

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Meghan Flynn, Rosemary Fuller,	:	Docket No. P-2018-3006117
Michael Walsh, Nancy Harkins,	:	Docket No. C-2018-3006116
Gerald McMullen, Caroline Hughes,	:	
and Melissa Haines	:	
v.	:	
Sunoco Pipeline, L.P.	:	

INITIAL PREHEARING CONFERENCE MEMORANDA

A. PARTIES TO BE SERVED

Michael P. Pierce, Esquire, 17 Veterans Square, P.O. Box 604, Media, Pa. 19063;
phone: (610) 566-9111; email MPPIerce@Pierceandhughes.com;

Also, Mark Freed, Esquire and Joanna Waldron, Esquire, of Curtin and Heefner;
Margaret Morris, Esquire; Robert Fox, Esquire, Neil Witkes, Esquire, and Diana A. Silva,
Esquire of Manko, Gold, Katcher & Fox, LLP; Thomas Snisack, Esquire, Kevin McKeon,
Esquire, and Whitney Snyder, Esquire, of Whitney Snyder; Rich Raiders, Esquire; Vincent M.
Pompo, Esquire and Alex J. Baumler, Esquire, of Lamb McErlane. P.C.; Michael S. Bomstein,
Esquire; Anthony D. Kanagy, Esquire; James J. Byrne, Esquire and Kelly S. Sullivan, Esquire,
of McNichol, Bryne & Matlawski, P.C.; Leah Rotenberg, Esquire; James R. Flandreau, Esquire;
Curtis Stambaugh, Esquire. Addresses, phone numbers and emails in possession of PUC.

B. STATEMENT REGARDING POSSIBLE SETTLEMENT OF THE CASE

Edgmont Township would be willing to settle this case if Defendant Sunoco Pipeline,
L.P. agreed to provide for the following:

- a) A full and complete incident response plan which would address practical and/or viable worst case scenario evacuation routes to be developed in conjunction with the Township, emergency personnel and potentially impacted Township shareholders;
- b) Enhanced and updated Safety Training coupled with State of the Art Emergency Response Equipment provided to First Responders of the Township;
- c) Relocation of any “new pipelines” to a distance away from existing residences and infrastructure equal to or greater than the Potential Impact Radius of a compromised pipeline;
- d) Installation of an automatic shutoff valve at the entry and exit points of the Township boundaries and any other locations within the Township to maximize resident safety and minimize any potential catastrophic impact;

- e) Installation of release detector instruments at safe intervals along the pipelines to be provided, installed and maintained by the Respondent as well as adequate and appropriate training to Township First Responders related to the same;
- f) Increasing the frequency of inline and hydration testing to a minimum of yearly, with all of the testing results provided to the Township within 30 days of completion;
- g) Mandatory reporting by Respondent to the Township of any and all pipeline incidents including but not limited to damaged pipeline coating, breaks, leaks, spills, incidents, inadvertent returns, or any such similar occurrences, even if no product is released;
- h) Mandatory infusion of additives into the product being moved through the pipelines that would emit an odor and distinctive coloration that would be easily detectable by those in close proximity to the pipeline as well as electronic sniffing equipment;
- I) Expansion of the “impacted” areas surrounding the pipeline for possible installation of alternative water supplies;
- j) Production of any and all studies related to the impact of the pipeline on natural water supplies, including aquifers serving the Township residents;
- k) Providing the Township with any and all pipeline incident reports even if no product is released, including but not limited to operator error, damaged pipeline coating and inadvertent returns or releases within 7 days of any such occurrence;
- l) Adherence to Township regulation related to the use and/or installation of temporary water facilities to residents and/or landowners;
- m) Any and all other available safety measures to ensure the health, safety and welfare of Township residents and First Responders as are reasonable and appropriate.

C. PROPOSED PLAN AND SCHEDULE OF DISCOVERY

Edgmont Township defers to the other parties in the litigation as to scheduling.

D. OTHER PROPOSED ORDERS WITH RESPECT TO DISCOVERY

None.

E. STATEMENT REGARDING WHETHER THERE IS ANY NEED FOR A SITE VIEW

At this time Edgmont Township does not believe there is a need for a site view.

F. PROPOSED SCHEDULE FOR THE SUBMISSION OF EXPERT WRITTEN TESTIMONY, CONDUCTING AN IN-PERSON HEARING, AND THE SUBMISSION BRIEFS

Edgmont Township defers to the other parties in the litigation related to the scheduling of these matters.

G. WITNESSES

Catherine Ricardo, Edgmont Township, 1000 Gradyville Road, Gradyville, Pa. 19039;
phone: (610) 459-1662;

Ronald Gravina, Edgmont Township, 1000 Gradyville Road, Gradyville, Pa. 19039;
phone: (610) 459-1662;

Henry “Hank” Winchester, III, Edgmont Township, 1000 Gradyville Road, Gradyville,
Pa. 19039; phone (610) 459-1662;

James Hallam, Edgmont Township, 1000 Gradyville Road, Gradyville, Pa. 19039;
phone (610) 459-1662.

H. ISSUES AND SUB-ISSUES

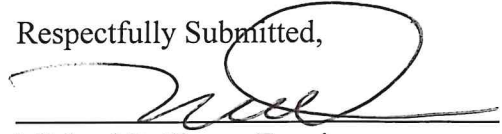
1. Consolidation of Complaints; no objection to the consolidation of Complaints;
2. Petitions to Intervene; no objection to permitting parties to intervene;
3. Protective Order; no objections at this time;
4. Public Awareness/Emergency Preparedness;
 - a) Installation of release detector instruments at safe intervals along the pipelines to be provided, installed and maintained by the Respondent as well as adequate and appropriate training to Township First Responders related to same;
 - b) Increasing the frequency of inline and hydration testing to a minimum of yearly, with all of the testing results provided to the Township within 30 days of completion;
 - c) Mandatory reporting by Respondent to the Township of any and all pipeline incidents including but not limited to damaged pipeline coating, breaks, leaks, spills, incidents, inadvertent returns, or any such similar occurrences, even if no product is released;
 - d) Mandatory infusion of additives into the product being moved through the pipelines that would emit an odor and distinctive coloration that would be easily detectable by those in close proximity to the pipeline as well as electronic sniffing equipment;
 - e) Expansion of the “impacted” areas surrounding the pipeline for possible installation of alternative water supplies;
 - f) Production of any and all studies immediately related to the impact of the pipeline on natural water supplies, including aquifers serving the Township residents;
 - g) Providing the Township with any and all pipeline incident reports even if no product is released, including but not limited to operator error, damaged pipeline coating and inadvertent returns or releases within 7 days.

5. Mass Warning Systems - Edgmont Township is in favor of the installation of appropriate and adequate mass warning systems by the Respondent;
6. Pipeline Integrity Management - Edgmont Township would defer to the expert recommendation related to Pipeline Integrity Management;
7. Leak detection protocols - See Edgmont Township's position related to public awareness/emergency responders;
8. Remaining Life Study of ME1 and 12" pipe - Edgmont Township is desirous of having a Remaining Life Study completed and provided to the Township of ME1 and the 12" pipe;
9. Location of pipelines close to dwellings and public gathering places - Edgmont Township opposes the installation of pipelines in close proximity to dwellings and other public gathering places. It is of paramount concern to Edgmont Township that the health, safety and welfare of the residents and First Responders are given the highest level of priority in determining any and all pipeline placements within the township boundaries;
10. Valve spacing - status of construction of valves - Edgmont is in favor of increasing the number and/or frequency of valve placement on any pipeline placement;
11. Horizontal Directional Drilling - status of construction permits, construction activities, etc. - Edgmont Township desires strict adherence to any and all regulations and requirements of issued construction permits and all related construction activities comply with Township Rules and Regulations regarding construction of pipelines.

I. EVIDENCE

Edgmont Township would anticipate providing testimony from First Responders of the Township related to the necessity of their requested relief as well as testimony related to the interaction of the Respondent with the Township through testimony from members of the Board of Supervisors as well as the Township Manager.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael P. Pierce', is written over a horizontal line.

Michael P. Pierce, Esquire

Attorney I.D. # 43852

Pierce & Hughes, P.C.

17 Veterans Square

P.O. Box 604

Media, Pa. 19063

(610) 566-9111 (voice)

(610) 566-0191 (fax)

Mppierce@Pierceandhughes.com