

## BRIEF

Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
2nd Floor Room N-201, Harrisburg PA 17120

August 30, 2019

I am submitting this brief amicus curiae in the matter of Wilmer Baker's Formal Complaint against Sunoco Pipeline (PUC Docket no. C-2018-3004294).

I will focus solely on the emergency preparedness aspect of this case. In short, Sunoco's emergency training and our municipalities' ability to develop credible and practical emergency plans are insufficient. There are no credible plans in place to protect the public, especially those with limited mobility who cannot self-evacuate a half mile, upwind, on foot.

Witness Ralph Blume testified that the Upper Franklin Township fire chief informed him that in the training they received from Sunoco they were trained to block traffic and residents would have to self evacuate in the event of an accident on Mariner East: "The deal was blockade the road, and anybody in blast zone they're on their own" (transcript page 139, 15-18). With the local fire station being in the blast zone, he expressed concern if even this minimal response was even possible (transcript page 140, 10-11).

Mr. Blume expressed particular concern for his wife who lives in their home 80 feet from the pipes. She is disabled and "can't walk ten feet without help" let alone a half mile (transcript page 146, 21-25).

These concerns for the lack of emergency preparedness are corroborated by the testimony of Tim Boyce, Director of Delaware County Department of Emergency Services and County Emergency Management Coordinator at a Pennsylvania State House Veterans Affairs and Emergency Preparedness Committee Hearing on May 30, 2019 (Complainant's Exhibit 264).

Mr. Boyce specifically expressed the following concerns for Mariner East and our most vulnerable populations:

- The first responders on the scene are typically police officers who "are going to go into harm's way with very little additional training, no expert protective equipment to address these things..." (exhibit 264 page 22,1-4)
- Local emergency managers who are largely volunteers are being charged with developing emergency plans, "but even for those that work really, really hard often just come up with a boilerplate template that says, you know, self evacuate". (exhibit page 22, 20-22)

- There is no plan to protect those that can't self evacuate. "I can't look someone in the eye and tell you that if you're immobile or you have an intellectual disability, that I can do that for you" (exhibit page 28, 12-15). And "Not everyone can self evacuate. The criticism is true when people say if your plan is to get up and walk away, I'm failing sir" (exhibit page 38, 20-23)
- Sunoco's emergency plans are technical, "but they do not address the first minutes of the release, who's communicating, what were communicated, what's the best action and what tools are available realtime to get you there" (exhibit page 40, 24-25 and page 41, 1-4)
- Sunoco's responsibility is to protect its asset, not the public. "Should we, while standing really close to this – these pipelines- be at the mercy of the operator, whose primary objective is to secure the pipeline? It's not to secure the people who live there" (exhibit page 46, 11-14).

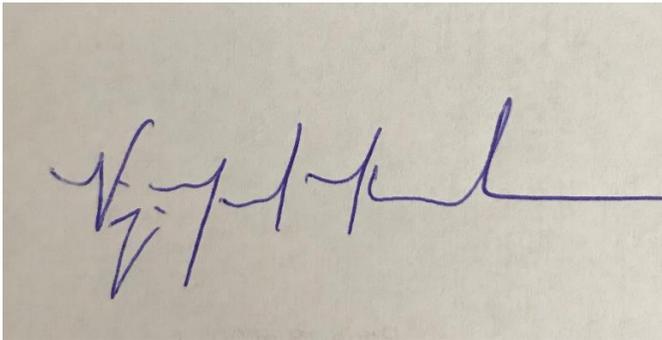
This lack of emergency preparedness is reason enough for operation of the Mariner East 1 and the cobbled together Mariner East 2 "workaround", and construction of the Mariner East 2 and 2x be halted immediately, until credible and practical emergency plans are in place. Delaware County Council signed a resolution for a moratorium on June 12, 2019 stating that "Sunoco's lack of adequate emergency planning and public awareness directly affects the ability of Delaware County to devise and implement an emergency evacuation plan....". Based on the evidence from the hearings in this matter and from the PA Public Utility Commission itself on more than one occasion referring to the potential for catastrophic event, it is clear that Mariner East poses a serious risk of death to those who live, work, shop, and play in the communities along the right-of-way.

Respectfully submitted,  
Virginia Marcille-Kerslake  
103 Shoen Road, Exton PA 19341

CERTIFICATE OF SERVICE Docket Number: C-2018-3004294

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 5.14 (relating to service by party). The Certificate of Service is a notification to the parties to the case of the Exception or Brief, etc. that you are submitting for filing. (List names and addresses of parties and the way each was served such as; USPS, Email, Fax, Mail Service. Emailed to : The Honorable Elizabeth Barnes, Wilmer Baker Thomas, Sniscak,

Dated this 30 day of August, 2019

A handwritten signature in blue ink on a light-colored background. The signature is cursive and appears to be "W. J. Thomas".

Signed