

Waiver Request 1



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov
Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Waiver from 3/19/2020 Emergency Order –
Activities to Comply with Permit Conditions, Security, and Safety Concerns

Governor Wolf:

Energy Transfer and its affiliates and subsidiaries are suspending construction of various pipeline and related infrastructure projects located across the Commonwealth in accordance with the 3/19/2020 Emergency Order.

During the time period that construction activity will be suspended on these projects, Energy Transfer and its subsidiaries will nevertheless be required to inspect and maintain the construction work spaces to ensure compliance with existing environmental permits, to maintain security at work spaces, and to address any safety concerns at work spaces as necessary.

This letter seeks to confirm that such activities are not subject to the 3/19/2020 Order. To the extent that these activities would be considered to be subject to the 3/19/2020 Order, Energy Transfer seeks a waiver to ensure the company's ability to maintain compliance and address environmental, security, and safety concerns as they may arise.

All employees and contractors will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe McGinn". The signature is fluid and cursive, with a prominent loop at the end.

Joseph McGinn
Vice President of Public Affairs
Energy Transfer

Waiver Request 2



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov

Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Wavier from 3/19/2020 Emergency Order –
STABILIZE, SECURE, AND DEMOBILIZE CONSTRUCTION SITES

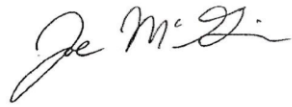
Governor Wolf:

Energy Transfer and its affiliates and subsidiaries constructing in Pennsylvania (collectively, ET) are suspending construction of its projects located across Pennsylvania in accordance with the 3/19/2020 Emergency Order. Despite ET's compliance with the 3/19/2020 Emergency Order, there are locations where ET requires up to 10 additional days to fully stabilize, secure, and demobilize some construction sites and ensure when ET and its contractors leave the site that no reasonable potential for harm to public safety exists at the site. ET is working as quickly as reasonably and safely possible to fully stabilize, secure, and demobilize all construction sites.

ET therefore respectfully requests a ten-day waiver from the March 19, 2020 Emergency Order to completely stabilize, secure, and demobilize all construction sites, which is necessary to ensure public safety and security at these construction work sites.

All employees working at locations that are in the process of stabilizing, securing, and demobilizing will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment.

Sincerely,

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Joseph McGinn
Vice President of Public Affairs, Energy Transfer

Waiver Request 3



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov

Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Wavier from 3/19/2020 Emergency Order –
Mariner East 2/2X Project – U.S. Army Corps of Engineers Properties

Governor Wolf:

Sunoco Pipeline L.P. (“SPLP”) is suspending construction of the Mariner East 2/2X Pipeline Project in accordance with the 3/19/2020 Emergency Order. Despite SPLP’s compliance with the Order, there are certain critical locations where the cessation of all construction activities presents a serious concern for safety and security, or where ceasing construction may result in potential adverse impacts to human health or the environment. These locations include three in-progress horizontal directional drills (“HDDs”) for the Mariner East 2/2X Pipeline Project on property owned by the United States Army Corps of Engineers:

1. Loyalhanna Lake, Loyalhanna Township, Westmoreland County;
2. Livermore Road, Derry Township, Westmoreland County; and,
3. Raystown Lake, Penn Township, Huntington County.

Completion of the HDDs at each of these locations is necessary to address safety concerns and to prevent potential adverse impacts to human health and the environment. All three locations are at a significantly-advanced stage of the HDD process. If SPLP is not permitted to complete this critical final work because it must cease all activities at these work sites for an indefinite period of time there is a significant risk that the HDD boreholes will collapse and be lost, creating adverse impacts to the environment and safety concerns. In fact this has occurred at other HDD locations during prior work stoppages on the Mariner East 2/2X Pipeline Project. SPLP therefore respectfully requests a waiver to allow construction to continue at these work locations, which are expected to be completed by May 1, 2020.

A brief summary of each of these locations follows.

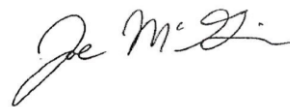
The Loyalhanna Lake location is an over 4,000-foot HDD crossing beneath an aquatic resource where the company recently received approval from the Pennsylvania Department of Environmental Protection to restart construction. There are only 6 days remaining on the pilot stage of the HDD, to be followed by the ream stage, and pullback of the product pipeline into the HDD borehole.

Second, the Livermore Road location is an over 2,300-foot HDD crossing beneath two roadways and an aquatic resource, that was currently over 94% complete in the pilot stage of the HDD, followed by the reaming stage and pullback of the product pipeline into the HDD borehole.

Last, the Raystown Lake location is an over 4,700-foot HDD crossing beneath Raystown Lake, one of the Commonwealth's premier natural recreational resources. The HDD is progressing as a combination pilot and ream and has advanced to approximately 3,450 of the total 4,700-foot length of the HDD. Once the HDD process is complete, pullback of the product pipeline will be completed through the HDD borehole.

All employees working at these three critical locations will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment. Moreover, SPLP's work sites generally have fewer than 10 workers per acre at one time. We have also taken measures to separate overlap between workforces, for example, clearing/grading/fencing crews and inspection crews are in and out before our welding crews, and clean-up crews do not arrive on site until welding crews have left the work space. Twice-daily safety meetings remain mandatory but are being held in smaller groups and maintaining social distancing best practices.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe McGinn". The signature is fluid and cursive, with a large initial "J" and "M".

Joseph McGinn
Vice President of Public Affairs

Energy Transfer

Waiver Request 4



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov

Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Waiver from 3/19/2020 Emergency Order –
CONSTRUCTION ACTIVITIES TO AVOID ROAD CLOSURES

Governor Wolf:

Sunoco Pipeline LP (“SPLP”) is suspending construction of the Mariner East 2 pipeline construction project in accordance with the 3/19/2020 Emergency Order. Despite SPLP’s compliance with the 3/19/2020 Emergency Order, there are two critical locations where the cessation of pipeline construction activities presents a serious concern for public safety. These two locations are a road bore presently underway at Pottstown Pike, located in West Whiteland Township, Chester County, and the open cut of a portion of Appalachian Drive, located in Middlesex Township, Cumberland County.

In both of these locations, SPLP has already initiated pipeline construction activities within the roadway right-of way. The Pottstown Pike road bore is shallow, with approximately 161 feet of the 850 foot bore completed beneath this roadway. In addition, this road bore includes open pits excavated on both sides of the roadway to allow for the road bore construction. At Pottstown Pike, cessation of activities would mean the removal of equipment midway through the boring process, leaving an open bore hole underneath Pottstown Pike, creating the possibility of a road closure and/or collapse. In addition, the excavated pits to either side of the Pottstown Pike would remain open creating a public safety hazard. With respect to Appalachian Drive, the roadway has been closed and there is an open cut in the roadway for approximately 356 feet of its 860 foot length. This situation could remain with the cessation of activity.

SPLP therefore respectfully requests a waiver to allow sufficient time for the proper completion of these construction activities within the roadway rights-of-way, including backfilling and subsequent stabilization of the excavations, and demobilization of equipment. SPLP estimates that these activities will take until April 27, 2020 to complete.

All employees working at these three critical locations will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment. Moreover, SPLP's work sites generally have fewer than 10 workers per acre at one time. We have also taken measures to separate overlap between workforces, for example, clearing/grading/fencing crews and inspection crews are in and out before our welding crews, and clean-up crews do not arrive on site until welding crews have left the work space. Twice-daily safety meetings remain mandatory but are being held in smaller groups and maintaining social distancing best practices.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe McGinn".

Joseph McGinn
Vice President of Public Affairs
Energy Transfer

Waiver Request 5



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov

Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Waiver from 3/19/2020 Emergency Order –
Critical Work Locations for the Mariner East 2/2X Project and the
Hemlock Ridge Estates Pipeline and Meter Station

Governor Wolf:

Energy Transfer and its affiliates and subsidiaries are suspending construction of various pipeline and related infrastructure projects located across the Commonwealth in accordance with the 3/19/2020 Emergency Order. Two critical in-progress projects are the Mariner East 2/2X Pipeline Project being constructed by Sunoco Pipeline L.P. (“SPLP”), and the Hemlock Ridge Estates Pipeline and Meter Station being constructed by Regency Marcellus Gathering LLC. Despite the companies’ compliance with the Order, there are certain critical locations where the cessation of all construction activities presents a serious concern for safety and security, or where ceasing construction may result in potential adverse impacts to human health or the environment. A brief summary of each of these locations together with a request for a waiver, is provided below.

Open Trench/Pit Locations on Mariner East 2/2X Pipeline Project

There are four work locations on the Mariner East 2/2X Pipeline Project where open excavation trenches/pits exist that present an immediate safety concern. SPLP respectfully requests a waiver of 10 days to complete work at each of these locations.

1. **Piney Creek (Blair County)** – open excavation has been 64% trenched, 45% has already be backfilled; remaining work includes installation of remaining pipeline in trench, tie-in, backfill, stabilization, and demobilization.
2. **Delmont Terminal (Westmoreland County)** – open deep excavation in publicly-accessible area adjacent to terminal, at significant depth that is shored up with trench

boxes at a location where pipeline comes into the terminal; pipeline is installed in the excavated ditch; remaining work includes tie-in, backfilling, stabilization, and demobilization.

3. **Beckersville Terminal (Berks County)** – open deep excavation in publicly-accessible area adjacent to terminal, at significant depth that shored up with trench boxes at a location where pipeline comes into the terminal; remaining work includes installation of pipeline in excavated ditch, tie-in, backfilling, stabilization, and demobilization.
4. **Chestnut Hill (Berks County)** – open excavation where pipeline is currently placed in the excavated ditch; remaining work required includes tie-in, backfilling, stabilization, and demobilization.

Horizontal Directional Drill (“HDD”) Locations on Mariner East 2/2X Pipeline Project

Prior to the Order, SPLP was approved or actively constructing 46 HDD locations across the Commonwealth. The following locations have particular concerns that necessitate a waiver from the Order. Completion of the HDDs at each of the locations listed below is necessary to address safety concerns and to prevent potential adverse impacts to human health and the environment. If SPLP is not permitted to complete this critical final work because it must cease all activities at these work sites for an indefinite period of time there is a significant risk that the HDD boreholes will collapse and be lost, creating adverse impacts to the environment and safety concerns. In fact this has occurred at other HDD locations during prior work stoppages on the Mariner East 2/2X Pipeline Project. SPLP requests a waiver for the following locations, for the time periods listed below.

5. **Milford Road/Little Conestoga Road, HDD # 290 (Chester County)** – this HDD is in the pilot stage of the HDD process; groundwater is currently surfacing through the HDD borehole that must be maintained.
 - Request for waiver to allow SPLP to maintain groundwater that is surfacing and prevent flooding and safety concerns.
6. **Bow Tree/Matlack Strasburg Road, HDDs # 520/530 (Chester County)** – this HDD is in the pilot stage of the HDD process; groundwater is surfacing through the HDD borehole that must be maintained.
 - Request for waiver to allow SPLP to maintain groundwater that is surfacing and prevent flooding and safety concerns.

7. **Arch Bishop/South Chester Road HDD # 541 (Chester County)** – this is a 6,366-foot HDD that is 54% in the final ream stage; once HDD process is complete, pullback of the product pipeline will be completed through the HDD borehole. This HDD location also has surfacing groundwater that must be maintained.
 - Request for wavier to complete HDD process and pipeline pullback and maintain groundwater that is surfacing to prevent flooding and safety concerns.
8. **Creek T-307, HDD # 110 (Lebanon County)** – this is a 1,678-foot HDD that has completed the final ream stage and was scheduled to begin swabbing (i.e. cleaning) to prepare for pipeline pullback.
 - Request for wavier to complete HDD process and pipeline pullback.
9. **Whitehouse Lane, HDD # 011 (Dauphin County)** – this is a 1,805-foot HDD that was in the process of swabbing (i.e. cleaning) to prepare for pipeline pullback.
 - Request for wavier to complete HDD process and pipeline pullback.

Other Mariner East 2/2X Work Locations

10. **Valley Road, HDD # 591 (Delaware County)** – this work location was currently in process of completing geophysical bores to confirm geotechnical studies to determine whether a subsurface void may exist and to develop a grouting plan as necessary.
 - Request for waiver to complete geophysical investigation and perform grouting mitigation work, as necessary.

Hemlock Ridge Estates 8” Pipeline and Meter Station

11. Regency Marcellus Gathering LLC is presently constructing an 8-inch gathering pipeline to support the oil and gas extraction activities of Chief Exploration and Development LLC (“Chief”). This project is called the “Hemlock Ridge Estates 8” Pipeline and Meter Station.” This activity is located in an exceptional value watershed in Lycoming County, and a cessation of this activity could result in increased sediment discharges into this waterway. In addition, the pipe string to be installed is located next to an open ditch and currently placed on temporary supports which are not designed for extended periods, which may present a safety concern if allowed to remain in the long term. Therefore, we request a waiver to allow the completion of the construction of this project until June 15, 2020. Since this project is of critical importance to pipeline activities that are not affected by the Governor’s Order, I have attached a copy of the letter that Chief sent to the Pennsylvania Department of Community and Economic Development.

All employees working at each of these critical locations will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment. Moreover, the companies' work sites generally have fewer than 10 workers per acre at one time. We have also taken measures to separate overlap between workforces, for example, clearing/grading/fencing crews and inspection crews are in and out before our welding crews, and clean-up crews do not arrive on site until welding crews have left the work space. Twice-daily safety meetings remain mandatory but are being held in smaller groups and maintaining social distancing best practices.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe McGinn".

Joseph McGinn
Vice President of Public Affairs
Energy Transfer

March 20, 2020

The Pennsylvania Chamber of Business and Industry
417 Walnut Street
Harrisburg, PA 17101

RE: Request for Waiver – Oil & Gas Extraction Activities Includes Construction of Energy Transfer’s Hemlock Ridge Estates Lateral

Dear Department of Community and Economic Development,

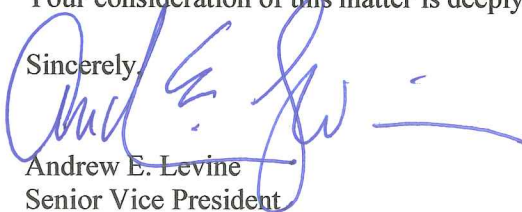
Chief Exploration & Development LLC (“Chief”) currently produces in excess of 1 Bcf per day of natural gas from wells it operates throughout the Commonwealth of Pennsylvania, representing in excess of 1% of United States production. Chief maintains an inventory of acreage and is actively developing, drilling and completing well locations today. Volumes from Chief’s wells are subsequently delivered to various gathering systems, also located in the Commonwealth, and then into the interstate pipeline grid for ultimate consumption by various residential, commercial, and industrial end users throughout the United States. The development of Chief’s wells, and the related transportation of the resulting volumes provides these end users with access to cheap natural gas supplies from the Marcellus shale, provides for good and high paying jobs for Commonwealth residents, contributes to local and state tax bases, and helps to reduce our nation’s reliance on foreign energy sources.

Currently, Chief is in the process of completing a five well pad located in Lycoming County, Pennsylvania known as the Hemlock Ridge Estates (“HRE”). HRE has been in development or execution for over three years. Chief projects that when these wells have been completed, they will provide approximately 150,000 Mcf per day into the northeastern pipeline grid for consumption by the end users outlined above. As a part of this project, Energy Transfer (“ET”) had begun constructing the approximately two miles of eight inch diameter pipeline that is necessary to gather these volumes from the wellhead and deliver the volumes into the downstream interstate system.

We are asking that the construction of the ET HRE lateral be allowed to continue to facilitate the delivery of these volumes into our nation’s pipeline grid. We fully recognize that on March 19, 2020, Governor Tom Wolfe published a list requiring the closure of non-life-sustaining businesses (the “Order”). However, within that Order, there were provisions made for “Oil and Gas Extraction Activities” as they are deemed as life-sustaining. Chief respectfully asserts that the construction of the ET HRE lateral falls squarely within the exemption for “Oil and Gas Extraction Activities” as outlined in the Order for the reasons stated above and believes a waiver should be granted. Therefore, Chief fully supports ET being granted a waiver from the Order that was published on March 19, 2020 to allow for the completion of this lateral.

Your consideration of this matter is deeply appreciated.

Sincerely,



Andrew E. Levine
Senior Vice President
Chief Exploration & Development LLC

Waiver Request 6



March 20, 2020

Via E-mail – RA-dcexemption@pa.gov

Governor Tom Wolf
Commonwealth of Pennsylvania
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

RE: Request for Wavier from 3/19/2020 Emergency Order –
**Compliance with the Consent Order and Agreement dated January 3, 2020
for the Revolution Pipeline Project**

Governor Wolf:

ETC Northeast Pipeline LLC (“ETC”) respectfully requests a waiver from the 3/19/2020 Emergency Order. Presently, ETC is complying with a Consent Order and Agreement (the “COA”) signed with the Department of Environmental Protection (the “Department”) and dated January 3, 2020 which provides, in short, that ETC stabilize certain sections of the Revolution pipeline right-of-way, maintain erosion and sedimentation control devices along the right-of-way, prepare specified plans to address certain slopes, and implement those plans upon the approval of the Department.

If ETC were to cease the work set forth in the COA, there is a high probability that erosion would increase along certain portions of the Revolution right-of-way, leading to sedimentation of waters of the Commonwealth. Certain slopes along the right-of-way would remain unaddressed and be subject to the potential for future slips. In addition, granting this waiver request is consistent with an email dated March 20, 2020 received from Daniel F. Counahan, District Oil and Gas Manager for the Department’s Southwest District Oil and Gas Operations and whom coordinates some of the Department’s correspondence with ETC on Revolution. (A copy of Mr. Counahan’s email is attached.)

Therefore , ETC respectfully requests a waiver from the 3/19/2020 Emergency Order to allow for ETC to continue to comply with the COA. This waiver request does not include any pipeline construction work, and only covers work to allow ETC to continue to comply with the requirements of the COA.

All employees working along the Revolution right-of-way will follow guidelines from the CDC and federal Occupational Safety and Health Administration and take all possible precautions to protect personal and public health and safety while working within the project right-of-way, including: implementing social distancing practices, hygiene and infection control practices; regular cleaning and disinfecting of work surfaces; equipment and other materials; restricting outside site visitors to work spaces; requiring workers to stay home if they are sick or had been in contact with someone who is sick; and using additional engineering and administrative controls, safe work practices, and personal protective equipment. Moreover, the worksites along the Revolution pipeline right-of-way generally have fewer than 10 workers per acre at one time. Twice-daily safety meetings remain mandatory but are being held in smaller groups and maintaining social distancing best practices.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe McGinn".

Joseph McGinn
Vice President of Public Affairs
Energy Transfer

Attachment

From: "Counahan, Daniel" <dcounahan@pa.gov>

Date: March 20, 2020 at 11:55:48 AM EDT

To: "Daniel, Jeremy" <Jeremy.Daniel@energytransfer.com>

Subject: RE: [External] Revolution Pipeline Ongoing Field Activities - Governor Wolf's Order

Jeremy,

It is the Department's position that work related to the Department's Orders and approvals (ESCP, TSP, Redlines, Minor Modifications, etc.) may continue as this work is essential to remediation of not only ongoing environmental damage, but it also represents a significant potential threat to health and human safety. I do not feel that you need to temporarily stabilize active sites if there is still work to be conducted pursuant to the approved plans. If ETC decides to change the list of ongoing field activities listed below because of this message, I kindly ask that you send me a revised list and/or ensure that the daily scatted sheets continue to be provided in advance of the next working day.

If I receive any updated information from executive staff, I will be sure to follow up with you promptly.

Thank you for reaching out. If you have additional questions, please let me know.

Thanks,

Dan

Daniel F. Counahan | District Oil and Gas Manager
Department of Environmental Protection
Southwest District Oil and Gas Operations
400 Waterfront Dr. | Pittsburgh, PA 15222
Phone: 412.442.4006 | Fax: 412.442.4328
www.dep.pa.gov

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