without further delay.
10 The DEP should approve these modifications. Thank
11 you for the time to make these comments.

12 CHAIR: Thank you, Bill.

13 Marcia Gentry is next with Michelle
14 Terry on deck.

15 MS. GENTRY: Are you able to hear me?

16 CHAIR: Yes we can.

17 MS. GENTRY: I believe we must insist
18 that Sunoco follow the original reroute given by the
19 DEP. I live in Meadowbrook Manor, Chester County
20 and I've seen first-hand how Sunoco continually cuts
21 corners in going through our wetland area.

22 We've repeatedly experienced large and
23 small sink holes and frac-outs into our creeks and
24 wetland. Sunoco has poured 27 truckloads of cement
25 into their work area here. And I doubt our wetland

1 area will ever recover from that. Our only water
2 site, Marsh Creek is a drinking water reservoir.
3 The route furthest from the lake, which they have
4 previously polluted, must be given preference and be
5 thoroughly evaluated. The DEP's jobs is not to save
6 money and inconvenience for Sunoco, but to protect
7 our environment, which has already been assaulted
8 repeatedly by Sunoco.

9 Please don't allow Sunoco's reroute
10 alternative to jeopardize our drinking water
11 quality. Desktop review is simply inadequate to
12 allow a route which has never been geo-physically
13 tested. We have seen and experienced Sunoco's
14 shoddy construction methods to our sorrow. Their
15 concern is solely for profit, not to protect our
16 environment.

17 Sunoco's proposed reroute would
18 involve trenching three - through wetlands,
19 diverting two streams, and moving even closer to
20 Marsh Creek Lake. Please protect U.S. from Sunoco's
21 plan, which threatens a beloved and necessary water
22 source.

23 I would also like to say to Mr.
24 Marrara, Mr. Hanna and others that the Mariner East
25 pipeline is not carrying natural gas for local

1 infrastructure. It is carrying much more dangerous
2 NGL's which are explosive. These products are not
3 for use in the USA, but are mainly going to make
4 plastic bags in Scotland. Therefore, this is not
5 critical infrastructure. We've been fed that line
6 too often. Thank you for allowing me to speak.

7 CHAIR: Thank you, Marcia.

8 Is Michelle Terry on the line?

9 MR. JAGIELA: No, she's not John.

10 CHAIR: Michelle earlier indicated she
11 would be submitting written comments. I just wanted
12 to check and see. Next with be Christina Coleman
13 with Kurt Knaus on deck. Christina, you have three
14 minutes.

15 MS. COLEMAN: Hi. All right. Good
16 evening. My name is Christina Coleman. I'm
17 representing the Chamber of Commerce for greater
18 Philadelphia, a non-profit business membership
19 organization representing businesses that
20 collectively employ more than 600,000 across our 11
21 county reach. I want to thank you for the
22 opportunity to speak on behalf of the business
23 community tonight in support of the proposed Mariner
24 East 2 permit amendment.

25 As of today, Mariner East 2 is nearly

1 99 percent complete. This permit modification
2 altering the route and installation method for a
3 portion of the pipeline in Chester County is the
4 last remaining hurdle in completing this over five
5 year long project. While horizontal directional
6 drilling is often a favored industry method for
7 installing pipelines, the open cut process involving
8 trench excavation is a well-established alternative
9 use for our local water, gas, and cable utilities
10 every day.

11 ME2 route modifications will not
12 undermine the project safety and will render even
13 more environmental safeguards by directing work away
14 from Marsh Creek Lake to remove the risk of
15 inadvertent returns of water and clean drilling
16 fluid from entering the water body.

17 And existing regulatory standards and
18 oversight will ensure proper environmental
19 restoration of the affected construction site.
20 While not entirely complete, the ME system has
21 already been delivering far reaching benefits to our
22 region. Throughout the massive infrastructure
23 projects, Mariner East has provided over 9,500
24 construction jobs across our state and revitalized
25 the markets of industrial complex in Delaware

1 County, provided more than 1,200 good paying jobs.

2 The ME system has also began
3 delivering critical natural gas locally including
4 supplying regional propane distribution facilities
5 to meet local demand. We all take for granted the
6 natural gas moving through the Mariner East system
7 allowing supply chains to provide necessary raw
8 materials that are used to make masks, hand
9 sanitizers, disinfectants, respirators, and other
10 medical supplies that were so critical to our
11 pandemic response. All this made possible by the
12 molecules passing under our feet through Mariner
13 East 2. Many attending tonight's hearing likely
14 share similar sentiment, that it's not time to
15 finish this project.

16 The permit change and review will
17 further enhance the project safety and environmental
18 protections for the construction of the final
19 portion of the ME 2. For these reasons, I urge the
20 Pennsylvania Department of Environmental Protection
21 to approve Mariner East 2 permit modifications so
22 this project can swiftly and safely reach the finish
23 line. Thank you.

24 CHAIR: Thank you, Christina.

25 Kurt Knaus is up next with Charlie

1 Melancon on deck. Kurt, your time is starting.

2 MR. KNAUS: Thank you, John. Good
3 evening. My name is Kurt Knaus and I'm with the
4 Pennsylvania Energy Infrastructure Alliance. PEIA
5 is a statewide alliance with more than 30 members
6 who focus on the safe responsible development of
7 pipelines and related energy infrastructure projects
8 to grow and sustain our economy and ensure good
9 paying jobs for Pennsylvanians. I have a copy of my
10 longer testimony to submit for the record so I will
11 be concise and focused with my remarks tonight.

12 It's not about shutting down this
13 pipeline as some have sought to do with this
14 virtual hearing. This is about making sure the
15 modifications to the previously legally permitted
16 method of development meet stringent environmental
17 standards and the modifications do exactly that.
18 Pipelines by far are the safest means to transport
19 energy products, not according me, according to the
20 U.S. Department of Transportation Pipeline Hazardous
21 Material Safety Administration.

22 At this moment, Pennsylvania's
23 pipeline infrastructure cannot adequately support
24 the demand or potential supply, which is problematic
25 for industries that rely on these products,

1 consumers that need them to heat their homes, and it
2 will be locally used. And Pennsylvania communities
3 that would be negatively impacted by less safe
4 transportation means like railroads and trucks.

5 In fact, according to PHMSA, 750
6 tanker trucks or 75 2,000 barrel rail cars would be
7 needed daily to fulfill the transport capacity of a
8 modest pipeline. That's more traffic, more risk,
9 and more emissions, which in an environmental issue
10 should be considered.

11 Pipelines opponents believe that they
12 stop pipeline development, they will stop energy
13 development. All they're really doing is advocating
14 for increased rail and truck traffic in other
15 communities. And an increase in the likelihood of
16 potential harm should there be an accident.

17 Energy developed in Pennsylvania is
18 only as good as the infrastructure developed to
19 safely deliver those product to consumers. And in
20 this case, a shift from horizontal directional
21 drilling to open cut trench installation is
22 necessary for the best - for the safety of the
23 environment and will ensure a swift and sound
24 completion to construction to minimize the impact on
25 local landowners. For these reasons and on behalf

1 of PEIA, we urge DEP to approve the modifications.
2 Thank you, John.

3 CHAIR: Your welcome. Thank you.
4 Charlie Melancon is next with Lisa Longo on deck.
5 Charlie, you have three minutes.

6 MR. MELANCON: Thank you. Charlie
7 Melancon, local Congressman from South Louisiana.
8 When the Savannah East pipeline broke ground, its
9 developer was determined to finish the project in a
10 safe, environmentally responsible manner.
11 Accordingly, Sunoco Pipeline LP wants would like to
12 change installation method from horizontal
13 directional drill to open cut trench in one
14 location, thereby eliminating the potential of
15 inadvertent return.

16 To move forward with the new plan,
17 they have submitted two permit amendment requests,
18 Chapter 102 and Chapter 105. I would ask that you
19 approve both amendment requests and continue
20 Pennsylvania's strong track record of energy
21 infrastructure. The Keystone state has been blessed
22 with an abundance of natural gas. Production
23 reached close seven trillion in 2019 as according to
24 the U.S. Energy Information Administration.

25 This increased production served as a

1 catalyst for prosperous energy industry and now
2 supports over 300,000 jobs and provides millions to
3 the economy. Pennsylvania has also emerged as a
4 winner with the production boom enabling coal to be
5 phased out in favor of natural gas, and lowering the
6 total carbon dioxide emissions by power sector by 30
7 percent.

8 All this in all, however, without a
9 strong infrastructure system in place we can't
10 transport energy resources reliably and efficiently
11 to consumers and businesses. From that, pipelines
12 like Mariner East fit the bill. They're the safest
13 method to transport energy products. Far better
14 than tanker trucks or rail. In fact, in a recent
15 study found pipelines are 4.5 times safer than rail
16 transportation where there is a greater chance of a
17 spill and causes potential environmental damage.

18 Investing in pipeline infrastructure
19 not only ensures safe management and safe
20 transportation, it is an economic boost once
21 construction begins. Mariner East is a great
22 example. During construction alone, it has had a
23 \$9.1 billion economic impact. The project has also
24 been stable source of employment for steel pipeline
25 workers in these uncertain times.

1 The proposed modification is being
2 made to ensure safe install of the pipeline. Trench
3 installation, as compared to HDD removes a threat of
4 an inadvertent return of non-toxic bentonite and
5 more. The modification also provides local
6 residents a more defined construction timeline.
7 Large construction projects are always amiss, but
8 they are absolutely critical. The modifications
9 being proposed are absolutely within reason and
10 should be approved. Thank you for allowing me to
11 make comments.

12 CHAIR: Thank you, Charlie.

13 Lisa Longo is next with Libby Madarasz
14 on deck. Lisa, you have three minutes.

15 MS. LONGO: Good evening and thank you
16 for this opportunity to speak. My name is Lisa
17 Longo and I live in Phoenixville Chester County. I
18 am here to speak about the request for a
19 modification by Energy Transfer at Marsh Creek Lake.
20 For years you could kayak at Marsh Creek. And I'm
21 here to ask that this proposal be rejected and the
22 highest level of stewardship and conservation be
23 practiced in protecting this valuable public asset
24 to our communities.

25 This hearing is about one thing. Is

1 this new route necessary and will it be safe? Will
2 it protect the community and citizens? Does it meet
3 DEP requirements in prior rulings? It is not about
4 anything else. It is not about tanker trucks,
5 non-existent American energy independence, or even
6 the Chamber of Commerce claim about jobs. So let's
7 talk about specifics.

8 Energy Transfer sent a mailer to homes
9 across Chester County in advance of this public
10 commenting in an attempt to gain public support for
11 their proposed modification at Marsh Creek. I'm not
12 sure if the DEP has seen this form, but it is full
13 of misinformation and even outright lies.

14 I would like to take this opportunity
15 to express my opposition to this proposed
16 modification by addressing each of these erroneous
17 claims. The mailer claims that the proposed permit
18 modification will maximize public and environmental
19 safety. The truth is Energy Transfer is proposing
20 this modification because it is faster and cheaper
21 even though it may be more detrimental to the
22 environment and public safety.

23 The mailer claims that Pennsylvania
24 relies on energy and Mariner East. But the truth is
25 Mariner East is not being built to supply

1 Pennsylvania with energy. The mailer claims that
2 this would be the final approval needed. That is
3 not the truth. The final approval needed has at
4 least one more and that is the HDD 360.

5 The mailer claims this proposed
6 modification directs construction away from the
7 lake. But this truth is this modification shifts
8 construction closer Marsh Creek Lake than the
9 original route and way closer than the one the DEP
10 ordered them to follow. In fact, out of all the
11 proposed plans, this one is the closest to the Marsh
12 Creek Lake.

13 The mailer claims that this proposed
14 modification will maximize public and environmental
15 safety. The truth is this modification is the most
16 convenient and quickest option for Energy Transfer.
17 It is designed to maximize corporate profit, not
18 public and environmental safety. The mailer claims
19 that the product Mariner East moves are essential to
20 our quality of life. But the truth is, Mariner East
21 is not essential to our lives. It is for the export
22 of methane overseas for plastic production.

23 If this project were so safe and
24 necessary, why would Energy Transfer need to resort
25 to what amount to misinformation campaign? How does

1 exporting byproducts to manufacture plastic increase
2 American energy independence or decrease overseas
3 reliance on Russian gas? It is absolutely absurd.
4 This is about protecting our land, air, and water,
5 not fairytales about non-existent energy impacts.
6 And certainly not about the fearmongering
7 misinformation that anyone wants to shut down energy
8 production.

9 This project will not provide energy
10 to Pennsylvania. It does not create permanent jobs.
11 This is not about energy, but an export for plastic
12 production. We should not be putting school
13 children and communities in danger for a project
14 that does not actually provide energy. We should
15 not be allowing them to ignore the DEP rules and
16 regulations. The numerous safety violations can't
17 be ignored. This project needs additional review
18 and a higher standard of safety. That is the job of
19 the DEP, to protect our air, land, and water as
20 required by the Pennsylvania Constitution. Thank
21 you for this opportunity and I ask that this request
22 be denied.

23 CHAIR: Thank you Lisa. Libby
24 Madarasz is next with Evan Sikes on deck. Libby,
25 you have three minutes.

1 MS. MADARASZ: Good evening. My name
2 is Libby Madarasz and I live in West Whiteland
3 Township. I kayak nearly every single day at
4 sunrise at Marsh Creek Lake. Twenty (20) percent of
5 the lake is still closed after 8,000 to 10,000
6 gallons of bentonite spilled there nearly a year
7 ago. It still hasn't been cleaned up. I sometimes
8 wonder if they're waiting to clean it up just in
9 case there's another spill and they only will have
10 to do it once.

11 I live in Meadowbrook Manor and the
12 incredible lack of planning and foresight has led to
13 one failure after another. There have been up to 13
14 sink holes, including one in our stream and most
15 recently one eight inches - I mean just inches from
16 the eight inch nine year old active pipeline. The
17 bore pit continuously fills up with water. In a
18 wetland, who could have foreseen that? And there
19 are sinks in yards.

20 There have been at least 17 cement
21 mixers full of grout unloaded into our wetland. For
22 11 days, sediment from a failure in their system
23 polluted a local stream. They are running into hard
24 rock that they didn't foresee and they've broken
25 drill heads. But they have a proven track record.

1 Joe McGinn claims that this has been
2 carefully planned step by step. Helen Kissick tells
3 of Sunoco's excessive degree of planning. And I ask
4 what did they do with Meadowbrook Manor? Was the
5 plan nonchalantly made here? Because my
6 neighborhood has really suffered from what they have
7 done.

8 This meeting is not about creating
9 jobs or workers that get to go home to dinner with
10 their families each night. It's not about trains
11 and tankers versus a pipeline. It's about
12 protecting our lake and protecting our environment.
13 I'm asking the Department of Environmental
14 Protection to do just that, protect the environment.
15 I'm imploring the DEP to deny Sunoco's proposed
16 reroute. Thank you. That's all I have for tonight.

17 CHAIR: Thank you very much, Libby.

18 I understand Evan Sikes is not on with
19 us. So moving forward, next up will be Eve Miari
20 with Janet Marchetti on deck. So Eve, you have
21 three minutes.

22 MS. MIARI: Thank you for the
23 opportunity. This is Eve Miari. I live in Delaware
24 County. I visit Marsh Creek State Park frequently.
25 I'm also an avid state coordinator for the cleaner

1 counsel, which is a Philadelphia based member
2 supported non-profit environmental organization
3 dedicated to protecting everyone's rights to a
4 health environment.

5 We're here tonight to offer public
6 comment on Sunoco's proposed reroute plan for HDD
7 290, the drilling site adjacent to Marsh Creek Lake.
8 The public hearing is a critical piece of the DEP
9 permitting process, allowing residents the
10 opportunity to have their voices heard, their
11 concerns considered as well.

12 The residents have been voicing their
13 concerns on this pipeline project for years. We
14 have stood before DEP at hearings. We have
15 submitted tens of thousands of comments as part of
16 the DEP public comments process. We've written
17 letters, we have sent emails, we've made phone
18 calls. Our concerns and warnings have been
19 validated in real time again and again and yet the
20 project and its damage to the environment is allowed
21 to continue.

22 Marsh Creek is a perfect example. In
23 June of 2019, residents sent public comment to DEP
24 expressing concerns about water contamination issues
25 at Marsh Creek State Park. At that time, Sunoco had

1 already caused over 200 spills of drilling fluid,
2 contaminated and in some cases destroyed local wells
3 and polluted drinking water supplies, streams, and
4 wetlands throughout Pennsylvania.

5 These issues stems from Sunoco's
6 failure to safely use horizontal directional
7 drilling. Residents have raised serious concerns
8 about the potential negative impact that could occur
9 from Sunoco Energy Transfer Partner's plan for HDD
10 under Marsh Creek, Marsh Creek Lake, and the east
11 branch, Brandywine creek.

12 The council in other forums that an
13 inadvertent return into Marsh Creek State Park
14 waterways would compromise its biological chemical
15 and physical properties, putting Marsh Creek State
16 Park at risk of contamination and permanent harm.
17 At that time we asked DEP to require Sunoco to fully
18 analyze the alternative routes it referenced in its
19 revaluation to assess whether pipeline construction
20 could be done with less impact against the
21 resources.

22 But in August 2020 an incident, both
23 predictable and in fact predicted, occurred when
24 Sunoco spilled over 8,000 gallons of industrial
25 waste into Marsh Creek Lake. To date, Sunoco has

1 now had over 300 more spills of industrial waste
2 into the watershed, causing a number of sink holes
3 and damaging additional drinking well. Enough is
4 enough.

5 By allowing Sunoco to continue under
6 the permit it issued despite all of this, DEP
7 continues to fail to protect the public and the
8 environment. The DEP will never be able to find
9 this pipeline company in compliance with the law.
10 Energy Transfer has demonstrated time and time again
11 that it is uninterested in complying with
12 Pennsylvania law and would rather pay fines at the
13 cost of doing business. Sunoco Energy Transfer has
14 lost its social license to operate in Pennsylvania.

15 For the above reasons, cleaner counsel
16 demands the immediate and permanent shut down of all
17 Mariner East construction in the Commonwealth of
18 Pennsylvania. The only solution to protecting the
19 environment from further damage is for DEP to shut
20 this criminal enterprise down by revoking existing
21 permits and prohibiting the issuance of any new
22 permits, including the permit for HDD 290. Thank
23 you.

24 CHAIR: Thank you Eve.

25 Janet Marchetti is next with Craig

1 Cody on deck. Janet you have three minutes. Janet,
2 are you with us?

3 Janet, if you can hear us, go ahead.

4 We'll attempt to get back to Janet in
5 a minute. So moving on, Craigg Cody is next with
6 Chris Rupp on deck. Craigg, you have three minutes.

7 MR. CODY: Thank you. Craigg Cody.
8 I'm Vice President of - Uwchlan Township - project
9 like this - now - project - I'm going to try to
10 focus on - Senator Ruth -.

11 ---

12 (WHEREUPON, AUDIO FROM PHONE CALL CUTS OUT.)

13 ---

14 COURT REPORTER: Excuse me, can anyone
15 hear me?

16 MR. CODY: There was - she said it was
17 not - she did say that - now, obviously, the plan -
18 safe was not safe. I'll add just one thing - I'm
19 not aware - natural gas -.

20 ---

21 (WHEREUPON, AUDIO FROM PHONE CALL CUTS OUT.)

22 ---

23 MR. CODY: Not only - but also -
24 petroleum has, kind of, been a trash in the last
25 couple decades. And - primarily the reason - seen

1 the benefits of - petroleum and plastic. It's so
2 hard to hear myself. Is there any way to - Sunoco
3 -.

4 ---

5 (WHEREUPON, AUDIO FROM PHONE CALL CUTS OUT.)

6 ---

7 MR. JAGIELA: Are you on a -.

8 COURT REPORTER: I can't hear. I
9 can't unmute.

10 MR. CODY: I -.

11 CHAIR: Yes. Hold on. We'll have you
12 try to call back in.

13 Okay?

14 Because we've been getting feedback
15 from your own speaker and into your microphone.
16 That might be why. So if you want to attempt to
17 call back in. When you get back in, we'll circle
18 back to you.

19 MR. CODY: Yep.

20 CHAIR: So in the meantime, we will
21 move forward with Chris Rupp next and then Lynn
22 Robinson on deck. Chris, you have three minutes.
23 Chris are you with us?

24 MR. JAGIELA: Chris is unmuted but
25 nothing's coming out right now.

1 CHAIR: Okay.

2 We'll continue to move on. Our last
3 scheduled speaker is Lynn Robinson. After Lynn we
4 will attempt to circle back to anyone that we had
5 missed. So Lynn you have three minutes.

6 MS. ROBINSON: Okay.

7 Can you hear me?

8 CHAIR: Yes we can.

9 MS. ROBINSON: Great. Good evening.
10 My name is Lynn Robinson. I direct a neighbors
11 taskforce that has opposed the natural gas burning
12 power plant in our environmental justice
13 neighborhood in West Philadelphia. Now speaking
14 from the perspective of the Philadelphia region,
15 opposition to Sunoco's ridiculous proposal, for its
16 irresponsible rerouted path for the Mariner East
17 pipeline.

18 In fact, we don't want the pipeline at
19 all. We will put food on the table in many other
20 ways. Natural gas is not the way of the future. In
21 terms of domestic use of methane, which is not the
22 gas plant from Mariner East, we will heat, cool, and
23 illuminate our homes in the future using network
24 geothermal energy, solar and wind, and plenty of
25 jobs will result.

1 In terms of methane for plastic
2 production, plastic packaging is making life its
3 zenith. Consumers see that we have to buy goods
4 differently. As a retired teacher, I'm Jane Doe.
5 I'm advocating for any five year old children who
6 wish to see their 25th birthday. Survival past 2050
7 is irrelevant to Sunoco's short term profit goal.
8 And I encourage the DEP to take a stand.

9 Drilling mud has continued to seep out
10 of the banks of the Mill (sic) Creek Lake and I have
11 no idea what percentage of species and their food
12 chain living in and near the water have returned to
13 their former valley. But even without drilling to
14 install the pipeline near the lake a gas pipeline
15 can leak and explode.

16 The public in Pennsylvania is
17 constantly up against environmental insecurities, in
18 spite of Pennsylvania's Constitutional Environmental
19 Amendment. Article 1 Section 27 is worded in terms
20 of equal rights for human beings in Pennsylvania to
21 access clean water, clean air and resources of
22 nature and therefore, implies that a natural
23 environment is vibrant healthy and exists.

24 When the Department of Environmental
25 Protection ordered Sunoco to reroute its

1 multi-billion dollar Mariner East pipeline and
2 Sunoco snubbed its nose and chose to go even closer
3 to the lake and through two mass wetlands, was the
4 DEP surprised? It's to be expected. But not
5 tolerated. Millions of dollars in fines for over 100
6 violations for one project are Sunoco's
7 pre-calculated costs of doing business. The ends do
8 not justify the means in this case. Sunoco's goal
9 is to transport volatile ethane and export it.

10 It is poison because ethane is used
11 for manufacturing single use plastic. Plastic trash
12 in the oceans is killing sea animals, including
13 those we eat and reducing their fertility. Micro
14 plastics in our food, water, and soil is affecting
15 human health in ways we don't even know the half of
16 yet.

17 Supporting ethane has no happy ending
18 anywhere. So DEP do your job. Don't be bullied by
19 Sunoco and their allied lobbyists and politicians
20 mouthing marketing lines saying their
21 philanthropists. The majority of Pennsylvania
22 workers do not want environmental destruction
23 locally or globally and we know that more jobs will
24 be created by replacing gas with green
25 infrastructure. So pull departments. Gas is a

1 fossil fuel and not a good investment for our state
2 and the not key to world peace. Climate change is
3 already creating drought, crop failures, wars and
4 refugees. And that's the fossil fuel industry
5 version of political and economic reality. And
6 thank you for listening.

7 CHAIR: Thank you very much, Lynn.

8 We will now circle back. I believe we
9 have Janet Marchetti with us. So Janet if you can
10 hear us, you have three minutes. Janet, are you
11 with us?

12 MR. JAGIELA: Craigg Cody's here.

13 CHAIR: Okay. Great.

14 Then we'll - we'll move on and now he
15 will be up next. Go ahead. You have three minutes.

16 MR. CODY: Okay. I apologize for
17 that. I have no feedback now. So I - I was trying
18 to say that - that fossil fuels have really changed
19 the world for the better. And the - the primary
20 beneficiaries of that are the people. So when you
21 get lower fuel prices, lower prices for all the
22 products that's made from it, I mean I could sit
23 here and list - and I won't do it, but over 6,000
24 products that are made from petroleum products.
25 This world would be really a horrible position. So

1 it's really a human rights issue. It's an
2 environmental issue that the pipeline is created so
3 it can help not only this country but the world.
4 And it's the world's people who will benefit from
5 it.

6 You can think of it in terms of - you
7 know, you could say this - the fracking has
8 revolutionized actually the world. Because it's
9 allowed the - America to become energy independent.
10 And it's - even if we're - even if the pipeline's
11 being used for petroleum and plastic, it's still
12 part of the world energy market. And the ultimate
13 beneficiaries of this are the poor and the working
14 class. Not - not in terms of just jobs, but the
15 cost of living.

16 Think of it in this sense, when you
17 have affordable energy, that's freedom for the
18 people. So when you - as in this past six months,
19 the price of fuel went up, what, 70 percent in a
20 matter of six months. That harms the poor and the
21 working class the most. So let's stop the war
22 against the poor. Let's stop the war against the
23 working class. Let's benefit the people and - and -
24 and approve this pipeline.

25 I'm - I'm not an expert on where it

1 should be rerouted. I know that excavations done
2 millions of miles per year. So the method seems
3 fine to me. I go to Marsh Creek. I go there all
4 the time, enjoy it. I don't see risk from it. I've
5 been a resident of Uwchlan Township for 30 years.
6 And I even had the pipeline on the edge of my
7 property for 15 of those years.

8 So I feel it's the best way to go for
9 environmental safety, for promoting - promoting
10 affordable energy, affordable products. It's going
11 to help the people of Pennsylvania and the people of
12 the world. So I encourage - I encourage the
13 approval of the permit modification. Thank you.

14 CHAIR: Thank you, Craig.

15 I believe we now have Chris Rupp with
16 us and so we'll go back to Chris. Chris, you have
17 three minutes.

18 MR. RUPP: Can you hear me?

19 CHAIR: Yes we can. Go ahead.

20 MR. RUPP: Thank you, John. My name
21 is Chris Rupp and I live on Waterview Road. I live
22 about 75 to 100 yards from the HDD 290 in my
23 backyard. So the drillings begun, we've had
24 standing water in my yard and the creek behind my
25 house is now a swamp. I have no living trees or

1 plants on my property and it's very dry.

2 And since drilling stopped my yard is
3 starting to dry out. Grass is starting to grow
4 again. For the first time in four years, we have
5 seen the site being dried and next year I think
6 it'll be able to be used again. We haven't been
7 able to do use the yard since prior to when the
8 drilling has begun.

9 I don't think we will ever stop
10 Sunoco. I'm not here to try to stop them. But I am
11 going to ask DEP to further explore the alternative
12 route that is further away from the lake and better
13 for our wetlands and for the lake.

14 My family uses the lake all the time,
15 as they did the stream. Proponents here talk about
16 restoring affected areas caused by the directional
17 drill and by open trench cutting. We were told - we
18 were told we were too far away from anything that
19 Sunoco is doing to be affected. But we've been told
20 that for the last three years and then when we had a
21 spill all of sudden, I came home one night to a
22 million people in my back yard and a helicopter
23 right above the trees.

24 All the proponents for it all talk
25 about skilled laborer and have a better life for the

1 family. I'm also a skilled laborer. But my
2 families' life has been torn apart and run through
3 the ringer over this. No one in Sunoco seems to
4 care about me.

5 Well my question is where will all the
6 wastewater from the trenches go? That would be my
7 main concern because if it's only going back in the
8 ground, my yard's going to be flooded again and
9 that's going to take another two years to dry out.
10 I'm also the working man and all I hear is all these
11 proponents on here that seem to want to protect the
12 working man. But they don't know that they don't
13 even want to know my name at Sunoco. Thank you very
14 much. I appreciate your time. And have a great
15 night.

16 CHAIR: Okay.

17 Thank you very much, Chris. I believe
18 we will try Janet Marchetti one last time. Janet
19 are you with us? Janet, can you hear us?

20 It seems we reached the end of our
21 pre-registered list. We will circle back and see if
22 anyone who we missed the first time here has now
23 joined us.

24 Darek, has anybody that we missed
25 dialed back on?

1 MR. JAGIELA: No.

2 CHAIR: Okay.

3 One last time for Janet. If you can
4 hear us, go ahead.

5 Okay.

6 So that brings us to the end of all of
7 our registered speakers. So this will conclude this
8 evening's virtual public hearing. DEP will continue
9 to accept comments on these amendment applications
10 until June 23rd, 2021, next week. Please email your
11 comments to R-A hyphen E-P-W-W hyphen S-T-R-O@pa.gov
12 or submit by mail to DEP South East Regional Office
13 Waterways and Wetlands Program, 2 East Main Street
14 Morristown, PA 19401.

15 I want to thank you for your
16 participation tonight. On our behalf of DEP, we
17 appreciate your interests. Thank you and have a
18 good night.

19 * * * * *

20 HEARING CONCLUDED AT 7:45 P.M.

21 * * * * *

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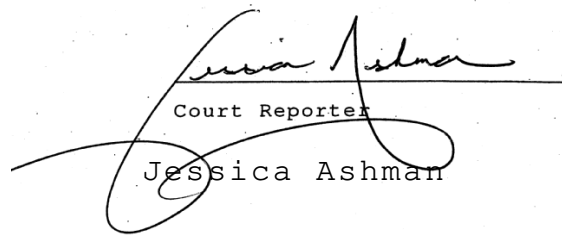
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CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 6/16/2021 and that I, Jessica Ashman, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding. This notarial act involved the use of communication technology.

Dated the 23rd day of June, 2021


Court Reporter
Jessica Ashman