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FOURTH DISTRICT  
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**TOWNSHIP OF MIDDLETOWN**

DELAWARE COUNTY, PENNSYLVANIA

[www.middleowntownship.org](http://www.middleowntownship.org)

27 N. PENNELL ROAD

P.O. BOX 157

LIMA, PA 19037-0157



610-565-2700

FAX 610-566-3640

MANAGER  
W. BRUCE CLARK

ENGINEER  
KELLY & CLOSE ENGINEERS

SOLICITOR  
JOSEPH A. DAMICO, JR., ESQ

October 4, 2016

Patrick McDonnell, Acting Secretary  
Department of Environmental Protection  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17101

SECRETARY'S OFFICE

OCT 12 2016


DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

Dear Mr. McDonnell:

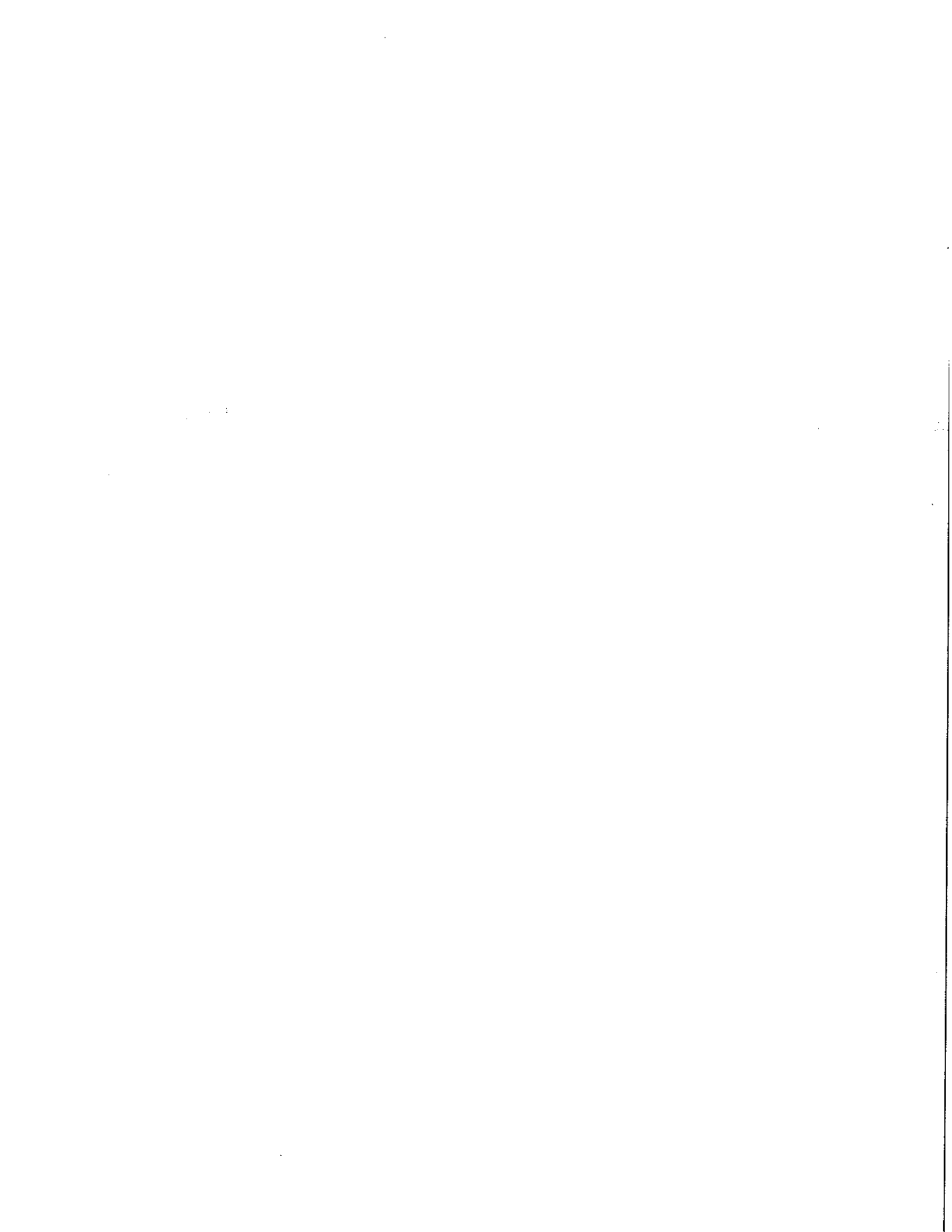
Enclosed please find a copy of a Proclamation that was approved by the Middletown Township Council on September 26, 2016 expressing Council's concerns with regard to the Sunoco Mariner East II pipeline that is proposed to be constructed along a course through Middletown Township. With the Proclamation, Township Council is requesting assistance from your office, as well as from the Pennsylvania Department of Environmental Protection and the Public Utility Commission in the oversight and approval of pipeline activities in order to ensure the continuous and ongoing safety and wellbeing of Middletown Township and its residents.

Thank you for your consideration.

Very truly yours,

  
W. Bruce Clark  
Township Manager

WBC:jlk  
Enclosure



**MIDDLETOWN TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**PROCLAMATION**

A PROCLAMATION of the Middletown Township, Delaware County, Township Council, expressing great concern to the Governor of the Commonwealth of Pennsylvania, to the Pennsylvania Department of Environmental Protection ("PADEP"), and to the Pennsylvania Public Utility Commission ("PUC") regarding a natural gas liquids ("NGLs") transmission pipeline project that raises safety concerns in the Township.

**WHEREAS**, a proposed Sunoco pipeline known as Mariner East 2 could, if constructed, transport through Middletown Township approximately 275,000 barrels (11,550,000 gallons) per day of NGLs (with the potential to expand to approximately 450,000 barrels (18,900,000 gallons) per day); and

**WHEREAS**, the NGLs, that are being transported through the Township by Sunoco, are, if released, gaseous, invisible, odorless, toxic, heavier than air and highly flammable; and

**WHEREAS**, this project has the potential to jeopardize public safety in Middletown Township in the event of accidental leaks, explosions, or fire;

**NOW THEREFORE, BE IT PROCLAIMED** that the Middletown Township Council expresses deep concern about the proposed Sunoco Mariner 2 East transmission pipeline to the Governor of the Commonwealth, the Secretary of the PADEP, and the PUC. Of particular concern to the Council Members are:

I

The high level of potential risk to Township residents which may occur due to the nature of the NGLs proposed to be transported through the Township. This risk must be demonstrably mitigated by such measures as the development of an incident response plan which includes (but is not limited to) viable worst-case evacuation routes developed in cooperation with the Township personnel and affected residents; enhanced safety equipment and safety training for first responders.



## II

Essential to the powers of the Township are the police powers granted generally under Pennsylvania law, and the power to regulate the uses and development of land granted by the Municipalities Planning Code. Exemptions given to public utilities under these enabling bodies of law and judicial decisions interpreting their applicability severely weaken the Township's ability to exercise its police powers and its ability to fully protect the health, safety and welfare of its residents.

## III

Legislation is needed to more fully empower the Township to exercise control over public utility facilities at the local level, which in turn supports the Commonwealth's responsibility for ensuring the health, safety and welfare of the citizens of the Commonwealth.

**BE IT FURTHER PROCLAIMED**, the Township understands the concerns expressed by Township citizens with respect to the safety of the pipeline, the emergency preparedness steps which must be taken in the event of a leak or spill, and the need for effective evacuation plans. Township Council noticed and advertised public meetings which were held on January 16, 2016, August 22, 2016, and September 26, 2016 to address such concerns, and received additional comment at public meetings on July 25, 2016 and September 12, 2016. The level of risk must be mitigated by developing a comprehensive risk assessment study and incident response plan. Enhanced safety equipment and safety training for first responders must be reviewed and instituted.

The Township hereby conveys its concerns to Governor Wolf, the Secretary of the PADEP, and the Chairman of the Public Utility Commission. We join in the expression of concern set forth in the September 9, 2016 letter from Senator Tom Killion and Representative Chris Quinn to the Chairs of both the State and House Veterans Affairs and Emergency Preparedness Committees, a copy of which is attached hereto, and we request that the Committees hold additional public hearings to compile a complete and thorough record of all safety efforts and requirements currently in place, so that all needed steps are taken in the future to ensure the safety of the Middletown Township citizens.



**PROCLAIMED** by the Council Members of Middletown Township, Delaware County, Pennsylvania, at the regular meeting of said Council held this 26<sup>th</sup> day of September.

**TOWNSHIP OF MIDDLETOWN**

SIGNED: \_\_\_\_\_



MARK KIRCHGASSER  
COUNCIL CHAIRMAN

ATTEST: \_\_\_\_\_



W. BRUCE CLARK  
TOWNSHIP MANAGER







September 9, 2016

MAIN CAPITOL BUILDING  
HARRISBURG, PENNSYLVANIA 17120

The Honorable Randy Vulakovich  
Chair  
Senate Veterans Affairs & Emergency Preparedness Committee  
168 Main Capitol Building  
Harrisburg, PA 17120-3038

VIA: HAND CARRY

The Honorable Stephen Barrar  
Chair  
House Veterans Affairs & Emergency Preparedness Committee  
18 East Wing  
Harrisburg, PA 17120-2160

VIA: HAND CARRY

Dear Chairmen Vulakovich and Barrar:

As you well know, the recent discovery of abundant natural gas deposits in Pennsylvania has placed Pennsylvania square in the middle of an energy and manufacturing renaissance across the world.

There is no doubt this new chapter of energy production and manufacturing will have enormous impacts on the economy here in Pennsylvania and across the world. As the world continues to look to natural gas as a new energy source and feedstock for a multitude of manufacturing processes, it is incumbent upon elected officials to be engaged and informed as this transformation unfolds.

One of the many considerations that arises is how natural gas related products are moved to their final destination. As we understand it, the use of pipelines is often the most desirable mode of transportation for these products.

As we interact with our constituents we have had many conversations about an array of different issues related to the use of pipelines. Chief among them has been questions about public safety.

Recognizing there is a complex regulatory framework in place that governs the use of pipelines which spans state and national authorities, we are writing to you as the chairmen of the state Senate and House Veterans Affairs & Emergency Preparedness Committees to request that your committees hold public hearings to compile a thorough record of the current safety efforts and requirements in place. We believe this effort will help officials understand the current scope of safety regulations and also allow us to examine if there are any additional steps that our state should take to ensure the safety of those who entrust us with the honor to represent them.

We appreciate your consideration of this request and look forward to working with you to make sure that public safety is always a top priority in Pennsylvania.

Sincerely,

Handwritten signature of Tom Killion.

Senator Tom Killion  
9<sup>th</sup> Senatorial District

Handwritten signature of Chris Quinn.

Representative Chris Quinn  
168<sup>th</sup> House District

