

DEAR ROSEMARY CHIAVETTA,
PLEASE ACCEPT THIS AS MY
RESPONSE TO THEIR ANSWERS OF
FORMAL COMPLAINT AND NEW
MATTER OF SUNOCO PIPELINE I.P.

RECEIVED

OCT 6 - 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

WILMER BAKER
COMPLAINANT
VS DOCKET C-2018-3054294
SUNOCO PIPELINE, I.P.
RESPONDENT

1. (A) ADMIT, ALL INFORMATION ABOUT ME
PERTAINING TO ADDRESS, TELEPHONE
ARE TRUE
1. (B) COMPLAINANT IS WITHOUT KNOWLEDGE
TO ACCURACY OF DISTANCE (I'M STILL,
IN THE THERMAL ZONE)!
2. (A) ADMIT IN PART, WHEN I FILED
COMPLAINT, I USED ADDRESS
FROM SAFETY MANUAL!
- (B) ADMIT SUNOCO PIPELINE IS NOW NAME!
3. TRUE, BUT I USED ONLY CATEGORY
THAT WAS PROVIDED!
4. (A) TRUE PAMPHLET WAS MAILED
TO ME FIVE YEARS AGO!
- (B) FALSE THIS MAILING IS AT BEST
SPORADIC, NO ONE SEEMS TO HAVE IT
(EXHIBIT C) (LOWER FRANKFORD TO SUNOCO)
- (C) FALSE, I WAS TOLD IT WAS AN IRON
PIPE. (WHICH CANT BE REPAIRED
WITH STEEL)
CONSTRUCTED, 1931, IT PREDATES

4 C) FEDERAL CODES OF 1968

(GRANDFATHER CAUSE)

IT'S BEEN BACKFLOWED, INCREASED PRESSURE, ITS HAD 1,600 INTEGRITY REPAIRS AND REPLACEMENTS!

REPLACE WHOLE PIPELINE WITH AMERICAN STEEL AND COMPLY WITH FEDERAL AND STATE REGULATIONS (ANSWER TO THEIR EXHIBIT A, B,)

5 A) FALSE YOUR TRAINING IS LACKING YOUR SAFETY PAMPHLETS ARENT BEING MAILED OUT (EXHIBIT C) INFORMATION NOT PERTAINING TO THIS AREA!

5 B) TRUE, YOU HAVENT TRAINED

C) FALSE, 52 PA CODE § 59.33

D) FALSE, STEEL, HOW DO YOU COMPLY WITH REGULATIONS THAT DONT APPLY TO YOU?

6. TRUE, NO ORDER HAS BEEN FILED

7. A) TRUE, IS NOT APPEAL.

B) TRUE, CALLED, THEN CONTACTED TOWNSHIP (MAY, JUNE, JULY, AUGUST

C) TRUE, AS ISNT ONLY AVENUE TOWNSHIP NO MEETING, COUNTY COMMISSIONERS EITHER. (YOU PUT OUT INFORMATION OUT OF CONTEXT,)

ANSWER TO YOUR LETTER TO

COMMISSIONERS. (EXHIBIT A, B)

8. TRUE I REPRESENT MYSELF!

9. TRUE, I DID THE REQUIREMENTS THE BEST I COULD TO FILE MY CHARGE!

10. TRUE I MAILED MY COMPLAINT!
NEW MATTER

11. (A) FALSE, ALARM SYSTEM, TRAIN
SAFETY PEOPLE PROPERLY, USE
AMERICAN STEEL FOR ALL REPLACEMENT
USE BETTER STEEL IN ME2/ME2X
INSTEAD OF MINIMAL STANDARDS
X-70 MINIMAL

(B) INFORMATION DEALING WITH
DIFFERENT LOCAL (MINIMAL VS SUNOCO)

12. FALSE, ALARM, AMERICAN STEEL
BETTER TRAINING.

13. FALSE, REGULATION OF MAILING
SAFETY PAMPHLET THAT I RECEIVED
59.33 SAFETY, A RESPONSIBILITY
TO PUBLIC, WARNING PUBLIC OF HAZARDS
52 P.A. CODE & 59.35 NO WARNING
OF BACKFLOW OR INCREASED P. 'SSURE'

14. TRUE, YOU ARE REQUIRED TO MAIL
THIS OUT (YOUR NOT, TOWNSHIP ASKED
ME FIRST, THEN ASKED SUNOCO FOR THEM
(EXHIBIT C))

15. TRUE, I WAS TOLD FOR YEARS
IT WAS IRON! 87 YEARS OLD, PREDATING
FEDERAL REGULATIONS OF 1968,
SUDDENLY IT BECOMES A STEEL
PIPE BEING REPAIRED WITH STEEL
(UNLIKE) THEN BACKFLOWED
AT INCREASED PRESSURE, (JUST THE
EROSION INSIDE THE PIPE ONE WAY
CREATES, PITS, MARKS OF WEAKEN SURFACE,
THAT CAN AND WILL FAIL'

15. REGULATIONS (SAFETY, 59.33 MINIMUM SAFETY STANDARDS, 52 PA CODE 59.35).

16 (A) FALSE, HOW DO SAFETY REGULATIONS THAT AREN'T APPLICABLE TO A PREDATED 1968 CODES (GRANDFATHER CLAUSE) BEING BACKFLOWED SAFE?

(B) FALSE, 49 CFR 195.112 SAYS STEEL IMPORT LAWS, AMERICAN STEEL 59.33 SAFETY, COMMON SENSE, OLD PIPELINE, COMPLETELY REPLACE BY AMERICAN STEEL, BROUGHT UP TO MODERN SAFETY CODES.

17. FALSE, HOW DO YOU EXCEED STANDARDS THAT DON'T APPLY TO THIS PIPE?

18. FALSE, MARINER EAST ONE HAS EXPERIENCE THREE LEAKS IN THE PAST YEAR, ONE TOOK SUNOCO OFFICIALS 90 MINUTES TO CLOSE OFF (1,000 GALLONS LEAKED)

19. TRUE, THATS ME2/ME2X (SAFETY 59.33) 49 USC § 60101-60503 (MINIMUM STANDARDS) X-70. FEDERAL GOVERNMENT, WARNS OF THIS LOT NUMBER 2016 ' USED IN ME2/ME2X.

20. FALSE, COMPLY WITH REGULATION (59.33 AB)

21. REGULATION (59.33 SAFETY) HOW DO YOU WAKE UP TO AN ORDERLESS GAS AND KNOW YOUR IN TROUBLE? ANSWER, SUNOCO PUT IN ALARM TO WARN YOU, BUT EVEN THIS MAY NOT BE ENOUGH (SAFETY, FIRST WITH SUNOCO)

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

22. FALSE, ON PAPER IT LOOKS GOOD, BUT IN REALITY YOUR PUBLIC OUTREACH ISNT REACHING THE PEOPLE. TOWNSHIP SUPERVISORS, FIREFIGHTERS, PEOPLE LIVING BESIDE PIPELINE (EXHIBIT C)
23. FALSE, YOUR PAPER WORK IS MISLEADING
24. COMPLAINANT SEES FIGURES, BUT 154, OVER FOUR YEARS ARENT THAT MANY FOR THE WHOLE COUNTY!
25. TRUE, BUT YOUR USING INFORMATION FOR A DIFFERENT LOCAL!
26. (A) FALSE REGULATION (49 CFR 195.112) STEEL HOPEFULLY AMERICAN (IMPORT LAWS)
(B) FALSE, TO A DIFFERENT AREA!
27. FALSE, TO A DIFFERENT SET OF CIRCUMSTANCES!
28. FALSE, IT WAS SHUT DOWN FOR LEAKS.
29. FALSE, YOUR NOT REACHING PEOPLE NEEDED FOR EMERGENCYS (EXHIBIT C)
30. TRUE, BUT DO IT SAFE.

THE COMPLAINT RESPECTFUL
REQUEST THE COMMISSION RULES
IN MY FAVOR AND GRANTS ME
THE RELIEF FOR MY COMPLAINT

Sincerely yours,
William Jay Baker
Oct 5/2016

PS THE FOLLOWING PAPERS ARE
ANSWERS TO THEIR EXHIBIT A, B AND
MY EXHIBIT C

RECEIVED

OCT 6 - 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT A

**Mariner East 2, Pipeline Project
Safety Practices and Design**



Mariner East 2

PIPELINE PROJECT SAFETY PRACTICES AND DESIGN

At Energy Transfer and Sunoco Pipeline, safety is our top priority. Our goal is to provide safe and reliable transportation of natural gas liquids (NGLs) for our customers. Using advanced technology and a proven safety design, Mariner East 2 has added features that exceed federal requirements and will minimize the impact to the environment and local communities along the route.

Energy Transfer and Sunoco Pipeline are committed to the long-term integrity and safe operation of the Mariner East 2 Pipeline. Once in operation, there are many safety precautions we will employ for the protection of the pipeline and the safety of the communities along the route.

The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) Office of Pipeline Safety (OPS) is the federal safety authority for ensuring the safe, reliable and environmentally sound operations of our nation's pipeline transportation system. PHMSA's "Transportation of Hazardous Liquids by Pipeline" regulation (49 CFR 195), incorporates by reference 48 industry standards and specifications that have been developed by organizations such as the American Petroleum Institute (API), National Fire Protection Association (NFPA) and ASME International.

Some of these safety measures include, but are not limited to:

- A SCADA (Supervisory Control And Data Acquisition) system will be installed that provides real-time data acquisition, monitoring and control of key operating points such as pressures, temperatures, flows and equipment status, including alarming of any conditions outside established parameters. The system can shut itself down safely without human intervention, but it is monitored by a live operator at all times.
- We also use a subsystem of SCADA, known as the Computational Pipeline Monitoring System ("CPM"), which analyzes deviations in the flow of liquids using computational algorithms, thus improving the operator's ability to identify abnormal operating conditions.
- Sunoco Pipeline will maintain a robust and continuously updated Facility Response Plan for effective and timely response to abnormal operating conditions. The Facility Response Plan is used as a basis for emergency response training and drills with local, regional, state and federal agencies.
- Sunoco Pipeline has teamed with local emergency responders along the route to provide information and training on emergency pipeline response. Strategic contracts will also be executed with private response organizations in the area.
- Sunoco Pipeline provides biennial neighbor stakeholder outreach and implementation of a Public Awareness Program.

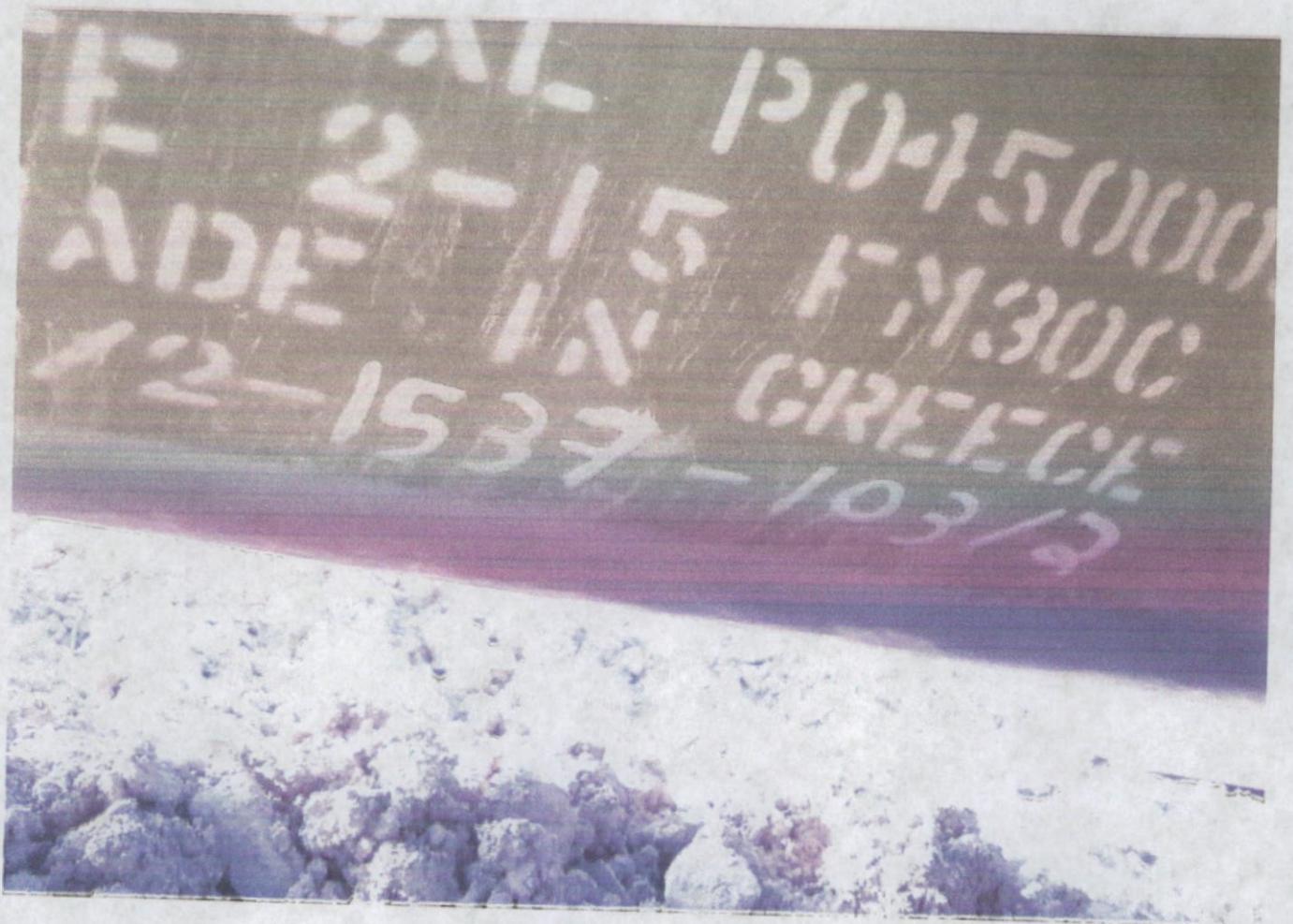
ABOVE AND BEYOND EXTRA ATTENTION TO SAFETY

DOT CFR 195 Requirements	Mariner East 2 Standard	Benefit of Exceeding Requirement
Pipeline Coverage and Separation Distances for New Construction		
The minimum required coverage in rural areas (excluding certain water bodies, drainage ditches, public roads and railroad crossings) is 30 inches.	Mariner East 2 will have a minimum cover (from the top of the pipe to ground level) of 48 inches for all conventional lays.	The additional coverage enhances protection from potential third-party damage.
The minimum required coverage in industrial, commercial and residential areas that are not within 50 feet of any private dwelling, industrial building or places of public assembly areas is 36 inches.	Mariner East 2 will have a minimum cover (from the top of the pipe to ground level) of 48 inches through these industrial, commercial and residential areas.	
The minimum required coverage for crossings of inland waterbodies that are less than 100 feet wide is 30 inches and in some cases 36 inches.	Mariner East 2 will have a minimum cover of 60 inches at these inland waterbody crossings.	The additional coverage enhances protection from potential third-party damage and from other outside forces, such as flooding, scouring and washouts.
Horizontal Directional Drills (HDDs) underneath waterbody crossings that are wider than 100 feet must be at least 48 inches under the natural bottom of the waterbody.	Sunoco Pipeline starts HDDs at a minimum of 48 inches and drills to a minimum of 60 inches below the natural bottom of these waterbodies.	The additional depth of the HDD will improve the safety and protection of the pipeline and the environment.

PIPELINE PROJECT SAFETY PRACTICES AND DESIGN

DOT CFR 195 Requirements	Mariner East 2 Standard	Benefit of Exceeding Requirement
Pipeline Strength		
The required design factor for inland pipelines not on a platform in navigable waters is .72. The minimum thickness for this design factor is .316 inches.	The minimum pipe thickness utilized is .38 inches with a .6 design factor. This means that the system will never exceed 60 percent of the pipe's minimum yield strength. Mariner East 2 will employ heavier pipe wall thickness (.456 inches and 0.5 design factor) for horizontal directional drills (HDDs) under certain waterbodies, roads and sensitive areas.	The higher quality of pipe standards increases the resistance to third-party damage, ground movement, shipping damage, and overall pipe body cleanliness and weldability.
Line pipe must be fit-for-purpose per the API 5L Specification for Line Pipe.	Mariner East 2 pipe is specified to the API 5L's more stringent PSL-2 standard, which has stricter requirements for metallurgy, testing frequencies, factory inspections and record retention. The longitudinal seam of all pipe has been 100% examined by Nondestructive Testing (NDT). Qualified third-party inspection is required during pipe production to monitor product quality and processing.	The higher quality of pipe standards increases the resistance to third-party damage, ground movement, shipping damage, and overall pipe body cleanliness and weldability. By placing qualified third-party NDT inspection personnel full-time at this production station, it provides an added level of verification that the NDT was completed per requirements.
Manufacturers are not required by API to be certified by ISO or have Q certification.	All pipe mills were inspected for their quality assurance and quality testing programs prior to being allowed to bid as a contractor for the project. We require all manufacturers to be certified to ISO 9001, ISO/TS 29001 or an equivalent such as API Q1, so that they comply with all (not just a few) requirements of API 5L.	Pipe manufacturers are subjected to frequent audits verifying their capabilities and adherence to API 5L requirements. This provides added assurance that pipe produced exceeds quality standards including but not limited to visual, mechanical and dimensional properties.
Line pipe inspection is only required at the job site during installation.	For Mariner East 2, inspectors were placed in each pipe mill while the pipe was being produced, and inspection was carried out all the way through installation.	This extra inspection provides an additional measure of compliance with quality control measures and additional safety and serviceability.
Pipeline Valves		
Regulation defers to the operator to determine placement of mainline isolation valves, some of which are remotely controlled.	The Mariner East 2 pipeline will have strategically placed automated valves that will enable pipeline segments to be quickly isolated. These valves are programmed to automatically close along with other programming that safely shuts down and isolates the pipeline if certain parameters meet a predefined level.	The automated valves reduce response time allowing a given pipeline segment to be quickly isolated should the need arise.
Pipeline Integrity/Testing		
Regulation requires that we perform Nondestructive Testing (NDT), by either radiographic or ultrasonic methods, for 10% of the girth welds made by each welder each day.	100% of all mainline girth welds will be subjected to NDT inspection.	This provides a higher level of the integrity and strength of the welds.
Prior to being placed into service, regulation requires that the line must be hydrostatically pressure tested for 4 hours at 125% of the Maximum Operation Pressure (MOP), and an additional 4 hours at 110% or more of MOP.	Mariner East 2 will be hydrostatically pressure tested for at least 8 hours to a pressure equal to 125% MOP.	This additional time at 125% of MOP confirms there are no leaks, deleterious material or construction flaws.
The code references ASME B31.4 which states that "testing for buckles, dents and other diameter restrictions shall be performed after installation." The code does not require use of an Internal Line Inspection (ILI) deformation tool run through the entire pipeline prior to start-up.	Mariner East 2 will run an Internal Line Inspection deformation tool through the entire pipeline prior to start-up to identify and address any potential defects.	This will help to validate the pipeline's integrity by identifying any previously unrecognized construction damage and providing a baseline for future inspections.
Regulation requires that the pipeline Cathodic Protection System must be activated within 1 year after the pipeline is ready for operation.	Mariner East 2 will tie into an active preexisting Cathodic Protection System once the pipeline is backfilled and completed. The system will be activated in stages along the route as the pipeline is backfilled and completed.	This system helps to prevent corrosion and prevent the pipeline from reacting to other elements in the environment.
Operations		
Regulation requires inspection of the right-of-way 26 times per year, not to exceed 3 weeks between inspections.	Mariner East 2 right-of-way will be inspected once every 7 days, weather permitting.	The increased inspections of the right-of-way provide heightened awareness of activities taking place along the pipeline route.

FEDERAL GOVERNMENT
WARNS X-70 LOT.
MINIMUM SAFETY



API SPEC 5L 0370
138 X 70M PSL2 HFV

ED: 3660

NO: F166/2- 3662 244/13
FT, 72.86

5810,85

NO: 730419340

82-0-CONT, MADE IN GREECE

R PIPECLAD 2000/2040

DATE: 03/15

5810,85

05.04.2017

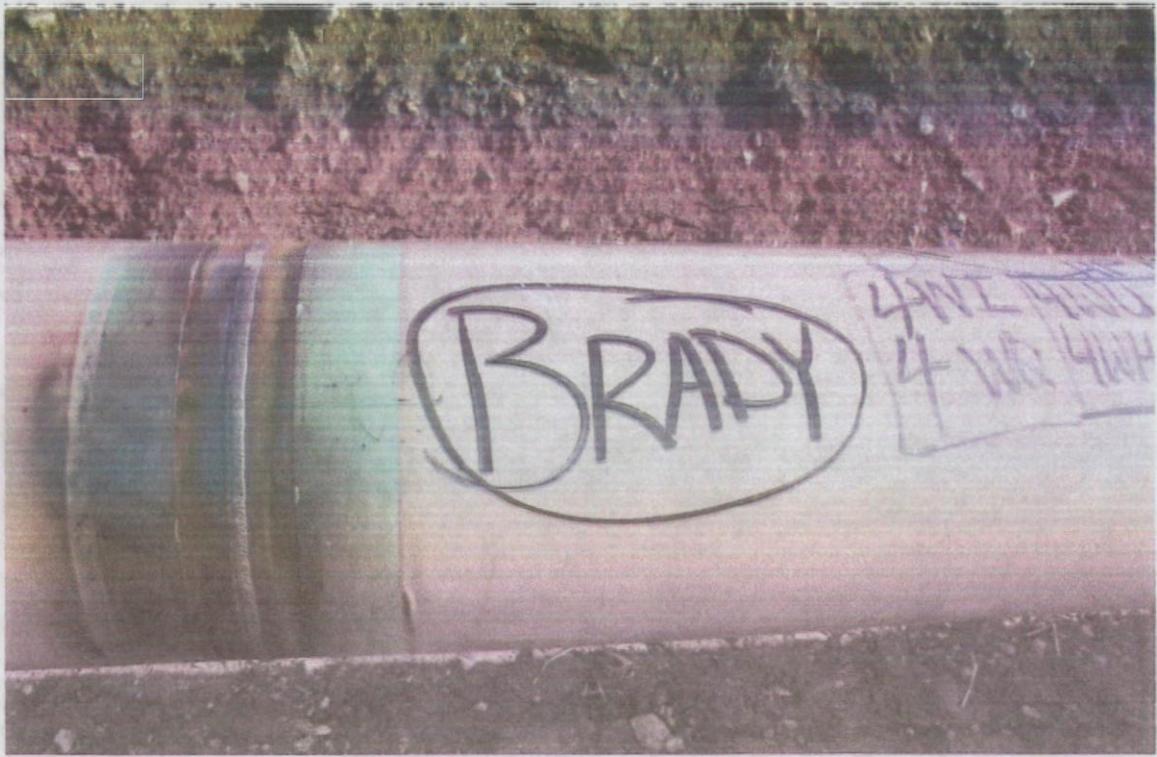
NICK



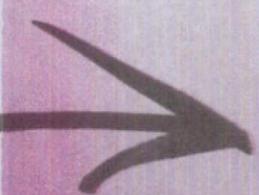
QCC



Position of pipe in trench when
it was welded.



39.9



20

4HPC-D107

10-31-23
11-23

F.C
4WEE

JAKE
BRADY



97501-H





49-50-51-52
↓ HW ↓ HW ↓ HW
MP

145

RECEIVED

OCT 6 - 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT B

**August 24, 2018 Letter from
M. Gordon to Cumberland County
Board of Commissioners**



August 24, 2018

Cumberland County Board of Commissioners
One Courthouse Square
Room 200
Carlisle, PA 17013

Dear Cumberland County Board of Commissioners,

I received your August 13, 2018, letter to Matt Ramsey, which was forwarded to me. I look forward to the opportunity to continue our communications with the Lower Frankford Township Board of Supervisors and your first responder organizations about the Mariner East project as we have been doing since 2014.

An integral part of this communications is the "Mariner Emergency Response Outreach (MERO)" training program that was launched in 2014 to ensure that first responders along the Mariner East corridor were trained on pipeline safety and the characteristics specific to transporting natural gas liquids. Since that time, Sunoco Pipeline has conducted more than 80 MERO Training sessions with over 2,000 first responders across the pipeline footprint including Cumberland County. In Cumberland County specifically, more than 150 responders have participated in six training sessions since 2014. This includes participation from 12 Cumberland County government representatives and representatives from Upper and Lower Frankford townships.

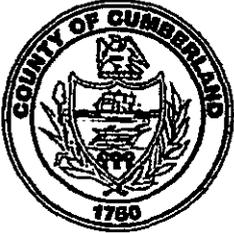
To that end, we offered on multiple occasions to schedule additional meetings and trainings for representatives from Lower Frankford Township to further ensure your local emergency preparedness organizations are equipped with the knowledge and training to safeguard the community. That offer still stands today.

Additionally, we invite you and members from the Cumberland County first responder community to attend the upcoming *Paradigm Core-Ex Emergency Response Training* to be held at the Harrisburg Best Western at 800 E. Park Drive at 5:30pm on Wednesday September 12, 2018.

At Sunoco Pipeline, safety is our top priority at all times and that begins with our rigorous integrity management program and first responder outreach. Attached you will find additional information on pipeline safety and operations and how the Mariner East project has gone above and beyond to ensure safe operations in your community.

Sincerely,

Matthew Gordon
Senior Director, Pipeline Operations
Sunoco Pipeline



COMMISSIONERS OF CUMBERLAND COUNTY

Vincent T. DiFilippo
Chairman

Jim Hertzler
Vice Chairman

Gary Eichelberger
Secretary

August 13, 2018

Mr. Matt Ramsey, Chairman of the Board
Sunoco LP
8111 Westchester Drive
Dallas, Texas 75225

Cumberland County Commissioner



F.V.I.
[Handwritten signature]

Jim Hertzler
Commissioner
One Courthouse Square
Carlisle, PA 17013

Dear Mr. Ramsey:

Office (717) 240-6150 jhertzler@ccpa.net
Mobile (717) 991-7985 www.ccpa.net

As the Mariner pipeline project nears completion across our county, and our state, we are writing on behalf of the approximate 250,000 citizens of Cumberland County, Pennsylvania, and, more specifically, on behalf of the residents of Lower Frankford Township, one of our County's more rural municipalities, to respectfully request your company's participation in a county-hosted meeting to address citizen questions and concerns about the pipeline.

While we recognize the enormous economic benefit of Pennsylvania's Marcellus Shale natural gas reserve to our state, and Sunoco LP's significant financial investment in its pipeline project to bring this resource to market, we certainly want to believe that your company places environmental protection and public safety as top priorities in conjunction with the development and use of this valuable energy resource.

We were disappointed to learn that your company recently cancelled, apparently at the last minute, its expected attendance at a July 10 meeting of the Lower Frankford Township Board of Supervisors that was intended to address questions and safety concerns posed by Lower Frankford Township residents.

In light of that unfortunate occurrence, we hope you and Sunoco LP officials will now accept our invitation to attend a meeting hosted by the county to address citizen concerns.

We thank you for your timely consideration of this request. Please respond to Mr. Kirk Stoner, our County's Director of Planning, to arrange a mutually convenient date and time. Mr. Stoner can be reached at 717-240-5362. His email is kstoner@ccpa.net.

Sincerely,

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

[Handwritten signature of Vincent T. DiFilippo]
Vincent T. DiFilippo
Chairman

[Handwritten signature of Jim Hertzler]
Jim Hertzler
Vice-Chairman

[Handwritten signature of Gary Eichelberger]
Gary Eichelberger
Secretary

cc: Honorable Jim Burkholder, Chairman
Lower Frankford Township Board of Supervisors



August 24, 2018

Cumberland County Board of Commissioners
One Courthouse Square
Room 200
Carlisle, PA 17013

Dear Cumberland County Board of Commissioners,

I received your August 13, 2018, letter to Matt Ramsey, which was forwarded to me. I look forward to the opportunity to continue our communications with the Lower Frankford Township Board of Supervisors and your first responder organizations about the Mariner East project as we have been doing since 2014.

An integral part of this communications is the "Mariner Emergency Response Outreach (MERO)" training program that was launched in 2014 to ensure that first responders along the Mariner East corridor were trained on pipeline safety and the characteristics specific to transporting natural gas liquids. Since that time, Sunoco Pipeline has conducted more than 80 MERO Training sessions with over 2,000 first responders across the pipeline footprint including Cumberland County. In Cumberland County specifically, more than 150 responders have participated in six training sessions since 2014. This includes participation from 12 Cumberland County government representatives and representatives from Upper and Lower Frankford townships.

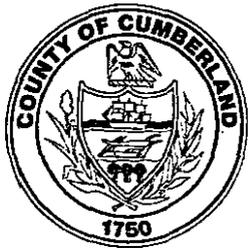
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At Sunoco Pipeline, safety is our top priority at all times and that begins with our rigorous integrity management program and first responder outreach. Attached you will find additional information on pipeline safety and operations and how the Mariner East project has gone above and beyond to ensure safe operations in your community.

Sincerely,

Matthew Gordon
Senior Director, Pipeline Operations
Sunoco Pipeline



COMMISSIONERS OF CUMBERLAND COUNTY

Vincent T. DiFilippo
Chairman

Jim Hertzler
Vice Chairman

Gary Eichelberger
Secretary

September 13, 2018

Attn: Mr. Matthew Gordon,
Senior Director, Pipeline Operations
Sunoco Pipeline (Energy Transfer Partner)
525 Fritztown Road
Reading, PA 19608

Dear Mr. Gordon:

Thank you for your August 24 letter of response to our communication to Sunoco LP Chairman Matt Ramsey earlier last month.

While we appreciate the efforts Sunoco Pipeline has undertaken to provide training to first responders in the event of an accident or emergency associated with your company's pipeline operations, we find it inexplicable that you did not respond to the primary request of our letter.

We will assume that since you did not respond to our request to attend a county-hosted meeting to answer individual questions and concerns from our constituents about pipeline safety that your company isn't interested in addressing those individual citizen questions and concerns.

At a time when your company is spending money on television and radio advertising to convince the public, as your letter states, that "safety is (your) top priority at all times," we find it difficult to understand why company representatives would not want to participate in any such meetings that can be arranged with the public at large to detail all of the safety precautions that the company has taken to prevent leaks, explosions and other emergencies from occurring in the first place.

If you are sincerely interested in convincing the public that your pipeline operations are as safe as safe can be, then we would respectfully request, as the good corporate neighbor that we would expect you to be, that you reconsider and agree to attend a public meeting hosted by the county for the purpose of granting the company the opportunity to detail safety measures and to permit citizens to ask questions and voice any concerns.

Thank you again for your attention to this request.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS

Vincent T. DiFilippo
Chairman

Jim Hertzler
Vice-Chairman

Gary Eichelberger
Secretary

cc: Honorable Gladys Brown, Chairman
Pennsylvania Public Utility Commission
State Senators:
Honorable Richard L. Alloway
Honorable John H. Eichelberger
Honorable Mike Regan
Honorable Jim Burkholder, Chairman
Lower Frankford Township

State Representatives:
Honorable Stephen Bloom
Honorable Sheryl M. Delozier
Honorable Dawn W. Keefer
Honorable Mark K. Keller
Honorable Will Tallman
Honorable Greg Rothman

EXHIBIT C MY EVIDENCE

1. LETTER FROM LOWER FRANKFORD ASKING FOR THE SAFETY PAMPHLET
2. LETTER FROM FIRE POLICE (NORTH MIDDLETON) NOT TRAINED
3. CERTIFICATE FROM (UPPER FRANKFORD SUPERVISOR) NOT TRAINED
4. LOWER FRANKFORD, MINUTES. JIM NEEDS TO CHECK. SHOULD KNOW!
5. LOWER FRANKFORDS MINUTES, JUNOCC REFUSES TO SHOW!
6. TOWNSHIP MEETING PAGE 4 BURKHOLDER, NO DIRECT REPORT!
7. COUNTY COMMISSIONERS!

LOWER FRANKFORD TOWNSHIP

1205 Easy Road
Carlisle, PA 17015
(717) 243-0855
FAX (717) 258-4715
e-mail: lowerfrankford@comcast.net



June 11, 2018

Wilmer Baker
430 Run Road
Carlisle, PA 17015

RE: Pipeline Questions

Mr. Baker:

Thank you for attending the Board of Supervisors meeting on Tuesday, June 5, 2018. I reached out to Sunoco Logistics. The plan is for them to send at least one representative to the next Board of Supervisors meeting that will be held on Tuesday, July 10, 2018 at 7PM. I asked them to bring copies of the "Important Safety Message" flyers.

Respectfully,

A handwritten signature in black ink that reads "Karen M. Heishman".

Karen M. Heishman, secretary
Lower Frankford Township

CC: Wilmer Baker
Dave McGinnis
Thomas Nelson

(717) 258-5281

SEPT 21 2018

Mike Chestnut with the NMFC

as a fire police officer.

We do as a fire police we are
not ~~team~~ trained.

Mike Chestnut

Fire police lieutenant

CERTIFICATE OF COMPLETION



Awarded to:

STEVE ARMOLD

for attendance of the following program:

Pipeline Emergency Response & Awareness for Excavator Operations

Attended: September 24, 2014 Chambersburg, PA



Steve Roberts

Steve Roberts
Director of Corporate Training

LOWER FRANKFORD TOWNSHIP

May 8, 2018
Monthly Meeting

Rollcall

Jim Burkholder – Present (Chairman Board of Supervisors)
James Heishman – Present (Vice Chairman Board of Supervisors)
Dave Bachman – Present (Supervisor - Roadmaster)
Karen Heishman – Present (Secretary/Treasurer/Manager)
Pam Burkholder – Not Present (Tax Collector)
Ed Franco – Present (Chairman Planning Commission)
Hubert Gilroy – Not Present (Solicitor)
Greg Alleman – Not Present (Zoning Officer)
Thelma Fegley – Not Present (Chairman Board of Auditors)
Donna Yarlett – Not Present (Secretary Board of Auditors)

Previous Minutes: Jim made a motion to approve the April 3rd meeting minutes, second by James and passed with an all-in-favor vote.

Treasurers Report: The attached treasurer's report for April was approved with a motion by Jim, second by Dave and passed with an all-in-favor vote.

Motion to Pay Current Bills: A list of outstanding bills was read into the record. Jim made a motion to pay the current bills, second by James and passed with an all-in-favor vote.

Planning Commission Report: Ed Franco reviewed the attached report. The planning commission meet with Jeff Kelly on April 18th to bring everyone up to date on the zoning ordinance rewrite. The planning commission will be meeting on May 16th to review the David Line subdivision as well as the Jonathan Martin land development plan.

Code Enforcement Report: No activity.

Roadmaster Report: Schlusser's Paving repaired sections of Stone Church, Millwick, Mount Zion, Horseshoe, and Easy Roads. Cleaned up trees blown down by the recent storms. Patched pot holes.

Building & Grounds Report: Weekly trash detail and mowing at Opossum Lake Park. Jim and Mark repaired two picnic tables.

Equipment Report: Stephenson's Equipment adjusted the spindle on the John Deere 5410. The mechanic mentioned that almost half of the bolts are missing on the rear wheel. Randy will replace them. Randy replaced the bearings and sharpened the teeth on the John Deere 5225.

C. O. G. Report: The Cumberland County Commissioner will be meeting with state representatives and senators at the Capitol on June 11th to discuss Route 81 improvements, the opioid epidemic, casino issues, the upcoming state budget, the voting machine issues, and the P25 radio system.

Cumberland County has developed a model ordinance for the implementation of Act 172. The model will be emailed to Karen and she will forward it to the members.

The Electronics Recycling has collected 401,158 lbs. since July 2017.

The Agricultural Preservation Board recommended preservation offers to approximately two thirds of the applicants or approximately 1,000 acres of farmland.

Hertzler Bridge which crosses the Conodoguinet Creek in West Pennsboro and Lower Frankford Townships was closed due to damage from a vehicle crash. The County has decided the bridge will remain closed until it can be fully rehabilitated in the summer of 2019.

Correspondence: In Luzerne County several neighbors took a pig farmer to court about the smell. The Superior Court upheld the Right to Farm Act and ruled in favor of the pig farmer.

Persons to be Heard: Wilmer Baker, 430 Run Road, expressed his concern to the BOS about the Sunoco Pipeline. He received a flyer in the mail about the dangers of a gas leak. Jim explained that the County has provided training for such emergencies. Jim will check with his contact to see what plans Sunoco has in place to notify the public of an emergency.

Mary Franco, President of FOLC, reported that the officers will remain the same for another year. She discussed some plans to make improvements to the trail in two extremely muddy sections.

Unfinished Business:

New Business: Karen received a phone call concerning a right of way issue on Burgners Road. Greg reached out to the neighbors, investigated the problem, and determined that it was a "neighbor problem" not a township problem.

The 2018 seal coating project has been advertised in the newspaper. The bids will be opened at the June BOS meeting.

Motion to Adjourn: Jim made a motion to adjourn the meeting, second by James and passed with an all-in-favor vote.

LOWER FRANKFORD TOWNSHIP

July 10, 2018

Monthly Meeting

Rollcall

Jim Burkholder – Present (Chairman Board of Supervisors)
James Heishman – Present (Vice Chairman Board of Supervisors)
Dave Bachman – Present (Supervisor - Roadmaster)
Karen Heishman – Present (Secretary/Treasurer/Manager)
Pam Burkholder – Not Present (Tax Collector)
Ed Franco – Not Present (Chairman Planning Commission)
Keith Senecal – Present (Vice Chairman Board of Supervisors)
Hubert Gilroy – Not Present (Solicitor)
Greg Alleman – Not Present (Zoning Officer)
Thelma Fegley – Not Present (Chairman Board of Auditors)
Donna Yarlett – Not Present (Secretary Board of Auditors)

Previous Minutes: Jim made a motion to approve the June 5th meeting minutes, second by Dave and passed with an all-in-favor vote.

Treasurers Report: The attached treasurer's report for June was approved with a motion by Jim, second by James and passed with an all-in-favor vote.

Motion to Pay Current Bills: A list of outstanding bills was read into the record. Jim made a motion to pay the current bills, second by Dave and passed with an all-in-favor vote.

Planning Commission Report: Keith Senecal reviewed the attached report.

Code Enforcement Report: No activity.

Roadmaster Report: The road crew continues to cut down dead ash trees. Continue to mow along the roadways, at the Township Park, and on the breast work of the dam as necessary. Purchased a parabolic mirror to be placed at the intersection of Run Road and Wildwood Road.

Building & Grounds Report: Took two loads of recycling to Diller's Transfer Station.

Equipment Report: The John Deere 525 needs a new rim, several bolts have sheared off.

C. O. G. Report: South Middleton Township appears to be the front runner for the location of a mini casino.

Governor Wolf signed the budget with a 560 million dollar increase over last year.

Cumberland Valley School District is terminating the "Declaration of Taking" eminent domain court filing for the McCormick Farm property in Silver Spring Township, since HB 2468 was signed into law. Act 45 now requires that any entity exercising eminent domain powers over a property subject to a conservation easement — public or private — receive prior approval from the "orphan's court of the county in which the land is located." The court shall allow the condemnation



to proceed, according to the language of the bill, "only if the court determines there is no reasonable and prudent alternative to the utilization of the land subject to a conservation easement."

Steve Bloom thanked everyone for working with him throughout his term in office. He said he will encourage his successor to utilize the WCCOG.

Vince DiFilippo mentioned that the Cumberland County electronics recycling has collected 453,480 lbs., with the average weight per customer drop off being 94 lbs.

The Household Hazardous Waste collection event will be held on Saturday, August 18th from 9AM to 3PM at 310 Allen Road.

Correspondence:

Persons to be Heard: Several local residents as well as others (see attached attendance sheet) attending the meeting in hopes of discussing pipeline safety with representatives from the Sunoco Pipeline. Unfortunately just hours before the meeting Sunoco called and notified Karen that they were unable to attend.

Unfinished Business: The Jonathan Martin land development plan was tabled until Brehm-Lebo Engineering has completed their review of the revised plan.

New Business: Jeff Weyant is installing a holding tank at his Winery. Jim made a motion to sign Resolution #PR-18-04 and insert it in the DEP Sewage Planning Module, second by James and passed with an all-in-favor vote.

Jim made a motion to adopt Fee Schedule FR-18-05 addressing larger land development plans, second by James and passed with an all-in-favor vote.

Motion to Adjourn: Jim made a motion to adjourn the meeting, second by James and passed with an all-in-favor vote.

RECEIVED

Close

OCT 6 - 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

https://cumberlink.com/news/local/sunoco-a-no-show-in-lower-frankford-as-contamination-complaints/article_9d848001-4d61-5edb-b257-60e0709a7252.html

TOP STORY

Lower Frankford Township

Sunoco a no-show in Lower Frankford as contamination complaints, safety concerns pile up

Zack Hoopes The Sentinel Jul 14, 2018

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Vern Leach inspects his property where Sunoco Pipeline LP placed a pipeline in Lower Frankford Township.

Michael Bupp, The Sentinel

Sunoco Pipeline LP officials did not show up as promised to a public meeting Tuesday night with the Lower Frankford Township supervisors, leaving roughly 20 residents of the rural municipality concerned that their safety questions about the Mariner East pipelines would not be addressed.

“They called us about an hour ago and said they won’t be coming, so we won’t be discussing the pipeline tonight,” Supervisor James Burkholder said during the meeting.

The township will attempt to schedule Sunoco officials to attend another meeting, Burkholder said, ideally when the township’s attorney is available to discuss the municipality’s control over the pipeline process, which is limited.

At Tuesday’s meeting, the township also approved an invoice from Brehm-Lebo Engineering for inspections along the pipeline construction routes, a process that will help determine how much the township gets reimbursed for damage to its roads.

“Beyond that, the process is pretty much all in the hands of the DEP [Pennsylvania Department Environmental Protection],” Burkholder said.

The Mariner East 2 pipeline will carry liquefied gas, hydrofracked from shale formations in western Pennsylvania, to the Marcus Hook Industrial Complex near Philadelphia for processing.

Throughout most of Cumberland County, Mariner East 2 is being built alongside Mariner East 1, a line that was installed in 1931 to carry oil, but was recently repurposed to transport higher-pressure liquefied gases.

Limited information

According to Lower Frankford residents, communications from Sunoco have provided limited safety information about either pipeline, with communications focusing on marketing the economic benefits of the pipeline.

This appears to be a significant departure from previous communications, resident Wilmer Baker said.

Baker provided a safety pamphlet from Sunoco he said he received years earlier when he moved into his property. The pamphlet gives dire warnings about what to do if you suspect a pipeline leak near your home, including not starting your car, or even using a door knocker, for fear of sparks.

“I have a wood stove that runs 24 hours a day,” Baker said. “What am I supposed to do if this thing gives out? They’re cranking up the pressure on an iron line from the 1930s, but all we get now is the propaganda, no new safety information.”

The state’s Public Utility Commission and administrative law judge appear to agree with Baker.

In March, the administrative court shut down Mariner East 1 flow after Mariner East 2 construction in Chester County caused massive sinkholes that exposed the original Mariner East 1 line.

The court allowed the pipeline to resume operation on May 3, but shut it down again three weeks later over safety concerns similar to those voiced by Lower Frankford residents on Tuesday night. As of June 14, Sunoco is again allowed to operate the pipeline

In the May 21 shutdown order, Administrative Judge Elizabeth Barnes found that “Sunoco has made deliberate managerial decisions to proceed in what appears to be a rushed manner in an apparent prioritization of profit over the best engineering practices available in our time that might best ensure public safety.”

In the past year, Mariner East 1 has experienced three leaks, all of which Sunoco failed to identify and report. In one instance it took Sunoco officials 90 minutes to close off Mariner I after being informed of a leak in Berks County that resulted in a 1,000-gallon spill of liquefied gas, Barnes said.

In reference to Mariner East 1 being strong enough for conversion from low-pressure oil to high-pressure liquefied gas, Barnes found that “there is insufficient evidence to show whether the pipe has been properly tested for repurposing.”

1931 line

Sunoco has submitted no reports that would indicate the line, built in 1931, would be able to accommodate high-pressure loads of shale gas liquids, known as highly volatile liquids, according to the shutdown order.

“I question whether the [Mariner I] pipe meets today’s engineering standards to hold the HVLs of ethane, butane and methane gases, especially so close to dwellings,” Barnes wrote.

She also found that “there is a substantial issue regarding whether Sunoco has adequately created and trained its personnel and first responders of townships along its route regarding proper emergency response and evacuation procedures.”

That would seem to be the case in Lower Frankford. Burkholder said the township supervisors have had “no direct report” from Sunoco, beyond pamphlets the company gave them to hand out to residents.

The company’s June newsletter contains no concrete emergency response information, but it does devote considerable space to complaining about the Mariner East 1 shutdown decision, calling Barnes’ ruling “a significant departure from the law and the due

process procedures that the PUC follows.”

The newsletter even contains a graphic of sizzling steaks with the tagline “restarting Mariner East 1 will make cookouts more affordable” due to lower energy transport costs.

“They send us all this stuff about energy prices, but they still can’t tell the township what we’re supposed to do when this thing blows up,” Baker said, referencing the explosion of the Columbia Gas Transmission line in West Virginia last month.

“Remember, that line was brand new, not 80 years old,” Baker said.

“In response to the shutdowns, Sunoco has submitted exhibits to the PUC detailing safety measures. These include safety literature similar to that which Baker had received in the past, and details of training sessions for local emergency responders.

If Lower Frankford officials or residents feel Sunoco isn’t actually carrying through on those plans, they can take action through the PUC, PUC spokesman Nils Hagen-Frederiksen said.

“There are state and federal requirements for [Sunoco] to have outreach campaigns and interaction with emergency responders,” Hagen-Frederiksen said. “If people don’t feel they’re getting the necessary information or interaction from Sunoco, we encourage them to raise that issue with the PUC.”

Remediation

Other Lower Frankford residents voiced concern with ongoing environmental remediation and access issues.

Vern Leach said that Sunoco had cut his fences to run Mariner East 2 under his farm, and now wants to put in gates so that workers can access the line in the future, even though the company doesn't have right-of-way.

Drilling fluid and mud has leaked to the surface of the wetlands surrounding Locust Creek, which abuts Leach's property, leaving a hardened layer of silt under the marshes, he said.

"They cut our fences, so we can't use it for pasture, and they destroyed the wetlands," Leach said. "It's as hard as a rock just below the surface."

Two incidents involving Locust Creek and its associated wetlands, referred to by the state as Wetlands J35, are cited in the April 27 "consent assessment" between Sunoco and the DEP, which fines Sunoco \$355,622 for dozens of instances of "inadvertent return" during the construction of Mariner East 2.

"Inadvertent return" is an industry term for incidents in which underground drilling fluid and mud escape the drilling path and cause contamination, either by entering underground aquifers or soil voids, or by flowing up to the surface.

Locust Creek and Wetland J35 experienced a 500-gallon inadvertent return on Sept. 27, 2017, and another 100-gallon incident on Feb. 27, 2018, according to the consent assessment.

DEP records show 31 incidents of inadvertent return in Cumberland County since April 2017, with problems still ongoing.

The most recent violation was issued this week — July 9 — in which the DEP and county conservation district documented a one-gallon inadvertent return in Wetland I32 along LeTort Spring Run in Middlesex Township.

Many of the inadvertent returns are of small volumes. But one stands out, an incident between May 6, 2017, and May 19, 2017, in which 170,000 gallons of inadvertent return flowed into Wetlands I30 and I32.

One Cumberland County incident was also cited in the DEP's \$12.6 million penalty assessment against Sunoco in February.

That incident did not involve inadvertent returns. On Dec. 18, 2017, county officials discovered that Sunoco officials were conducting directional drilling near North Locust Point Road in Silver Spring Township even though Sunoco officials were told to install pipe using open trench cuts and had not obtained permits for horizontal drilling at that site.

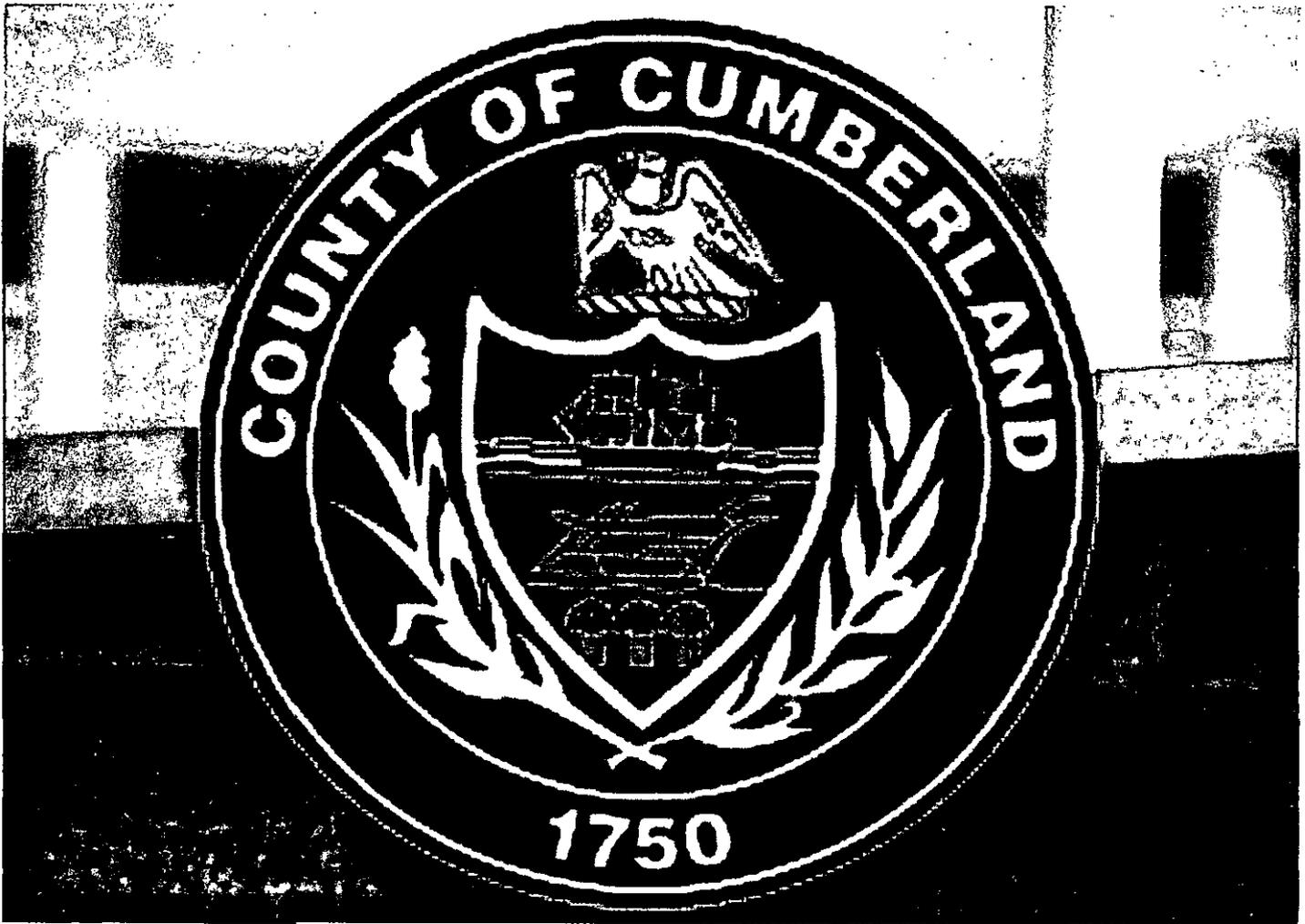
But with the sheer volume of violations and fines piling up, local residents have expressed doubt that the state has the tools to force Sunoco to stop acting recklessly, let alone fix the damage.

"They make a big deal out of a \$12 million fine, but that's a drop in the bucket for a company like Sunoco," Leach said. "They have no incentive to stop doing what they're doing."

Sunoco did not return requests for comment.

Email Zack at zhoopes@cumberlink.com.

MORE INFORMATION



Cumberland County Commissioners push for meeting with Sunoco

- Cumberland County commissioners continue to put pressure on Sunoco for meeting

Zack Hoopes

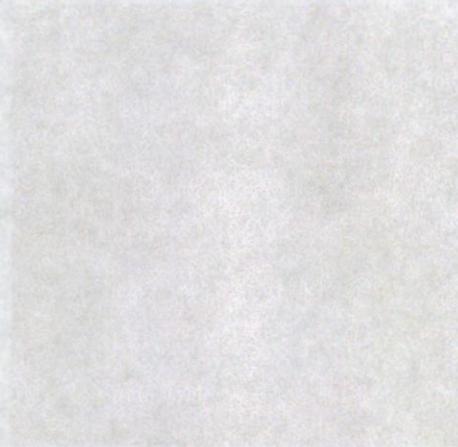
Reporter

Reporter for The Sentinel.

https://cumberlink.com/news/local/cumberland-county-commissioners-continue-to-put-pressure-on-sunoco-for/article_35540905-bf93-57ee-96bb-af805f2f4159.html

Cumberland County commissioners continue to put pressure on Sunoco for meeting

Zack Hoopes The Sentinel Sep 19, 2018 Updated Sep 19, 2018



Hertzler



Crews work on Sunoco's Mariner East 2 pipeline project in Silver Spring Township in 2017.

Sentinel file



10 Coolest Cars Under \$18,000

The top spot goes to an all-star making its 14th appearance in a row. Keep cool with these 10 cars under \$18K.

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The Cumberland County commissioners are still pressing for a meeting with Sunoco LP officials after receiving a boiler-plate response to the county's last plea for a public meeting.

The county sent a letter on Sept. 13 to Sunoco expressing dismay at the pipeline's response to the county's initial request made on Aug. 13.

"We find it inexplicable that you did not respond to the primary request of our letter," the commissioners wrote. "We will assume that since you did not respond to our request to attend a county-hosted meeting to answer individual questions and concerns from our constituents about pipeline safety that your company isn't interested in addressing those individual citizen questions and concerns."

The county asked Sunoco to “reconsider and agree to attend a public meeting.”

Sunoco a no-show in Lower Frankford as contamination complaints, safety concerns pile up

The county's request came after Sunoco bowed out of a July 10 township supervisors meeting in Lower Frankford Township, apparently notifying the supervisors only an hour before the meeting that company representatives did not plan to show up.

Residents had gathered to voice their concerns regarding the Mariner East pipelines, which run through Lower Frankford, as well as several other municipalities in Cumberland County.

Sunoco's Aug. 24 response to the county's initial letter did not respond to the request for a public meeting one way or the other, but included information about first-responder training provided by Sunoco.

“We found it a little inexplicable that they didn't really respond, they just told us about training opportunities involving first responders,” said county commissioner Jim Hertzler.

“We realize we don't have any jurisdiction over this,” Hertzler continued, “but good public relations would seem to dictate that sending some representation to a public meeting would just be a matter of being a good corporate citizen.”

Energy Transfer Partners — the company under whose banner Sunoco Logistics is operating — is constructing the Mariner East 2 pipeline roughly along the same route as the existing Mariner East 1, which was completed in 1931. The lines carry liquefied gases, hydrofracked

from shale formations in western Pennsylvania, to the Marcus Hook Industrial Complex near Philadelphia for processing.

Lower Frankford landowners, along with many others in Cumberland County and the state as a whole, have voiced concerns over the environmental impact of Mariner East 2 construction, as well as safety issues regarding Mariner East 1.

As documented by The Sentinel last month, escaped drilling fluid and debris have turned wetlands and pasture "hard as a rock" with silt and shale fragments, according to Lower Frankford farmer Vern Leach.

This is the effect of frequent "inadvertent returns," an industry term for incidents in which underground drilling fluid and mud escape the drilling path and cause contamination, either by entering underground aquifers or soil voids, or by flowing up to the surface.



Records from the Pennsylvania Department of Environmental Protection show 37 incidents of inadvertent return in Cumberland County having occurred since April 2017 in conjunction with Sunoco's Mariner East 2 construction.

The last violation issued by the DEP to Sunoco was just last week, with an inadvertent return of 7 gallons into LeTort Spring Run in Middlesex Township occurring on Sept. 13.

Middlesex has also seen one of the largest inadvertent returns in the state, according to DEP records — a leak of 170,000 gallons of drilling fluid into Wetlands I30 and I32 along LeTort Spring Run between May 6 and May 19, 2017.

Residents have also voiced concerns over the re-purposing of Mariner East 1.

Originally built to carry oil, Mariner East 1 has been converted to carry shale gas liquids at much higher pressure. The line was shut down for two periods of time earlier this year after complaints were lobbied through the Pennsylvania Public Utility Commission.

In those cases, the administrative law judge found that Sunoco had provided insufficient evidence that the 1931 line could handle high-pressure liquefied gases. Three leaks along Mariner East 1's length had occurred in the past year, the judge found, with Sunoco apparently not noticing one leak and taking 90 minutes to close it off after they were notified, resulting in a 1,000-gallon chemical spill.



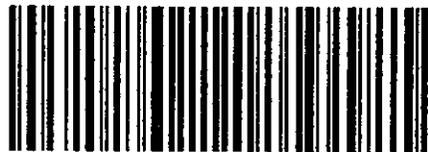
This article originally ran on cumberlink.com.



Mr. Wilmer Baker
430 Run Rd
Carlisle, PA 17015

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

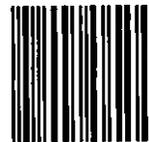
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