

## **Pipeline Safety Joint Hearing before the Senate Environmental Resources & Energy Committee and the Senate Consumer Protection & Professional Licensure Committee**

Hearing Room 1, North Office Building, March 20, 2018

Testimony of Rebecca Britton, Founder Uwchlan Safety Coalition and Downingtown Area School District School Board Director Region 4.

Good morning Chairman Yaw, Chairman Tomlinson, Senator Rafferty, Senator Dinniman, Senator Leach, and the other distinguished Senate Committee members. Thank you for the invitation to testify today.

My name is Rebecca Britton. I am the founder of Uwchlan Safety Coalition. We are a grass roots and bipartisan assembly of safety conscious citizens working to educate and engage our community, community organizations, government officials and agencies; for the purpose of, protecting our families, rights, and property from the dangers inherent to the construction of transmission pipelines and, especially, the transport of industrial quantities of natural gas liquids through densely populated areas.

I came here today to share with you my personal story, how Uwchlan Safety Coalition came to be, and the story of my community. I share this with the caveat, that while listening you remember my story while it's details are unique to me, it's underpinnings are the truths shared by the residents of Chester and Delaware Counties. My husband and I moved to Uwchlan Township, Chester County in June 2015. Like all young families we searched long and hard to find a community we could be proud to raise our family in. I can still remember driving into the neighborhood for the first time. Sidewalk lined streets, tall trees that cast shade over rolling manicured lawns. It was an ideal suburban community. About two months after we moved in we were told about a new pipeline project proposed to traverse our lovely community. This pipeline would have colorless, odorless, heavier than air, highly combustible gases as it's contents. That week I attended my first township meeting. Residents clutched infants in their arms and cried. Some were angry, others frustrated, but, all were defeated and let down. That night we found out that not only were we to expect two new lines, but, that there was also an existing line already transmitting these highly volatile liquids. This line was a converted 80 year old pipe that had had its flow reversed, product changed, and the pipeline operator did not even bother to tell the easement owners it was already delivering the Natural Gas Liquids. They just weren't required to, so they didn't.

By law each homeowner within one thousand feet of the line receives a yearly mailer as part of the pipeline operators required "public awareness program," but, the potential impact zone is more like 1500 feet or greater. Not all my neighbors know they are in jeopardy. Many don't

understand the risks as they truly exist. Should the pipeline leak our only instructions are to run upwind, uphill, on foot, a half a mile. Our communities only known notification system is reverse 911, meaning that the use of this notification system could itself provide an ignition source. Unfortunately, according to the government, phones are potential ignition sources. We also cannot start a car engine or even use a doorbell. I often imagine what an evacuation looks like in my community. We have many homes, many different levels of awareness. Would me guiding my children out the door put them in more danger? Again, the pipeline operator is doing the bare minimum it is required to do.

The same pipeline that traversed through our neighborhood also runs alongside five schools in our school district. My and many of my neighbors' children will attend school, k through 12, within the probable impact radius of this line. In one location 3 schools sit within close proximity to each other and along the pipeline path. There are more than 2,500 students and several hundred staff learning and working here in the busiest intersection in the county. The pipeline operator has instructed county and local first responders to have school children whose school is up wind of the pipeline to evacuate on foot should a leak occur. Downwind they are to shelter in place. With the gases being odorless how will these children even stand a chance to know if they are in danger? How will a kindergarten teacher safely get twenty or more children a half mile away from a pipeline when its contents could ignite at any moment in a fireball explosion type event?

We began engaging with first responders not only in our township but in the townships that our residents relied upon in our mutual aid agreements. One fire chief told me if the line should leak he would, "walk up to the line and call the number on the pole". Phones are an ignition source. In a neighboring township a police chief told me, "I shouldn't worry, in the event of a leak his officers would continue to knock on doors until they could smell the mercaptan in the air." But as you already heard, there is no odorant added to these materials. The more I spoke to my elected officials and our first responders the more evident it became that the responsibility to inform the community fell on the residents. Over the next several months Uwchlan Safety Coalition connected with communities and other citizen-led groups that have formed along the pipeline path in this high consequence area of the state. Together we taught our local police, fire, school district officials, and Emergency Municipal Coordinators about the dangers in our community. These conversations ultimately lead to our county's Emergency Management Services having its first meaningful interactions with the pipeline operator. County officials were, for the first time, shown the operator's risk assessment, and began new trainings to understand how a hazmat officer might even begin to engage a large diameter, high pressure, high capacity, highly volatile liquids pipeline. These same hazmat officers are instructed not to go into an area where these gases are detected, nor do I think they should have to.

My husband is a police officer, I know something about these brave men and women who are likely first on the scene should a catastrophic event occur. They run into danger as everyone else is running out. They go to work with the reasonable expectation they understand the risks

as they exist locally. If they are not prepared to meet the local hazards they could be not only putting themselves at risk but be unintentionally doing something that is contrary to their duty to protect and possibly contribute to the undoing of our community. The operator again will tell you, they are in compliance with the state regulations.

It is important to acknowledge how we got here. Mariner East's Certificate of Public Convenience was originally issued in 1930 to the Susquehanna Pipe Line Company and changed hands a number of times before being acquired by Sunoco Pipeline LP in a transfer of assets in 2002. When its route was created the homes were not here and the populations were sparse. The home heating oil it carried was a relatively benign safety hazard. In 2014 when Sunoco changed the pipe's material because they had the existing Utility Status their Integrity Management Plan was never publicly evaluated in a full public hearing ensuring the project was in compliance with PA title 66 section 1501 ensuring the safety of the public. The existing easements were in place and even though the community grew into a high consequence area the route was easy pickings and its public utility status allowed the company to take property under threat of eminent domain.

Regardless, of the supposed economic benefits you will hear about today; expanding pipeline infrastructure without balancing the need for public safety, we grow this expansion haphazardly. The results of these loopholes in legislation have created a landscape where the public feels our interests are not being met. In Chester and Delaware Counties many easement owners with the means to do so have sold their homes and fled the path of the pipeline. Children sleep as close as 25 feet from the pipeline and the easement traverses sometimes under foundations. Schools are less than 100 feet from the most unstable gases in the industry, because the only entity that approved this route was the operator itself. Our first responders may/may not be properly equipped or prepared. Uninformed residents are being subjected involuntarily to risks they don't understand.

Our community and communities across Pennsylvania are in dire need of remedy. In the supposed sanctity of our homes and schools we feel uncertain. We cannot depend on our senses to keep us safe. We have no viable early warning system and inadequate public awareness programs. Senators, Pennsylvania is the only state in the union this could have happened because we are the only state without a siting agency.

Finally, I leave you with this. In 2011 PHMSA made a recommendation that operators of Highly Volatile Liquid pipelines running through high consequence areas must put safety valves every 7.5 miles. Operators made a financial argument. It was too costly to do this. In fact, it was cheaper to just pay the damages on life and property should a worse case scenario occur. This means my life, my childrens' lives, and the lives of each of the 105,000 Pennsylvanians who live in the path of this pipeline has been assigned a dollar amount. A for-profit company has placed a value on our lives. We have been reduced to a statistical figure that indicates profit and loss to a shareholder. I humbly ask the Committees here, what is the life of a child worth? What is the lives of 2,500 students worth? When you consider how you will vote on this pipeline safety package remember; the pipeline operator that I have talked about today will tell you, "they are

in compliance to the letter of the law". IF this is true then I hope my testimony today proves that the current laws are not at all adequate.

I urge the Senators today to vote yes to this package before your Committees to bring it to the floor to a vote. Please act swiftly. Do not allow another pipeline project to be approved through this state until this has been ratified. Do not allow what has happened to my community to happen to another. Please put people over profit and pipelines.

Thank you for giving me the floor today and hearing our story. I would be happy to answer any questions

### Sources and References

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### **Additional Information and Images**

These are the estimated numbers of people within the one-half mile evacuation zone of the proposed ME2 route for each township in Chester County. (Figures courtesy of the Chesco Department of Emergency Services). These numbers utilize 2010 census data and assume everyone is home. They do not account for population increases since 2010 nor for transient populations such as schools. The number of people affected in an actual emergency could be greater or less than these numbers, but Chesco EMS is comfortable using them for planning assumptions and scenarios.

<b>MuniName</b>	<b>Sum_POPULATION_EST</b>
East Nantmeal	146
West Nantmeal	413
Wallace	789
Elverson	1032
Upper Uwchlan	2153
West Goshen	2410
Westtown	3157
Uwchlan	8139
East Goshen	8955
West Whiteland	11282



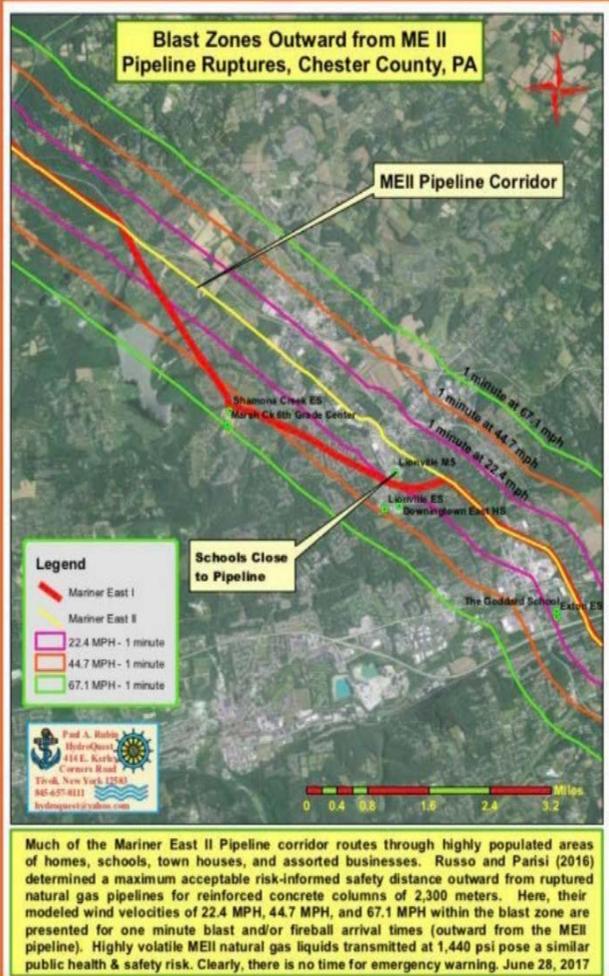


## Schools Within 10-Minute Toxic Gas Arrival Time Chester County, Pennsylvania

School Name	Location*	Approx. Distance to Pipeline (feet)
Twin Valley Elementary Center	Elverson	285
Shamona Creek Elem. School	Downingtown	210
Marsh Creek Sixth Grade Center	Downingtown	1005
Lionville Elementary School	Downingtown	1520
Lionville Middle School	Downingtown	645
Downingtown East High School	Downingtown	1150
Exton Elementary School	Exton	1705
The Goddard School (Pre-school)	Exton	1500
Saints Peter and Paul School	Hershey Mills	100
PA Leadership Charter School	East Goshen	280
East Goshen Elem. School	East Goshen	1480
Saints Simon & Jude School	West Chester	200



\*: Many other schools lie a relatively short distance beyond the same 10-minute zone. Two of the closest examples are the Goshen Friends School (Pre-school through 5th grade) and the SS. Philip & James Elementary School that lie some 230 feet and 510 feet, respectively beyond the 10-minute Natural Gas Liquid



## Our Fight

<https://m.youtube.com/watch?v=7RfRsSwRzbs&feature=youtu.be>

<https://m.youtube.com/watch?feature=youtu.be&v=bIXfe0Oolq8>

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To the brave and selfless individuals that have taken an oath to protect Pennsylvanians,

We thank you from the bottom of our hearts. What you have chosen for your career is one of the most important roles we could imagine and the time and effort you put into it shines through every single day, while saving countless lives.

As Chester county residents, we feel that in almost all cases, we have the greatest team to be responsible for our fate when an emergency arises. The same is most likely true for the rest of the counties in Pennsylvania. We are confident that there is as close to a perfect plan as possible in anything but a leak or rupture of an NGL/HVL pipeline. The Mariner East Pipeline Project is putting many of your counties in direct danger right now and it is unfair for you to have the responsibility to protect us against this.

Emergency Officials, Planners, and Responders in Chester, Delaware, and fifteen other Counties' residents need you. There are 31,000 residents in Chester County alone living in the probable impact radius of Mariner East. The Sunoco/Energy Transfer Project consists of 3 pipelines. Two proposed high capacity lines and 1 existing lines which is already transmitting. All lines will carry a colorless, odorless, heavier than air mix of ethane, butane, and propane. Since PA is the only state in the lower 48 without a siting authority these high pressure, high capacity lines have ended up in high consequence areas. You should know that Mariner East is the first NGLs pipeline of its kind in the entire United States that run in-close proximity to homes, schools, and senior care facilities. One of the 40 schools identified as being in the impact radius is a mere 100ft from the line. Some homes are as close as 25 ft. Sadly, these pipelines are misclassified by the federal government as Highly Volatile Liquids (HVLs) and are not differentiated and regulated as they should be under current existing regulations. As Natural Gas Liquids is a new product and these gases were previously burned off. According to, Dr Richard Kuprewicz, President of Accufacts Inc, "That comes with a different set of safety risks if something goes wrong". It's an entirely different emergency response because natural gas liquids behave differently than natural gas, which is essentially just methane. If a pipeline ruptures, methane will rise into the air. The liquid propane and ethane, they'll tend to hug the ground and they don't have to necessarily be trapped in a building," Kuprewicz said. "They can detonate on their own." We keep hearing that you are "ready" and that you've been dealing with hazardous materials for a long time. If Sunoco, county and township officials want us to trust what this pipeline safety expert said when he agreed the the operations and construction (not the siting) was safe, then we expect you to trust what he is saying here. These pipelines cannot be lumped in with "all hazardous material" emergency plans, as they are right now, with over two years of Mariner 1 operating.

Pennsylvanians are fearful in their homes. Not because emergency responders here are not capable or prepared for the Emergency Response or should a leak occur. Quite the contrary! We believe their mass casualty plans are sufficient. What Chester county residents want to see is Emergency Preparedness plans developed, so we can avoid mass casualty plans. However, without a hazard analysis that includes vulnerability impacts conducted by the state how can any of the other requirements be met for an effective emergency management program? I.E. an early warning system, evacuation plans, mass care shelters that are not along the pipeline route, education program for citizens, trained response personnel, properly equipped response personnel, and an exercise drill schedule. Even if you are able to see Sunoco's quantitative hazards assessment, we fear that the information will not be adequate to plan. In 2016, Sunoco logistics sent a project planning letter to PA DEP. In this letter, they have facts and statistics backing up why this project should be approved. Stating that pipelines are a safer means of transportation. That doesn't make it safe. Are you aware that the facts used to support their project were taken from 2002 to 2009. Again, this was written in 2016. Why would an honest, transparent company that claims "safety is their number one priority" choose those years to base their information on? Is that also the time period they chose to use for their quantitative hazard assessment? These are not the people you should be getting crucial information from. County emergency officials cannot say they are not aware of this new risk. Resolutions of concern have been issued from schools and townships whose boundaries lie within the PIR. Thus far all residents have been told is in the event of a leak we should evacuate on foot, up wind, up land, to a distance of a half a mile; all without a known notification system. Savvy residents are afraid to call these Emergency Responders. The well intentioned first responders are often misinformed and could be the undoing of our community because many still believe these gases are lighter than air and there is odorant. We are scared to call the police because their equipment is not intrinsically safe. Finally, please do not reverse dial 911 to our cell phones in the event of a leak; especially, in the area of Chester County that houses the 3 Downingtown Schools within close proximity to each other. Here there are 4,500 students here blissfully unaware that they should quickly turn their devices off.

We are not asking emergency officials to enter uncharted territory. Pennsylvanians need the hazard assessment so that PEMA can create meaningful and informed policies that meet state mandates on preparedness. When a dam gets built, this same process is followed for all residents in the flood plain.

Emergency response plans seem to have become more of a reactive action instead of a proactive one. After active shooters became a new hazard for schools, entire new trainings were created and implemented throughout the country for police officers. You cannot enter a school building, without being "buzzed in" now. There have been amazing safety features added by people like yourselves that quite literally lock out a risk that we really have no control over. As you read this, they are placing a risk, that we do have control over, 100ft from a school. This is the established cycle; new risk identified, hazard assessment created, development of new trainings and other emergency preparedness components, and finally community outreach and education.

These preparedness initiatives should be developed during nonemergency times. This is how we ensure the safety of the public during an emergency by decreasing chaos and empowering residents with knowledge so that a small leak does not become a catastrophic event. This is the action of turning information into palatable take away's. Residents should not have to wait for something tragic to happen to have protocols developed that will help to ensure their safety. If PEMA and local Emergency Services cannot develop these preparedness plans within reason and in compliance with state regulations because of the nature of the risk then the same officials need to call for a stop to this. Would it be correct to assume that you took on this heroic career because you truly wanted to help people and keep them us safe? If that is the case, please believe us when we tell you that, the way you can keep us the most safe, is by standing with us in saying that we are not ready for this.

Please take this last piece of information into consideration: the below photos are the result of one 30 inch natural gas (not NGL) pipeline with a maximum psi of 400. There was over an hour that went by of emergency personnel thinking a plane crashed. They also had no access to public water to fight the fire because the water line ran close to the pipeline and was destroyed in the explosion.

Now, think of this happening in front of one of the 40 schools or multiple elderly or child care facilities along this project. However, this time, it will be 3 NGL pipelines running next to each other and operating at a maximum psi of 1440. These communities would never recover from a loss like that and we're not sure that you could live with yourselves, knowing that you took an oath to protect us and had the ability to do just that. Our children are our future. They are not lab rats to try out new pipelines and methods of installing them in densely populated areas.

**Gratefully but Fearfully,  
A few Chester County Moms**

### **One family's Story**

When Sunoco's land agent from Percheron came to my husband and me in the spring of 2015 with easements for Mariner East 2 we where told that we would not even notice construction and it would last a couple weeks, the pipelines were just like all of the others in the area, and if we didn't sign Sunoco would take us to court and they would do the construction regardless because they had eminent domain. Our neighbors in the other three houses across the road from the Shoen Road HDD drill site were all told the exact same.

Two years later, in the spring of 2017 we were shocked one morning when Sunoco arrived and started cutting down the mature trees directly across the road from our house that provided a lovely streetscape and a barrier for our house and our neighbors'. That is how we first found out that we had been lied to.

After clearing the area of trees they built a large work site and erected an unsightly tall grey curtain across the front of the site. We learned that instead of being behind the apartments where we "would not see, hear or even notice they were there" , they would be working directly across the road. And rather than the couple weeks that we had been told, it would be 250 days of drilling, Monday to Saturday 7am to 7pm, and this would be stretched out as long as a three years. Drilling began the middle of June. The sound of the drill could be heard so loudly within our historic home that it rattled the windows. the vibrations could be felt in the floorboards and porch posts. It was unbearable to be outside on our property during drilling.

Within one week of commencing, the drilling hit an aquifer on June 21 or 22 and ruined the private wells of fifteen homes uphill from us. Sunoco continued to drill. Despite the fact that water poured back through the pilot hole and had to be pumped from the drill pit and transported offsite for disposal. Finally, Sunoco

was ordered to stop drilling the beginning of July and filled the pilot hole with grout to stop the flow of water. A week and a half later some of that water starting springing up on our property and flowing onto the road, Sunoco's response was to dig a trench on our property diverting the flow along our property. We continue to have intermittent springs and permanent saturation from this and expect the situation to worsen when drilling resumes. Sunoco has yet to remedy this damage to our property.

We have since become aware that our situation is not unique; we and our neighbors were not the only ones that were lied to. This is so widespread that legislators are trying to regulate land agents similar to real estate agents to protect Pennsylvanians.

As bad as that has been, what if they are allowed to resume, worse still is the safety risk we face from Mariner East. These pipelines are not just like all the others, as we were told. We now know they will be transporting highly explosive liquified ethane, butane and propane for overseas markets. In the event of a leak, these gases will revert to their gaseous state. They are colorless, odorless and will hover close to the ground being denser than air. When they are met with an ignition source they will explode. We are told by experts the blast zone would be 1000 to 2000 feet (our home is within 250 feet of Mariner East) and evacuation is on foot one half mile from the pipeline. How will the elderly, disabled or those with young children accomplish this? How will residents be alerted or rescued given the fact (<https://www.phmsa.dot.gov/safety-awareness/pipeline/pipeline-leak-recognition-and-what-do>) that using a phone or cell phone, ringing a door bell or starting an engine would spark an explosion? How are first responders to prepare for this? What happens to our property values now that our homes are being put in a blast zone? Sunoco has more pipeline leaks than any other operator tracked by the federal government, with 299 leaks since 2006.

Thus far, Pennsylvanians are not being protected from these new pipeline projects by our government. We implore you to act now.

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