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January 13, 2020

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Filing Room  
Harrisburg, PA 17120

Re: Meghan Flynn, et al., Docket Nos. C-2018-3006116 & P-2018-3006117 (consolidated)  
Melissa DiBernardino, Docket No. C-2018-3005025 (consolidated)  
Rebecca Britton, Docket No. C-2019-3006898 (consolidated)  
Laura Obenski, Docket No. C-2019-3006905 (consolidated)  
Andover Homeowner's Association, Inc.; Docket No. C-2018-3003605 (consolidated)  
v.  
Sunoco Pipeline L.P.

**SUNOCO PIPELINE L.P.'S ANSWER OPPOSING ANDOVER HOMEOWNER'S  
ASSOCIATION, INC.'S MOTION TO STRIKE OBJECTIONS TO REQUESTS  
FOR PRODUCTION**

Dear Secretary Chiavetta:

Attached for electronic filing with the Commission is Sunoco Pipeline L.P.'s Answer Opposing Andover Homeowner's Association, Inc.'s Motion to Strike Objections to Requests for Production.

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

Thomas J. Sniscak  
Kevin J. McKeon  
Whitney E. Snyder  
*Counsel for Sunoco Pipeline L.P.*

WES/das  
Enclosure

cc: Honorable Elizabeth Barnes (by email and first class mail)  
Per Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the forgoing document upon the persons listed below in accordance with the requirements of § 1.54 (relating to service by a party).

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Thomas J. Sniscak, Esquire  
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Whitney E. Snyder, Esquire

Dated: January 13, 2020

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

|                                       |   |   |
|---------------------------------------|---|---|
| MEGHAN FLYNN et al.                   | : | Docket Nos. C-2018-3006116 (consolidated) |
|                                       | : | P-2018-3006117                            |
| MELISSA DIBERNARDINO                  | : | Docket No. C-2018-3005025 (consolidated)  |
| REBECCA BRITTON                       | : | Docket No. C-2019-3006898 (consolidated)  |
| LAURA OBENSKI                         | : | Docket No. C-2019-3006905 (consolidated)  |
| ANDOVER HOMEOWNER'S ASSOCIATION, INC. | : | Docket No. C-2018-3003605 (consolidated)  |
|                                       | : |   |
|                                       | : |   |
| v.                                    | : |   |
|                                       | : |   |
| SUNOCO PIPELINE L.P.                  | : |   |

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**SUNOCO PIPELINE L.P. ANSWER OPPOSING  
ANDOVER HOMEOWNER'S ASSOCIATION, INC'S MOTION TO STRIKE  
OBJECTIONS TO REQUESTS FOR PRODUCTION**

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Pursuant to 52 Pa. Code § 5.342(g), Sunoco Pipeline L.P. (SPLP) files this Answer Opposing Andover Homeowners' Association Inc.'s (Andover) January 6, 2020 Motion to Strike Objection to Requests for Production (Motion).

The Motion should be denied because it is procedurally deficient. Most troubling, the Motion fails to include SPLP's objections or answers to discovery at issue in violation of 52 Pa. Code § 5.342(g). The Motion presents an incomplete and inaccurate picture of the discovery that has occurred and should also be denied on this basis. Moreover, the Motion fails to include a notice to plead in violation of 52 Pa. Code § 5.103. This is particularly troubling given the five day response times to motions to compel. Further yet, the Motion contains various new averments of fact and is not verified in violation of 52 Pa. Code § 1.36. SPLP should not be forced to respond to unverified allegations. SPLP is providing a copy of its relevant written interrogatory responses as Attachment A.

As detailed below in SPLP's paragraph by paragraph response,<sup>1</sup> the Motion should also be denied because SPLP has provided the required responsive information to each interrogatory at issue.

1. This paragraph requires no response.

2. Admitted that SPLP provided an initial response to Andover Set I Interrogatories on December 26, 2019. SPLP did not "file" that response, as discovery is not to be filed with the Commission. SPLP also provided a document production on December 30, 2019 and January 3, 2020, consisting of approximately 70,000 pages of documents. To date, SPLP has produced approximately 102,396 pages of discovery productions. Also, to date, Andover's counsel appears not to have viewed any of SPLP's document confidential or highly confidential productions in response to Andover Set 1 (approximately 30,000 pages) and only viewed the public production of approximately 50,000 pages on January 6, 2019, the day he filed and served the Motion.

**A. ANSWER TO MOTION TO COMPEL FOR MORE FULL AND COMPLETE ANSWERS**

1. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

2. Denied.

3. Admitted. The Commission's discovery regulations expressly consider that a party may answer discovery by providing written testimony and that regardless of the timing of that testimony, the discovery responses are considered timely served. 52 Pa. Code § 5.342(a)(2). SPLP also notes that Andover conveniently fails to mention that SPLP did provide responsive

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<sup>1</sup> SPLP notes that it is not required to specifically admit or deny allegations of a Motion. This is particularly true here where such allegations are unverified.

information to each of the requests it mentions in this paragraph. For example, in response to 9, SPLP pointed to various prior productions and information responsive to the request. To date, Andover's counsel appears not to have reviewed any of SPLP's confidential or highly confidential document productions in response to its interrogatories and only reviewed SPLP's 50,000 page production of public document on January 6, 2020, the day the Motion was filed.

4. Denied. Again, in response to Andover Set I, SPLP has produced over 70,000 pages of document productions. This is in addition to the approximately 30,000 pages of document productions produced in response to Flynn Sets 1 and 2.

5. Denied. The Commission's regulations and the procedural order here expressly consider that parties will engage in discovery after each round of written testimony. To the extent SPLP provides new information in its written testimony due in April, parties can conduct discovery and file responsive testimony. That is the way Commission proceedings work. There is no prejudice to Andover.

6. SPLP's written testimony is due April 14, 2019.

7. Denied. See SPLP Response to Paragraphs 3 and 5, which are incorporated herein as if set forth in full.

8. This relief must be denied. SPLP is well within its rights to present additional information through its written testimony as responsive to discovery requests. See SPLP Response to Paragraph 3, which is incorporated herein as if set forth in full.

9. SPLP raised various objections in its responses to Andover Set 1 to preserve such objections. Regarding the time period objection Andover raises, SPLP did not withhold any discovery on the basis of its objections.

10. Denied. While Andover fails to identify interrogatories to which these arguments pertain, SPLP did present just such review and analyses. For example, SPLP provided as Extremely Sensitive Materials its hazard assessments for ME1, the 12-inch pipeline and ME2. SPLP has also provided extensive information regarding its siting and planning process in response to Flynn Set 1, Nos. 165-166, which Your Honor has already held sufficient. *Flynn et al v. SPLP*, Docket No. C-2018-3006116, Order Granting In Part and Denying In Part Flynn Complainants' Amended Motion to Compel Set 2 at 5-7 (Order entered Jan. 3, 2020).

11. See Response to Paragraph 10, which is incorporated herein as if set forth in full.

12. See Response to Paragraph 10, which is incorporated herein as if set forth in full.

13. Admitted.

WHEREFORE, Andover's Motion should be denied.

**B. SPLP ANSWER TO REQUEST FOR LEAVE TO PROPOUND SUPPLEMENTAL DISCOVERY UPON SPLP**

14. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

15. The request for leave to propound additional discovery on SPLP after SPLP serves its written testimony is frivolous. Leave is not needed. See Response to Paragraphs 3 and 5 above, which are incorporated herein as if set forth at length.

16. See Response to Paragraph 15.

17. See Response to Paragraph 15.

WHEREFORE, Andover's Motion should be denied.



**C. SPLP ANSWER TO MOTION TO STRIKE OBJECTIONS FOR UNDEFINED PERIOD OF TIME**

18. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

19. Denied. While SPLP raised certain objections to preserve those objections in its responses, SPLP did not withhold discovery on that basis. There is nothing to compel.

20. Admitted.

21. See Response to Paragraph 19, which is incorporated herein as if set forth at length.

22. See Response to Paragraph 19, which is incorporated herein as if set forth at length.

23. See Response to Paragraph 19, which is incorporated herein as if set forth at length.

24. See Response to Paragraph 19, which is incorporated herein as if set forth at length.

WHEREFORE, Andover's Motion should be denied.

**D. SPLP ANSWER TO MOTION TO STRIKE OBJECTIONS FOR LACK OF JURISDICTION**

25. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

26. Denied. Andover misconstrues both SPLP's objection and its response. Again, SPLP raised an objection to jurisdiction regarding water quality issues. The interrogatory sought: "Identify and describe the distance of the [pipelines] from all public water supply wells and reservoirs . . ." Again, SPLP did not stand on its objection, but referred Andover to

documents (alignment sheets and maps) previously produced where it could find such information. There is nothing to compel here.

27. Denied. See Response to Paragraph 26, which is incorporated herein as if set forth at length.

28. Denied. SPLP explained that it contacted public water suppliers consistent with PADEP permit requirements. That is providing very specific information – SPLP is representing it did what PADEP required and Andover can review those requirements. Moreover, the request did not seek more specific information.

29. Admitted. SPLP's response refers to a website. SPLP will not respond to Andover's unverified allegation about such website.

30. Denied. The language of the request (Interrogatory 23) seeks no such information. See Response to Paragraph 26.

31. SPLP already provided responsive information to the interrogatory.

32. Interrogatory 23 does not seek this information.

33. Denied. Interrogatory 23 does not seek this information.

34. Denied. SPLP in response to Interrogatory 97 explained the contacts it made with owners and occupiers of property with private drinking wells. SPLP notes it has already been required to and is providing additional responsive information on this topic today in response to Flynn Set II per the January 3, 2020 Order on Motion to Compel.

35. Denied. Andover Set I Nos. 110 and 111 seek:

110. Identify and describe the status or required municipal permits to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

111. Identify and describe all expired required municipal permits to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania and any required steps you must take to renew or refile any such permits.

SPLP preserved its objection on jurisdiction, then provided the following response to Interrogatory 110:

SPLP obtained applicable permits for the construction of Mariner East 2 and Mariner East 2X pipelines related to stormwater, grading, and earth disturbance activities from the following townships: East Nantemeal Township, Upper Uwchlan Township, Uwchlan Township, Wallace Township, West Goshen Township, West Whiteland Township. In Delaware County, SPLP obtained applicable permits for the construction of Mariner East 2 and Mariner East 2X pipelines related to stormwater, grading, and earth disturbance activities from the following townships: Edgmont Township, Middletown Township, Thornbury Township, Upper Chichester Township.

Thus, SPLP identified the types of permits it obtained in the areas it obtained them. This is not a “non-response.” It provides exactly the information sought. In response to 111, SPLP stated: None. Again, this is not a “non-response.”

36. Denied. Andover misconstrues SPLP’s objection. Andover has the burden of proof to show SPLP is in violation of law or regulation over which this Commission has jurisdiction. The Commission does not have jurisdiction to enforce municipal permits. Andover makes no offer of proof or showing that such permits have anything to do with provision of safe and adequate service.

37. This statement is irrelevant. SPLP’s discovery responses speak for themselves and Andover’s characterization thereof is denied.

38. Denied. Andover has the burden of proof relative to its Motion. It fails to show how SPLP’s answer does not comply with Commission regulations. Andover has the burden of

proof and must show that whatever additional information it is seeking (which it does not specify) is likely to lead to admissible evidence. It fails to do so.

39. SPLP provided a response regarding “expired” permits. If Andover disagrees, it can present its own evidence. SPLP will not respond to Andover’ unverified allegation regarding this permit.

40. If Andover seeks information on compliance with municipal permits, to obtain that information it has to follow discovery regulations and ask for such information and allow SPLP the opportunity to object. Neither interrogatories 110 or 111 ask for this information.

41. SPLP has already provided full and complete responses. Andover fails to identify information that it actually sought in discovery that SPLP did not provide.

42. Denied. Again, SPLP did not stand on its objection, but provided responses to both interrogatories.

WHEREFORE, Andover’s Motion should be denied.

**E. SPLP ANSWER TO MOTION TO STRIKE OBJECTIONS CONCERNING FLOW REVERSAL**

43. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

44. Admitted that SPLP raised objections in response to 28 and 29 to preserve such objections. Again, SPLP did not stand on these objections to withhold responsive information – it explained. SPLP provided complete answers to both 28 and 29:

28. Identify and describe all investigations made by you or on your behalf into the leak detection and monitoring systems related to the flow reversal and product change in ME1 and Point Breeze-Montello.

**RESPONSE:** SPLP objects to the term “investigation” as vague and overbroad. Subject to and without waiver of any objection, to

the extent that this Interrogatory seeks information regarding changes made to the leak detection systems for the pipelines, the Mariner East 1 and 12-inch pipelines had pre-existing computerized leak detection and monitoring systems that were in use prior to the change in the product being transported in the pipelines. As part of the change in the product being transported in those pipelines, the pre-existing leak detection and monitoring systems were enhanced, which included changing the leak detection meters from the turbine meters used when the pipelines were transporting refined petroleum products, to Coriolis meters that are currently in use for natural gas liquids service. The sampling points along the pipelines were also enhanced.

29. Identify and describe all investigations made by you or on your behalf to determine whether the hazardous liquids proposed or presently being transported in ME1 or Point Breeze-Montello are compatible with the materials of which ME1 and Point Breeze-Montello are made.

**RESPONSE:** SPLP objects to the term “investigation” as vague and overbroad. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding the compatibility of the steel pipe that the Mariner East 1 and 12-inch pipelines are made from, steel pipe is the safest method to transport natural gas liquids. By way of further response, steel pipe is compatible with the natural gas liquid products that are being transported in the Mariner East 1 and 12-inch pipelines.

**DATE:** December 26, 2019

45. Denied. SPLP explained that when it changed product, it enhanced the already present CPM leak detection software on the pipelines in question. SPLP has no idea what “vague list” Andover refers to in its Motion.

46. Denied. SPLP provided responsive and detailed information about the enhancement it made to its leak detection system. Andover raises no specific information it alleges SPLP has not provided.

47. Denied. SPLP’s answer to 29 is not vague. The interrogatory sought information on compatibility of materials of which pipelines are made. SPLP responded that the pipelines are made of steel and are compatible with the products being transported. Andover now seeks a

much broader swath of information that the interrogatory did not seek – trying to obtain information about ancillary equipment to the pipeline. Again, if Andover wants this information, it needs to use proper discovery procedures to ask for it. SPLP cannot divine what Andover seeks.

48. Again, Andover shows it is seeking information outside the scope of 29 – now asking for information about ancillary equipment, which is outside the scope of the original request.

49. Denied. See Responses to paragraphs 44-48 which are incorporated herein as if set forth at length.

WHEREFORE, Andover's Motion should be denied.

**F. SPLP ANSWER TO MOTION TO STRIKE OBJECTIONS CONCERNING GEOLOGICAL INTERROGATORIES**

50. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

51. Denied. Andover misconstrues its own discovery requests and fails to set them forth in its motion as required. Moreover, information SPLP produced regarding submissions to DEP show in part what SPLP has done in terms of construction in various geological conditions. Also, this is not the only responsive information SPLP provided. Also, to date, Andover's counsel appears not to have viewed any of SPLP's document confidential or highly confidential productions in response to Andover Set 1 (approximately 30,000 pages) and only viewed the public production of approximately 50,000 pages on January 6, 2019, the day he filed and served the Motion.

52. Denied. SPLP's response to Interrogatory 45 is not vague. When asked about karst geology identification, testing and sampling that SPLP conducted, it referred to the DEP

Void Mitigation Plan for Karst Terrain and produced that document. That Plan sets forth the responsive information Andover seeks. Moreover, SPLP referred back to other related interrogatories that stated SPLP would be producing additional information. SPLP produced just such additional information, for example, at Bates Nos. SPLP00072846-74735, SPLP00100342-102396 and providing DEP submissions, all of which show geophysical and geotechnical studies conducted.

53. Denied. See Responses to Paragraphs 51 and 52, which are incorporated herein as if set forth in full.

54. Again, Andover fails to explain what its interrogatories actually sought. Interrogatories 112-117 sought information about geological issues, including subsidences. SPLP provided responsive information, including referring back to interrogatory 103, where it provided a list of subsidences in Chester and Delaware Counties. Again, SPLP has produced information regarding these issues, including “Documents providing further information regarding these ground surface subsidence events, SPLP’s evaluation of the ground surface subsidences, and remedial efforts will be produced.” See Response to Paragraphs 51 and 52, which are incorporated herein as if set forth at length.

55. Denied. SPLP produced responsive information.

56. Denied. Regarding interrogatories 128-132, contrary to Andover’s argument, these interrogatories have nothing to do with SPLP’s integrity management plan. 128 and 129 seek information regarding inspections conducted based on allegations. SPLP responded it was unaware of such allegations or claims. SPLP responded. 130-132 seek information regarding agency issued notices of probable violations, orders, and penalties. SPLP provided responses.

SPLP has no idea what Andover is attempting to argue here or what information it believes should be produced that has not been produced.

57. Again, SPLP fails to understand Andover's argument as these requests do not mention SPLP's "195 manual." SPLP provided responses to these interrogatories.

58. Regarding interrogatories 134-135, again SPLP raised objections to preserve them, but did not withhold responsive information on this basis. SPLP provided the responsive information both interrogatories sought and produced responsive information. Obviously, Andover's counsel did not review the information produced. To date, Andover's counsel appears not to have viewed any of SPLP's document confidential or highly confidential productions in response to Andover Set 1 (approximately 30,000 pages) and only viewed the public production of approximately 50,000 pages on January 6, 2019, the day he filed and served the Motion.

59. Again, Andover gets the burden of proof exactly wrong, and compounds its error by raising contentions that are irrelevant. SPLP produced the responsive information requested.

60. Denied. SPLP is well within its rights to preserve objections and legal arguments.

61. This is a legal conclusion to which no response is required.

62. Denied. Andover misconstrues SPLP's arguments. Regardless, SPLP has produced the responsive information and these contentions are irrelevant.

63. This is a legal conclusion to which no response is required. Notably, while incorrectly criticizing SPLP for failure to cite law to support its objections, Andover itself cites none of the alleged "extensive case law and statutory authority" it relies upon.



64. Denied. Again, SPLP did not withhold responsive information based on the objections it raised to preserve them. It is Andover's burden to prove how the discovery it seeks is reasonably calculated to lead to admissible evidence.

WHEREFORE, Andover's Motion should be denied.

**G. SPLP'S ANSWER TO MOTION TO STRIKE OBJECTIONS  
CONCERNING PUBLIC AWARENESS PROGRAM**

65. This paragraph requires no response. SPLP incorporates prior paragraphs of this Answer herein as if set forth in full.

66. Denied. SPLP's public awareness program and associated materials speak for themselves and any characterization thereof is denied.

67. Denied. SPLP will not respond to these unverified allegations.

68. Denied.

69. Denied. Andover's interrogatories are not calculated. They are disallowable, overbroad fishing expeditions. *See, e.g., City of York v. Pa. P.U.C.*, 281 A.2d 261, 265 (Pa. Cmwlth. 1971) ("Anything in the nature of a mere fishing expedition is not to be encouraged. Where the plaintiff will swear that some specific book contains material or important evidence, and sufficiently describes and identifies what he wants, it is proper that he should have it produced. But this does not entitle him to have brought in a mass of books and papers in order that he may search them through to gather evidence.") (quoting *American Car & Foundry Company v. Alexandria Water Company*, 70 A. 867, 869 (Pa. Super. 1908)).

70. Denied. SPLP provided answers to each of the requests identified (57-70, 72-81, 86-92). Andover appears to be taking issue with SPLP refusing to answer the interrogatories with respect to other pipelines in other states. As Your Honor has repeatedly held, discovery is limited to Chester and Delaware Counties. *See, e.g., Flynn et al v. SPLP*, Docket No. C-2018-

3006116, Order Granting In Part and Denying In Part Flynn Complainants' Motion to Compel Set 1 at pp. 25-28, 34-37, 44-46 (Order entered June 6, 2019). Andover seeks information about other pipelines in other states and fails to show how that information has any bearing on whether SPLP's public awareness program and implementation therefore complies with federal and state law and regulations.

71. The interrogatories speak for themselves. Andover's characterization thereof is denied.

72. Denied. Had Andover's counsel bothered to review prior discovery responses, it would be aware that in response to Flynn Set 1, No. 228, SPLP provided information regarding changes in its public awareness program. That response reflected that as of May 1, 2018, the Energy Transfer SOP for public awareness became effective for SPLP. (Attached hereto as Attachment B).

73. How Energy Transfer may implement its public awareness program in other jurisdictions for other pipelines is irrelevant to this proceeding.

74. SPLP's response to Flynn Set 1, No. 228 described changes made in its public awareness program, including post-implementation of Energy Transfer's program.

75. SPLP fails to understand how this statement supports Andover's claim. Andover has been provided with the relevant information.

76. SPLP is required to implement the SOP in place for public awareness. Andover's reference to "relaxed compliance" is nonsensical.

77. Denied. This statement assumes that just because implementation may be different, that means the difference must show a deficiency. Again, information on public awareness program implementation for other pipelines in other states is irrelevant to showing

whether or not SPLP's public awareness program or implementation in Chester and Delaware Counties complies with applicable federal and state law.

78. Denied. SPLP utilizes Energy Transfer's SOPs. This does not mean SPLP does not maintain a "195 Manual."

79. See Response to Paragraph 78, which is incorporated herein as if set forth in full.

80. Denied. SPLP's testimony and evidence was not vague and it is perfectly acceptable to refer back to such testimony and evidence in responding to discovery.

81. The testimony is responsive. Mr. Perez explained exactly how SPLP implements its public awareness program.

82. SPLP's answers are not vague. The scope of this proceeding is the Mariner East pipelines in Chester and Delaware Counties. The scope of discovery should be and has been limited to these pipelines.

83. SPLP is not withholding information about how it implements its public awareness program for the Mariner East pipelines in Chester and Delaware Counties.

84. SPLP and Energy Transfer are not withholding information about how SPLP's public awareness program is implemented, regardless of which personnel or entity is engaging in such implementation.

85. Admitted that Andover sought information about changes to SPLP's public awareness program. SPLP provided that exact information in response to Flynn Set 1, No. 228.

86. Andover's interrogatories speak for themselves and any characterization thereof is denied.

87. Denied. None of the requests Andover refer to (57-70, 72-81, 86-92) request such information. If Andover is seeking such information, it should follow discovery procedures and propound such interrogatories.

88. See Response to Paragraph 87, which is incorporated herein as if set forth at length.

89. See Response to Paragraph 87, which is incorporated herein as if set forth at length.

90. See Response to Paragraph 87, which is incorporated herein as if set forth at length.

91. The interrogatories speak for themselves. Andover's characterization thereof is denied.

92. Denied. SPLP did provide responsive information, referring back to information previously provided. That is acceptable discovery practice.

93. Denied that Andover reviewed SPLP's prior discovery responses. To date, Andover's counsel appears not to have viewed any of SPLP's document confidential or highly confidential productions in response to Andover Set 1 (approximately 30,000 pages) and only viewed the public production of approximately 50,000 pages on January 6, 2019, the day he filed and served the Motion. Denied that SPLP has not provided the required information.

94. Denied that the Association's questions exceed the scope of the previous Flynn requests.

95. Admitted.

96. Denied that SPLP has "no 195 Manual." Denied to the extent implied that SPLP has not provided the information required for interrogatory 91. SPLP explained that consistent

with Part 195 regulations, it is required to report all leaks, punctures, and ruptures of 5 gallons or more.

97. SPLP did not provide a “non-answer” to 91. It referred back to the responsive materials already produced regarding leaks, punctures, and ruptures. Your Honor has already addressed this issue and SPLP’s compliance with provision of this information. *See Flynn et al v. SPLP*, Docket No. C-2018-3006116, Order Granting In Part and Denying In Part Flynn Complainants’ Amended Motion to Compel Set II at pp. 7-10 (Order entered June 6, 2019). How interrogatory 91, which seeks identification of leaks, punctures, and ruptures occurring in the past has anything to do with compliance with public awareness is not alleged in the Motion.

98. Denied. The request speaks for itself and Andover’s characterization thereof is denied. SPLP provided the necessary information for each of the leaks, punctures, or ruptures that it identified.

99. Denied. The request speaks for itself and Andover’s characterization thereof is denied. SPLP provided the necessary information for each of the leaks, punctures, or ruptures that it identified. The request does not seek the information Andover is now trying to compel.

100. SPLP will not respond to this false, irrelevant, and unverified accusation.

101. Denied. SPLP fails to understand what counsel is alleging and as such it is denied.

102. Denied. Andover’s interrogatory no. 94 refers to changes to SPLP’s 49 CFR Part 195 manual “in response to each such incident listed above.” SPLP cannot divine what “incidents” this request referred to as the directly preceding request was not about “incidents” while there are numerous other requests within the interrogatories that refer to various types of “incidents.” SPLP is not required to try to reinterpret Andover’s discovery to respond to what it

thinks Andover was trying to ask. The duty to propound interrogatories free from ambiguity is on the requester, not SPLP.

103. Denied. The request speaks for itself and Andover's characterization thereof is denied. SPLP identified the requested leak, puncture, or rupture on SPLP's Mariner East assets. Requests for incidents on other Energy Transfer pipelines is overbroad and well beyond the scope of this proceeding.

104. Denied. See Response to Paragraph 103, which is incorporated herein as if set forth in full.

105. Denied. See Response to Paragraph 103, which is incorporated herein as if set forth in full.

106. Denied. See Response to Paragraph 103, which is incorporated herein as if set forth in full.

107. Denied. SPLP fully answered both interrogatories 95 and 96 by reference back to Flynn, Set 1, No. 228 (attached hereto as Attachment B). This is for all changes to the public awareness program since 2014. Had Andover's counsel bothered to look at the responsive information, he would be aware that SPLP did provide the information sought.

108. Denied. See Response to Paragraph 107, which is incorporated herein as if set forth at length.

109. Denied. See Response to Paragraph 107, which is incorporated herein as if set forth at length.

WHEREFORE, Andover's Motion should be denied.

Respectfully submitted,

/s/ Robert D. Fox

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*Attorneys for Respondent Sunoco Pipeline L.P.*

Dated: January 13, 2020

# **ATTACHMENT A**



# MANKO | GOLD | KATCHER | FOX LLP

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

Diana A. Silva  
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*Admitted in PA and NJ*

December 26, 2019

via Electronic and First-Class Mail  
Rich Raiders, Esquire  
Raiders Law  
606 North 5<sup>th</sup> Street  
Reading, PA 19601

Re: Meghan Flynn, et al. v. Sunoco Pipeline L.P.,  
Consolidated Docket Nos. C-2018-3006116

Dear Rich:

Enclosed is Sunoco Pipeline L.P.'s Answers to Andover Homeowners' Association, Inc.'s First Set of Interrogatories to Sunoco Pipeline L.P.

Very truly yours,



Diana A. Silva  
For MANKO, GOLD, KATCHER & FOX, LLP

DAS/mrb/11842

Enclosure

cc: All Counsel and Pro Se Parties on attached Service List

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the forgoing document upon the persons listed below in accordance with the requirements of § 1.54 (relating to service by a party).

**VIA ELECTRONIC MAIL**

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Diana A. Silva  
Diana A. Silva, Esquire

Dated: December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

In accordance with 52 Pa. Code. § 5.342, and the Order issued by Administrative Law Judge Elizabeth Barnes on November 26, 2019, Respondent Sunoco Pipeline L.P. (“SPLP”) responds to Andover Homeowners’ Association, Inc.’s First Set of Interrogatories Addressed to Sunoco Pipeline L.P. (the “Interrogatories”) as follows. SPLP incorporates its objections previously raised to the Interrogatories in SPLP’s Objections to Complainant’s Interrogatories dated September 30, 2019 as if set forth fully herein.

1. Identify each person from whom you expect to submit fact or lay written testimony and/or who you expect to call as a fact or lay witness at hearing.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is premature and inconsistent with the June 6, 2019 Procedural Order. By way of further response, in its April 19, 2019 Prehearing Conference Memorandum, SPLP provided a preliminary list of the potential witnesses that it intends to present to defend against the complaints in the consolidated action, which also included the proposed topics regarding which each witness will testify. As SPLP does not have the burden of proof in this proceeding, it cannot predict what specific witnesses it may need to present to defend against the complaints in the consolidated action, and therefore SPLP reserves the right to amend the list of potential witnesses previously identified following the complainants and aligned intervenors submission of direct written testimony. SPLP will present its written rebuttal testimony in accordance with the scheduled adopted in the June 6, 2019 Procedural Order.

**DATE:** December 26, 2019

**BY:** Counsel

2. For each person identified in response to paragraph 1, state the subject matter on which you expect each person to testify.

**RESPONSE:** *See* response to Interrogatory No. 1, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Counsel

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

3. For each person identified in response to paragraph 1, state the substance of the facts and opinions on which you expect the person to testify and a summary of the grounds for all such testimony.

**RESPONSE:** *See* response to Interrogatory No. 1, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Counsel

5. Identify each person from whom you expect to submit expert written testimony and/or call as an expert witness at hearing.

**RESPONSE:** *See* response to Interrogatory No. 1, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Counsel

6. For each person identified in response to paragraph 5, state the subject matter on which the expert is expected to testify.

**RESPONSE:** *See* response to Interrogatory No. 1, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Counsel

7. For each person identified in response to paragraph 5, state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

**RESPONSE:** *See* response to Interrogatory No. 1, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Counsel

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

9. Identify and describe all actions taken by you or on your behalf to assess the condition, adequacy, efficiency, public safety risk, and reasonableness of ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome, in that it effectively seeks SPLP to identify all actions it has taken to date to assess the safety of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines for an undefined period of time. SPLP further objects to this Interrogatory to the extent that it seeks information that SPLP has previously provided in response to interrogatories propounded by the Flynn Complainants, including information regarding SPLP's integrity management program, standard operating procedures, construction and design information, maintenance and repair procedures and records, risk assessments, and other related documents that have been previously produced, some of which are Confidential, Highly-Confidential, or Extremely Sensitive Materials that are subject to the terms and conditions of the Amended Protective Order in this Proceeding. Subject to and without waiver of any objection, SPLP will provide additional information responsive to this Interrogatory when it serves its expert testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Matthew Gordon

10. Identify and describe all actions taken by you or on your behalf to assess the integrity of the ME1 pipe, including without limitation, the welds and seams thereon, in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome, as it would require SPLP to identify and describe its entire integrity management and inspection program and protocols, and all related maintenance and testing performed thereunder. By way of further response, in accordance with the Order issued by ALJ Barnes on June 7, 2019 on Flynn Complainants Interrogatories Set 1, Nos. 1, 9, and 13, SPLP has already provided information summarizing its maintenance and upgrades on the Mariner East 1 pipeline since January 1, 2015, and such response and documents previously produced are incorporated by reference as if set forth fully herein. SPLP also previously produced its Integrity Management Plans and related appendices (Bates Nos. SPLP00007034-SPLP00007161 and SPLP00031808-SPLP00032109) which are Extremely Sensitive Materials that are available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Matthew Gordon

11. Identify and describe with specificity the materials that ME1, ME2, ME2X and Point Breeze-Montello are made of in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term "materials" is vague and undefined. Subject to and without waiver of any objection, to the extent that this Interrogatory is asking what the product pipelines are constructed from, information on the material that the Mariner East 1 and 12-inch pipelines are constructed from are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734). By way of further response, the pipe specifications for the Mariner East 2 and 2X pipelines are reflected on documents that shall be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

12. Identify and describe the pipe wall thickness of ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, the pipe wall thickness for the Mariner East 1 and 12-inch pipelines are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and the pipe specifications for the Mariner East 2 and 2X pipelines are reflected in documents that shall be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

13. Identify and describe the depth of cover over ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 176, which is incorporated by reference as if set forth fully herein. By way of further response, the depth of cover for the Mariner East 1 and 12-inch pipelines are reflected in documents, including



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

pothole data produced herewith. The depth of cover for the Mariner East 2 and Mariner East 2X pipelines vary by installation method – areas of open cut-constructed pipe open-cut construction are installed with a minimum 48 inches of cover. Areas of pipeline installation by a bore or horizontal directional drilling method are typically installed at deeper than 48 inches, and depth depends upon the particular installation location.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

14. Identify and describe all locations in or around Delaware and Chester Counties, Pennsylvania where the depth of cover over ME1 is less than 48 inches.

**RESPONSE:** *See* response to Interrogatory No. 13, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

15. Identify and describe all locations in or around Delaware and Chester Counties, Pennsylvania where the depth of cover over Point Breeze-Montello is less than 48 inches.

**RESPONSE:** *See* response to Interrogatory No. 13, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

16. Identify and describe the distance (or proposed distance) between each of ME1, ME2, ME2X or Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania, noting with specificity all locations where the distance between any two of these pipelines is equal to or less than ten (10) feet.

**RESPONSE:** Subject to and without waiver of any objection, the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines are shown on alignment sheets previously produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and on construction alignment sheets that shall be produced. By way of further response, the pothole data that shall be produced in response to Interrogatory No. 15 also shows proximity of the pipelines to each other.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Matthew Gordon

17. Identify and describe the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello to any United States or Pennsylvania numbered highways in and around Delaware and Chester Counties, Pennsylvania, specifically where such distance is less than one (1) mile from any pipeline in or anticipated to become in NGL service.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are shown on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional maps of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

18. Identify and describe all locations where the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello is less than 2,000 feet from private dwellings in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

19. Identify and describe the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello from each school, public or private, located in and around Delaware and Chester Counties, Pennsylvania, where such distance is less than one (1) mile from any pipeline in NGL service or anticipated to be placed into NGL service. Identify the school district in which each public school belongs, and any affiliation of each private school within the one (1) mile radius.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional maps of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

20. Identify and describe the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello from each daycare, hospital, senior living facility, nursing home, or rehabilitative care facility in and around Delaware or Chester Counties, Pennsylvania, where such facilities are within one (1) mile of any Sunoco pipeline in or proposed to be placed in NGL service.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional maps of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

21. Identify and describe the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello from each mall or shopping center located in and around Delaware and Chester Counties, where such facilities are within one (1) mile of any Sunoco pipeline in or proposed to be placed in NGL service.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional maps of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Matthew Gordon

22. Identify and describe the distance (or proposed distance) of ME1, ME2, ME2X and Point Breeze-Montello from places of public assembly, including without limitation playgrounds, recreation areas, theaters, public libraries and houses of worship in and around Delaware and Chester Counties, Pennsylvania, where such facilities are within one (1) mile of any subject pipeline of NGL service.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as additional maps of the pipelines route in Chester and Delaware Counties that are part of the PADEP permit materials.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

23. Identify and describe the distance (or proposed distance) of ME1, ME2 and ME2X from all public water supply wells and reservoirs in Delaware and Chester Counties, Pennsylvania, where such facilities are within one (1) mile of any subject pipeline in NGL service.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding and regarding subject matters over which the Commission lacks jurisdiction, and that are within the jurisdiction of the Pennsylvania Department of Environmental Protection (“PADEP”). Subject to and without waiver of any objection, information regarding the location of the pipelines in Chester and Delaware Counties are reflected on alignment sheets that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets that shall be produced, as well as maps of the pipelines route in Chester and Delaware County that are part of the PADEP permit materials. By way of further response, the location of public water supply sources in Chester and Delaware Counties – such as surface water intakes, public groundwater wells, and reservoirs – are maintained as confidential information by the various public water suppliers and an exact geographic location is not provided to SPLP or any other private entity. Rather, in accordance with PADEP guidance, SPLP utilizes the eMapPA electronic mapping system (available at

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

<http://www.depgis.state.pa.us/emappa/>) to identify all public water suppliers who may have a public water source located within 1 mile of a pipeline right-of-way corridor. As part of the PADEP permitting process for the Mariner East 2 and Mariner East 2X pipelines, SPLP was required to and did in fact contact each public water supplier that had an identified source located within 1 mile of the pipeline right-of-way corridor, consulted with each public water supplier, and coordinated to address any concerns a public water supplier may have had. SPLP continues such outreach and coordination with local public water suppliers in accordance with the terms and conditions of its PADEP permits.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

24. Identify and describe the types of welded seams on ME1 (e.g., oxygen-acetylene welding, electric resistance welded seams) in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, information on the types of welds on the Mariner East 1 pipeline in Chester and Delaware Counties is reflected on alignment sheets that have already been produced, Bates Nos. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031537-SPLP00031579.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

25. Identify and describe any and all inspections or testing of the welded seams on ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania, including without limitation, hydrostatic testing, pig pipeline testing, strain gauges, and radiographic inspections. Please include all testing performed within the last five (5) years from the date of service of this document.

**RESPONSE:** Subject to and without waiver of any objection, testing records for Mariner East 1 and the 12-inch pipeline in Chester and Delaware Counties were provided in documents previously produced in response to Flynn Complainants Interrogatories Set 1, Nos. 1, 10, and 13, as well as reflected on the alignment sheets reflected on alignment sheets that have already been produced, Bates Nos. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031537-SPLP00031579. By way of further response, documents reflecting information responsive to this Interrogatory for the Mariner East 2 and Mariner East 2X

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

pipelines in Chester and Delaware Counties, which remain under construction, will be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

26. Identify and describe the findings of any and all inspections or testing of the welded seams on ME1 and Point Breeze-Montello in and around Delaware or Chester Counties, Pennsylvania in the last five (5) years.

**RESPONSE:** *See* response to Interrogatory No. 24, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

27. Identify and describe the investigations, tests, repairs, replacements and changes made by you or on your behalf related to the flow reversal or product change in ME1 or Point Breeze-Montello.

**RESPONSE:** Subject to and without waiver of any objection, SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos 1 and 10, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

28. Identify and describe all investigations made by you or on your behalf into the leak detection and monitoring systems related to the flow reversal and product change in ME1 and Point Breeze-Montello.

**RESPONSE:** SPLP objects to the term "investigation" as vague and overbroad. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding changes made to the leak detection systems for the pipelines, the Mariner East 1 and 12-inch pipelines had pre-existing computerized leak detection and monitoring systems that were in use prior to the change in the product being transported in the pipelines. As part of the change in the product being transported in those pipelines, the pre-existing leak detection and monitoring systems were enhanced, which included changing the

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

leak detection meters from the turbine meters used when the pipelines were transporting refined petroleum products, to Coriolis meters that are currently in use for natural gas liquids service. The sampling points along the pipelines were also enhanced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

29. Identify and describe all investigations made by you or on your behalf to determine whether the hazardous liquids proposed or presently being transported in ME1 or Point Breeze-Montello are compatible with the materials of which ME1 and Point Breeze-Montello are made.

**RESPONSE:** SPLP objects to the term “investigation” as vague and overbroad. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding the compatibility of the steel pipe that the Mariner East 1 and 12-inch pipelines are made from, steel pipe is the safest method to transport natural gas liquids. By way of further response, steel pipe is compatible with the natural gas liquid products that are being transported in the Mariner East 1 and 12-inch pipelines.

**DATE:** December 26, 2019

**BY:** Matthew Gordon and Richard Dalasio

30. Identify and describe all in-line inspections of ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties in the last five (5) years.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, SPLP has already produced the in-line inspection records for both the Mariner East 1 and 12-inch pipelines that were performed as part of the change in product of those pipelines in response to Flynn Complainants Interrogatories Set 1, Nos. 1, 10, and 13. By way of further response, the Mariner East 2 and Mariner East 2 X pipelines are currently in construction, and as such, in-line inspection records are only available for certain sections of the pipelines in Chester and Delaware Counties where construction has been completed, and such available in-line inspection records shall be produced.

**DATE:** December 26, 2016

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

31. Identify all welders who worked on ME1, ME2, ME2X, and the Point Breeze-Montello pipeline in the last five (5) years in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, in regard to Mariner East 1 and the 12-inch pipelines, SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 1 and 10 and documents produced therewith (*see* Bates Nos. SPLP00016055-SPLP00016853 and SPLP00028340-SPLP00028805), which are incorporated by reference as if set forth fully herein. Additional documents that reflect the welders for the Mariner East 2 and Mariner East 2X pipelines for Chester and Delaware Counties shall be produced.

**DATE:** December 26, 2019

**BY:** Jay Dresh and Rich Dalasio

32. Identify and describe all training and tests administered to welders who worked on ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, in regard to Mariner East 1 and the 12-inch pipelines, SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 1 and 10 and documents produced therewith (*see* Bates Nos. SPLP00009439-SPLP00009645), which are incorporated by reference as if set forth fully herein. Additional documents for the Mariner East 2 and Mariner East 2 pipelines for Chester and Delaware Counties shall be produced.

**DATE:** December 26, 2019

**BY:** Jay Dresh and Rich Dalasio

33. Identify and describe all Operational Qualification certifications required pursuant to 49 CFR part 195 Subpart G held by all welders who worked on ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, for the Mariner East 1 and 12-inch pipelines, *see* documents already produced in response to the Flynn Complainants' Interrogatories documents produced therewith (*see* Bates Nos. SPLP00016055-SPLP00016853 and SPLP00028340-SPLP00028805). By way of further response, 49 C.F.R. Subpart G is limited to "covered tasks" on a pipeline facility, which are limited to an activity identified by the operator that:



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

- “(1) Is performed on a pipeline facility;
- (2) Is an operations or maintenance task;
- (3) Is performed as a requirement of this part; and,
- (4) Affects the operation or integrity of the pipeline.”

49 C.F.R. § 195.501. Operational Qualifications under 49 C.F.R. Subpart G are only required for specific tasks that relate to welding on existing pipeline facilities, which are limited to making a tie-in of a new pipeline into an existing active pipeline facility, or welding on an in-service pipeline. As such, the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, which are new pipelines in the process of being constructed, are not applicable to this regulation.

By way of further response, training, testing, and qualifications for welders working on Mariner East 2 and Mariner East 2X in Chester and Delaware Counties shall be produced in response to Interrogatory No. 32 above.

**DATE:** December 26, 2019

**BY:** Jay Dresh

34. Identify and describe all work on ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania where any worker required to hold OQ qualifications did not hold such qualifications at the time such worker performed work on any part of ME2 or ME2X.

**RESPONSE:** None. *See also* response to Interrogatory No. 33, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Jay Dresh

35. Identify and describe your emergency response plans, practices and procedures in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** *See* response to Interrogatory No. 63 which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Carl G. Borkland

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

36. Identify and describe all relevant portions of your 49 CFR part 195 Manual that address compliance with 49 CFR § 195.440 that have been in effect for any NGL service for the last five (5) years within the United States. Please include all prior versions that have been superseded by newer versions of your 49 CFR part 195 Manual.

**RESPONSE:** Subject to and without waiver of any objection, SPLP has already produced copies of its public awareness plan, which was admitted as SPLP Exhibit 31 at the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief. *See* also response to Flynn Complainants Interrogatories Set 1, No. 122, which is incorporated by reference as if set forth fully herein. By way of further response, the information requested in this interrogatory that seeks information regarding changes made to SPLP's public awareness program in the past 5 years, has already provided in response to the Flynn Complainants Interrogatories Set 1, No. 228, which is incorporated by reference as if set forth fully herein, and as amended by SPLP's response to Interrogatory No. 141 below.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

37. Identify and describe all changes to any relevant portions of your 49 CFR part 195 Manual that address compliance with 49 CFR § 195.440 that have been in effect for any NGL service within the last five (5) years in effect anywhere within the United States.

**RESPONSE:** *See* response to Interrogatory Nos. 36 and 141, which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

38. Identify and describe how you intend to coordinate with fire, police, the Pennsylvania Emergency Management Agency, PHMSA, and other federal and state agencies in responding to a release (with or without ignition) of highly volatile liquids from ME1, ME2, ME2X or Point Breeze-Montello within and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** *See* documents already produced, including SPLP's public awareness plan, which was admitted as SPLP Exhibit 31 at the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief. *See also* response to Flynn Complainants Interrogatories Set 1, No. 122, which is incorporated by reference as if set forth fully herein. *See also* response to Flynn Complainants

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

Interrogatories Set 1, No. 113 and documents produced therewith. *See also*, testimony of Greg Noll from November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief. By way of further response, SPLP will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Counsel

39. Identify and describe all geophysical studies conducted by you or on your behalf (including without limitation electrical resistivity, gravity, microgravity surveys, multi-channel analysis of surface waves and other seismic methods) at and around ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania, including without limitation the dates, locations and methods for all such studies.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it is overbroad and unduly burdensome, and on the basis that seeks information for an undefined period of time. Subject to and without waiver of any objection, geophysical studies performed in Chester and Delaware Counties since the initiation of construction on Mariner East 2 and Mariner East 2X pipelines shall be produced.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

40. Identify and describe all geotechnical studies conducted by you or on your behalf at and around ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations and methods for all such studies.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it is overbroad and unduly burdensome, and on the basis that seeks information for an undefined period of time. Subject to and without waiver of any objection, geotechnical studies for horizontal directional drill locations for the construction of the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties are included in the PADEP permit materials for Mariner East 2 and Mariner East 2X pipelines, which are publicly available on the PADEP's website for the Mariner East pipeline project, accessible at <https://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>, copies of which are also produced herewith.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

Additional geotechnical studies performed in Chester and Delaware Counties after the PADEP permits were issued shall be produced

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

41. Identify and describe all geological bores undertaken by you or on your behalf in and around Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies concerning ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** See response to Interrogatory No. 40, which is incorporated by reference as if set forth fully herein, and documents produced therewith.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

42. Identify and describe the results all geophysical studies, geotechnical studies and geologic bores conducted by you or on your behalf at and around ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** See responses to Interrogatories Nos. 39, 40, and 41, which are incorporated by reference as if set forth fully herein, and documents produced therewith.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

43. Identify and describe all hydrological studies conducted by you or on your behalf at and around ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, hydrological studies were performed as a component of reevaluation reports prepared for certain horizontal directional drill locations for the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, copies of which are publicly available on the PADEP's website, accessible at

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

<https://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/HDD-Reevaluation-Reports.aspx> .

**DATE:** December 26, 2019

**BY:** Larry Gremminger

44. Identify and describe the results of all hydrological studies conducted by you or on your behalf in and around Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** *See* response to Interrogatory No. 43, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

45. Identify and describe any and all karst geology identification, testing and sampling conducted by you or on your behalf in Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** Subject to and without waiver of any of any objection, as a component of SPLP's permits for construction of the Mariner East 2 and Mariner East 2X pipelines, SPLP prepared and adopted a Void Mitigation Plan for Karst Terrain and Underground Mining, which assessed karst geology along the project route, and set forth best practices for construction in areas where karst geology exists. Copies of the Karst Plan and related modifications are produced herewith. By way of further response, SPLP has implemented such best practices and performed additional geological investigations when necessary and appropriate at a particular work location. For work locations in Chester County, documents related to such investigations are produced in response to Interrogatories Nos. 39-42 above. By way of yet further response, there is no karst geology in Delaware County.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

46. Identify and describe the results of all karst geology identification, testing, and sampling conducted by you or on your behalf in and around West Whiteland Township, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** *See* response to Interrogatory No. 45, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

47. Identify and describe any and all metamorphic or igneous geology identification, testing and sampling conducted by you or on your behalf in Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** *See* documents produced in response to Interrogatories Nos. 39-42 above.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

48. Identify and describe the results of all igneous or metamorphic geology identification, testing, and sampling conducted by you or on your behalf in and around Delaware and Chester Counties, Pennsylvania, including without limitation, the dates, locations, and methods for all such studies.

**RESPONSE:** *See* response to Interrogatory No. 47, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

49. Identify and describe all precautions taken by you concerning karst, igneous or metamorphic rock encountered or anticipated to be encountered during ME2 and ME2X construction in Delaware and Chester Counties, Pennsylvania during all phases of design, engineering, construction or permitting.

**RESPONSE:** Objection to term “precautions” as vague and undefined. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding SPLP’s efforts to protect against any potential effects to human health, the environment, or other active utilities during the construction of the

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, all of SPLP's engineering, design, and construction practices are aimed at preventing such effects. For specific precautions taken related to construction in areas of karst geology, *see* response to Interrogatory No. 45, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

50. Identify and describe all groundwater in the right-of-way for the Mariner East Project in Delaware and Chester Counties, including but not limited to flow and infiltration paths and patterns, the water table, the aquifer system(s), and soil and/or geologic characteristics.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad, unduly burdensome, and on the basis that that it seeks information for an undefined period of time. SPLP further objects to this Interrogatory to the extent it seeks information regarding "all groundwater" along the right-of-way for the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties. Subject to and without waiver of any objection, *see* responses to Interrogatories Nos. 43 and 44, which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

51. Identify and describe each and every fracture trace analysis conducted in or around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** *See* response to Interrogatory No. 43, which is incorporated by reference as if set forth fully herein, and documents produced therewith.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

52. Identify and describe each and every instance where you or someone on your behalf identified an anomaly, or "soft zone" from geophysical, geotechnical testing, or geologic borings in Delaware or Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. SPLP further objects to the terms "anomaly" and "soft zone" as vague and undefined.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

Subject to and without waiver of any objection, *see* response to Interrogatories No. 39-42 and documents identified therein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

53. Identify and describe all collocated utilities in the existing Mariner East project right-of-way in Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, information regarding the location of the pipelines in Chester and Delaware Counties, including whether the pipelines are collocated with other pipelines or other utilities, are reflected on alignment sheets that have already been produced (Bates No SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and construction alignment sheets produced herewith. By way of further response, the co-location of the Mariner East 2 and Mariner East 2X pipelines within existing utility corridors is consistent with the recommendations of the Governor’s Pipeline Infrastructure Taskforce.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

54. Identify and describe all areas in which you do not propose to collocate ME2 and ME2X with the existing right-of-way for ME1 in Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** *See* response to Interrogatory No. 53, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

55. What are the Maximum Allowable Operating Pressures (“MAOP”) for ME1, ME2, ME2X and Point Breeze-Montello? Please identify any changes in MAOP for any segment of each line in the last five (5) years, and the reason for such a change in MAOP.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that term “Maximum Allowable Operating Pressure” is a defined term for natural gas pipeline service under 49 C.F.R. Chapter 192, which does not apply to the Mariner East 1, Mariner East 2, Mariner East 2X, or 12-inch pipelines that are at issue in this litigation.



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2016

**BY:** Matthew Gordon

56. Identify and describe your public awareness program for ME1, ME2, ME2X and Point Breeze-Montello.

**RESPONSE:** *See* response to Interrogatory No. 36 above, which is incorporated by reference as if set forth fully herein. *See* documents already produced, including SPLP's public awareness plan, which was admitted as SPLP Exhibit 31 at the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief. *See also* response to Flynn Complainants Interrogatories Set 1, No. 113 and 121, and documents produced therewith, which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez and Gina Greenslate

57. Identify and describe any differences in your NGL public awareness programs across the United States where any aspects of your public awareness program in place for ME1, ME2, ME2X and Point Breeze-Montello differs from other locations where you offer NGL transportation services in the United States.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome to the extent that it seeks information regarding public awareness programs for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, and to the extent that it seeks information outside of Chester and Delaware County, which is the limited scope of the complaints at issue in this action. Subject to and without waiver of any objection, SPLP's public awareness program is tailored based on the products shipped and other relevant factors. SPLP has provided supplemental enhancement of its public awareness program for the Mariner East pipeline system, and in particular significant enhancements in Chester and Delaware Counties. By way of further response, SPLP has provided testimony regarding its public awareness program and stakeholder outreach efforts in Chester and Delaware Counties during the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief and will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**BY:** Gina Greenslate

58. Identify and describe all portions of your 49 CFR part 195 Manual that document your public awareness program.

**RESPONSE:** SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 121 and 122, which is incorporated by reference as if set forth fully herein. *See also* SPLP Exhibit 31 from the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief.

**DATE:** December 26, 2019

**BY:** Joseph Perez and Gina Greenslate

59. Identify and describe all actions taken by you to warn and protect the public from danger associated with ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. SPLP further objects to the assertion contained within this Interrogatory that the Mariner East 1, 12-inch, Mariner East 2, Mariner East 2X pipelines present a "danger" to the public. Subject to and without waiver for any objection, this interrogatory seeks information that encompasses SPLP's entire public awareness program, integrity management program, construction specifications, and all other efforts by SPLP to comply with pipeline safety regulations under 49 C.F.R. Chapter 195. By way of further response, information responsive to this Interrogatory has already been provided in documents previously produced and testimony previously provided at the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief, and SPLP will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Matthew Gordon, Joseph Perez, Gina Greenslate

60. Identify and describe all actions taken by you to reduce the hazards to employees, customers, residents and other persons related to ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** *See* response to Interrogatory No. 59, which is incorporated by reference as if set forth fully herein.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Matthew Gordon

61. Identify and describe how you would contact residents within one (1) mile of ME1, ME2, ME2X and/or Point Breeze-Montello of an ongoing release of NGLs. Specifically, describe how such contact would not create a spark or other energy release that could ignite a vapor cloud.

**RESPONSE:** SPLP objects to the term “release” as vague and undefined. SPLP further objects to this Interrogatory on the basis that it assumes that SPLP as the pipeline operator is obligated to directly contact residents in the event of a pipeline incident. SPLP further objects to this Interrogatory as speculative in that it assumes a release of NGLs would be “ongoing,” and that the undefined “release” would create a vapor cloud. Subject to and without waiver of any objection, in the event of a pipeline incident, SPLP contacts the applicable county’s 911 dispatch center, and local emergency responders are responsible for making the determination to inform the public depending on the facts and circumstances of each incident. *See* also testimony of Greg Noll from November 2018 hearing on Flynn Complainant’s Petition for Interim Emergency Relief. SPLP will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Matthew Gordon and Carl C. Borkland

62. Identify and describe the buoyancy properties of each material potentially transported in ME1, ME2, ME2X and/or Point Breeze-Montello in a boiling liquid to vapor cloud transition likely to occur in Delaware or Chester Counties.

**RESPONSE:** SPLP objects to this Interrogatory as argumentative and speculative in that it asserts that “a boiling liquid to vapor cloud transition likely to occur in Delaware or Chester Counties.” Subject to and without waiver of any objection, natural gas liquids are generally heavier than air. By way of further response, the physical properties of natural gas liquids, including relative density, can be found in general scientific and engineering reference documents, such as the Gas Processors Suppliers Association (GPSA) Data Book (10 ed.), Volume II, Section 23, Physical Properties, Figure 23-2.

**DATE:** December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

**BY:** Jim McCaleb

63. Identify and describe the differences in public awareness and emergency response plans required to react to a release of ethane, propane, butane, gasoline, diesel fuel and other liquid products potentially transported by you in Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome to the extent that it seeks information regarding public awareness and emergency response plans for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, and to the extent that it seeks information outside of Chester and Delaware County, which is the limited scope of the complaints at issue in this action. SPLP further objects to the term “emergency response plans” as vague and undefined, and to the extent that this Interrogatory seeks information regarding emergency response plans developed by local municipalities, school districts, or other entities, as such plans are not developed, adopted, or maintained by SPLP.

Subject to and without waiver of any objection, as set forth in previous responses to the Flynn Complainants Interrogatories on this same subject matter, SPLP’s public awareness programs are developed, implemented, and managed in accordance with PHMSA regulations and API RP 1162 with the goal of increasing stakeholders awareness of the presence of the pipelines in their communities and increasing their understanding of how to recognize and respond to a potential pipeline release. SPLP’s public awareness programs are tailored based on the products shipped and other relevant factors. SPLP has provided supplemental enhancement of its public awareness program for the Mariner East pipeline system, and in particular significant enhancements in Chester and Delaware Counties. By way of further response, SPLP has provided testimony regarding its public awareness program and stakeholder outreach efforts in Chester and Delaware Counties during the November 2018 hearing on Flynn Complainant’s Petition for Interim Emergency Relief and will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

By way of further response, to the extent that this Interrogatory’s use of the undefined term “emergency response plan” seeks information regarding SPLP’s Integrated Contingency Plan required to satisfy PMSA’s requirement for an OPA 90 Plan under 49 C.F.R. § 194 (among other federal requirements), a copy of the plan that is applicable for Chester and Delaware Counties will be produced in accordance with the terms and conditions of the Amended Protective Order in this Proceeding.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Gina Greenslate and Carl G. Borkland

64. Identify and describe each risk assessment performed by you in the United States and Canada in the last ten (10) years related to NGLs.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it is overbroad and unduly burdensome in that it seeks risk assessments for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, seeks information for pipelines located outside of the Commonwealth of Pennsylvania and outside of the United States, over which the Commission lacks jurisdiction. For the Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 173-174, and produced copies of the risk assessments, Bates Nos. SPLP00031198-SPLP00031521, which are designated as Extremely Sensitive Materials that are available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

65. Identify and describe any modifications to any emergency response or public awareness programs based on the buoyancy of any material transported by you via pipeline.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that 49 C.F.R. § 195.440 or API RP 1162 does not require a pipeline operator to modify its emergency response or public awareness programs based on the buoyancy of the product transported in a pipeline. Subject to and without waiver of any objection, *see* response to Interrogatory No. 63, which is incorporated by reference as if set forth fully herein, and which reflects that SPLP's public awareness programs are tailored based on the products shipped and other relevant factors.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

66. Describe and identify how a first responder or the public would know what product(s) are being transported during a release from any NGL pipeline or pipeline(s) from each of ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** SPLP objects to the term “release” as vague and undefined. Subject to and without waiver of any objection, in the event of a pipeline-related incident SPLP contacts the applicable county’s 911 dispatch and informs them what product is being transported in the particular pipeline that is involved in the incident. Information on the product contained in SPLP’s pipelines is also prominently displayed on pipeline markers which are placed along the pipeline route at established intervals, and which also lists contact information for Sunoco’s control center.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

67. Identify and describe the differences in how the public should react to a NGL leak based on the composition of the contents of a leaking pipeline, including but not limited to differentiation between ethane response and butane response, liquid and NGL response, and other differentiations that could require the public or first responders to take different action in response to a leak on your pipelines in Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to the term “leak” and “leaking pipeline” as vague and undefined. Subject to and without waiver of any objections, information regarding how the public should respond to a pipeline-related incident is reflected in the public awareness documents that have been previously produced and introduced and were introduced at hearings in this matter.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

68. Identify and describe the risks of you, a first responder, the government or the public making telephone calls to residences, travelers, occupants or the general public within one (1) mile of the site of a NGL leak.

**RESPONSE:** SPLP objects to the term “leak” as vague and undefined. Subject to and without waiver of any objection, the risks of using a telephone within one mile of the location of a release of NGLs is dependent upon the facts and circumstances of any particular incident.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Gina Greenslate

69. Identify and describe the risks of you, a first responder, the government or the public operating electrical devices within a vapor cloud to residences, travelers, occupants or the general public within one (1) mile of the site of an NGL leak. Include, but not limit, your response to electric garage door openers, electric security systems, electric fences of any type, transformers, emergency generators, and other electric, electronic or mechanical spark-generating devices likely to be located within one (1) mile of ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the terms “vapor cloud” and “leak” are vague and undefined, and on the basis that this Interrogatory is speculative. Subject to and without waiver of any objection, operating electrical devices presents a potential risk as a potential ignition source, but that risk is dependent on the facts and circumstances of a particular pipeline release and numerous variables. By way of further response, SPLP has already provided information responsive to this Interrogatory related to potential ignition sources in response to the Flynn Complainants Interrogatories Set 1, Nos 130-131 and 149, which reflect that sources of ignition should be avoided.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

70. Identify and describe the minimum standards for distance of NGL valve sites from known or suspected sources of ignition, including but not limited to highways, restaurant kitchens, residences, other valve sites, other commercial or industrial operations, or other sources of ignition.

**RESPONSE:** SPLP objects to term “minimum standards” as vague and defined, and further objects to the extent that the use of such a term in this Interrogatory suggests that there is an established regulatory standard for the location of valve sites in relation to potential sources of ignition. Subject to and without waiver of any objection, 49 C.F.R. § 195.260(c) requires valves to be located “[o]n each mainline at locations along the pipeline system that will minimize damage or pollution from accidental hazardous liquid discharge, as appropriate for the terrain in any open country, for offshore areas, or for populated areas.” Also, ASME B31.4 Section 434.15.2(e) recommends, but does not require, that mainline block valves be installed at approximately 7.5 mile spacing on pipeline systems in industrial, commercial, and residential areas. Thus, PHMSA regulations and applicable guidance recognize that valves will be placed in high-consequences areas where

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

potential ignitions sources exist. By way of further response, the majority of valve sites for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties were at pre-existing locations. By way of yet further response, for construction of the Mariner East 2 and Mariner East 2X pipelines, SPLP has adopted and implemented design criteria according to the industry standard listed in API RP 5000 (3d Ed.) to define areas surrounding valve sites as “classified” to limit ignition sources within specific distances of the piping components, which is set at 20 feet from the piping. Any electrical equipment within the established 20-foot radius was designed to meet NFPA 70(e) guidelines for Class 1, Division 2.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

71. Identify and describe anywhere you have installed or proposed to install any NGL valve site within 2,000 feet of any

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it is incomplete and therefore SPLP cannot respond. To the extent that this Interrogatory requests information regarding the location of valve sites for the Mariner East 1, Mariner East 2, Mariner East 2X, or 12-inch pipelines, the location of valve sites in Chester and Delaware Counties are reflected on alignment sheets and other maps that have already been produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734), and additional alignment sheets and maps of the pipelines route in Chester and Delaware County that are part of the PADEP permit materials produced herewith.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

72. Identify and describe how each municipal government within one (1) mile of ME1, ME2, ME2X or Point Breeze-Montello instructs its respective public to respond to any NGL pipeline incident, including, but not limited to contradictory instructions of any nature from instructions offered by You.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information from parties other than SPLP. By way of further response, each municipal government adopts and implements its own emergency response plans that is particular to each municipality. By way of further response, in the event of a pipeline incident, local emergency responders would make an individual determination, based on the facts and circumstances of any particular incident,



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

regarding how to instruct the public how to respond to any emergency event, including a pipeline-related incident.

**DATE:** December 26, 2019

**BY:** Joseph Perez

73. Describe any and all audits, reviews or evaluations performed by any person, entity or governmental body concerning your compliance with API Recommended Practice RP 1162 in the last five years. Describe and identify all results, audit findings and corrective measures taken in response to any such audits.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome to the extent that it seeks information regarding assessments of SPLP's public awareness program for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, and to the extent that it seeks information outside of Chester and Delaware Counties, which is the limited scope of the complaints at issue in this action. Subject to and without waiver of any objection, in accordance with API RP 1162, SPLP performs an annual self assessment of its public awareness program. By way of further response, PHMSA, in conjunction with the Pipeline Safety Division of the PUC, has continually monitored the Mariner East pipelines and have sought information regarding SPLP's public awareness program throughout that process. In November 2016 the PUC evaluated SPLP's public awareness program and did not issue any findings. In March 2018, PHMSA and PUC performed a System Inspection of the Mariner East 2 pipeline, which also included an evaluation of SPLP's public awareness program. An additional joint inspection by PHMSA and the PUC was undertaken during several dates between August and November 2018, the outcome of which is in the process of being determined.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

74. Identify and describe any and all remote-activated early warning systems in place to alert nearby public to any NGL leak on any pipeline, terminal, transfer station or other facility you operate in the United States or Canada.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome in that it seeks information for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines, seeks information for pipelines located outside of the

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

Commonwealth of Pennsylvania and outside of the United States, over which the Commission lacks jurisdiction. SPLP further objects to the term “remote-activated early warning systems” as vague and undefined. To the extent that this Interrogatory seeks information regarding whether SPLP utilizes an alarm intended to notify the public of incidents on its NGL pipelines in Pennsylvania, SPLP does not. By way of further response, in the event of a pipeline incident SPLP contacts the applicable county’s 911 dispatch center. Local emergency responders are responsible for making the determination to inform the public depending on the facts and circumstances of each incident.

By way of further response, SPLP is not aware of any other pipeline operator in the Commonwealth of Pennsylvania, or elsewhere in the United States, that utilizes a public alarm system for pipelines, in contrast to certain fixed facilities with a limited footprint.

**DATE:** December 26, 2019

**BY:** Carl G. Borkland

75. Identify and describe and all requests you received to install hydrocarbon detectors and early warning systems along any segment of ME1, ME2, ME2X and/or Point Breeze-Montello in the last five (5) years.

**RESPONSE:** SPLP object to the terms “hydrocarbon detectors” and “early warning systems” as vague and undefined. Subject to and without waiver of any objection, during the last 5 years, various stakeholders along the route of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines (including local municipalities, school districts, and landowners) have requested that SPLP install equipment in addition to the leak detection systems that already exist on the pipelines, which are constantly monitored. By way of further response, SPLP has provided testimony regarding its stakeholder outreach efforts in Chester and Delaware Counties during the November 2018 hearing on Flynn Complainant’s Petition for Interim Emergency Relief, and will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

76. Describe and identify why hydrocarbon detection and early warning systems are not installed at each valve site in any Mariner East service.

**RESPONSE:** SPLP objects to the term and “early warning systems” as vague and undefined. Subject to and without waiver of any objection, in regards to hydrocarbon detection, hydrocarbon detection equipment is not required to be installed at each valve site location.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

77. Describe and identify all hydrocarbon detection and early warning systems you install at your facilities handling NGL materials anywhere in your system.

**RESPONSE:** SPLP objects to the “early warning systems” as vague and undefined. SPLP further objects to this Interrogatory to the extent that it seeks information regarding pipelines and related facilities other than the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester or Delaware Counties. Subject to and without waiver of any objection, for Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester or Delaware Counties, SPLP utilizes a comprehensive hydrocarbon detection system and protocols that includes several components. SPLP utilizes a computerized leak detection system that evaluates and analyzes several data inputs, including temperature, pressure, and product density. SPLP also utilizes pressure point analysis that uses redundant pressure transmitters at each site to analyze the pressure profile to identify potential leaks. SPLP also uses air monitoring systems to detect hydrocarbons at certain locations, which scan the air for the presence of hydrocarbons. SPLP uses flame detection analyzers at certain locations to identify the presence of an ignition. In addition, SPLP performs weekly on-site inspections of the pipelines and related facilities, and also performs inspections via fixed-winged aircraft twice per week, weather permitting.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

78. Describe and identify the costs to install hydrocarbon detection and warning systems at a valve site.

**RESPONSE:** SPLP objects to the “warning systems” as vague and undefined. SPLP further objects to this Interrogatory on the basis that it requests SPLP to identify costs for the installation of hydrocarbon detection systems at an undefined valve site

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

location. Subject to and without waiver of any objection, the costs to install hydrocarbon detection systems at a valve site varies based on whether the location has existing utilities and related infrastructure that is necessary to support the hydrocarbon detection system.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

79. Describe and identify each decision you made in the last five (5) years to install or not install hydrocarbon detection and early warning systems in any NGL service, and why you made the decision to install or not install such systems.

**RESPONSE:** SPLP objects to the “early warning systems” as vague and undefined. SPLP further objects to this Interrogatory to the extent that it seeks information regarding pipelines and related facilities other than the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester or Delaware Counties. Subject to and without waiver of any objection, SPLP’s standard construction specifications require vapor monitors to be installed at each location with equipment that is opened to the atmosphere during routine maintenance activities, including, for example, pump station locations.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

80. Describe and identify how your supervisory control and data acquisition (“SCADA”) system did or did not detect each leak of NGLs from any system you own, operate or control in the last five (5) years. Further identify how you learned of each release, failure, leak or other incident where any amount of NGL was released from any facility, pipeline, valve site or other operation in NGL service.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome in that it seeks information for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines in Chester and Delaware Counties. By way of further response, SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 113-118, which sought information regarding “all leaks, punctures, and ruptures” on the Mariner East 1 and 12-inch pipeline, and such response is incorporated by reference as if set forth fully herein. By way of yet further response, there have not been any releases from the Mariner East 2 or Mariner East 2X pipeline systems in Chester or Delaware Counties. By way of yet

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

further response, the PMHSA Form 7000-1 for each incident, which were previously produced, identify whether the release was identified by the SCADA system or by other means.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

81. Describe and identify the expected size of failure required to where your SCADA system would identify the release.

**RESPONSE:** SPLP's response to this Interrogatory is designated as Extremely Sensitive Materials and is available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**DATE:** December 26, 2019

**BY:** David Martinez

82. Describe and identify how you would deinventory a pipeline segment in ME1, ME2, ME2X or Point Breeze-Montello in the event of a release or incident on any segment of any Mariner East pipeline in Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as vague and undefined as it neither identifies a location nor defines the type of release or incident, and on the basis that it assumes such a release or incident would require SPLP to remove product from a pipeline. Subject to and without waiver of any objection, the means and methods for how SPLP would remove product from a particular pipeline segment depends on the particular facts and circumstances of the incident, such that it is impossible to answer this Interrogatory as written.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

83. Describe and identify the procedures to safely remove product from a pipeline segment in the event of an incident. Describe and identify the amount of product in each impacted pipeline segment in Delaware and Chester Counties, the location(s) where such product would be removed from each segment, the procedure to remove such products, the equipment required to safely remove such product, and the burden on the location hosting such operations.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**RESPONSE:** *See* response to Interrogatory No. 82, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

84. Describe and identify and all environmental permits that are or would be required to remove a pipeline segment full of NGLs, and designate if you hold such permits. If you do not hold such permits, describe how you would obtain authority to deinventory one or more segments of ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory and the reference “remove a pipeline” as vague and undefined. SPLP further objects to this Interrogatory on the basis that it seeks information regarding an undefined hypothetical scenario at an unidentified location. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding SPLP’s procedures to remove product from an operating pipeline, whether or not an environmental permit would be required would depend upon the nature of the event and the location, such that it is not possible to answer this Interrogatory as written. By way of further response, in general, when SPLP removes product from a pipeline it displaces the pipeline with nitrogen and the product will be placed into storage at a given location. Flaring of residual hydrocarbons not stored may be necessary, and depending upon the location, such flares may be subject to existing air permits.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

85. Describe and identify the differences in inventory procedures between liquid product (i.e., gasoline, diesel fuel, jet fuel, kerosene, transmix, etc.) and NGLs (i.e., ethane, propane, butane, Y-grade, etc.).

**RESPONSE:** SPLP objects to the term “inventory procedures” as vague and undefined, which renders this Interrogatory unintelligible such that SPLP cannot respond to this Interrogatory as written.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

86. Identify and describe how your public awareness program instructs the public to determine prevailing wind direction during an NGL incident.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 128 and 138, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez

87. Identify and describe how your public awareness program guides the public with regard to traveling uphill or downhill in response to an NGL incident.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 128 and 138, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez

88. Describe and identify how your public awareness program guides the public in regard to determining when a safe area is reached.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 134-135, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez

89. Describe and identify the guidance in your public awareness program that pertains to how people who are elderly, very young, or who have physical disabilities that affect their mobility should respond to a leak of NGLs.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 140, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**BY:** Joseph Perez

90. Identify and describe any requests you have received from any party, entity or governmental entity to provide remote leak detection and public warning concerning the Mariner East project. Identify any changes you made in response to any such request.

**RESPONSE:** See response to Interrogatory No. 75, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

91. Identify and describe each NGL leak on any pipeline asset you own, control, manage or operate since January 1, 2010, reported to PHMSA or not, of any amount of any NGL.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that is overbroad and unduly burdensome in that it seeks information for pipelines other than the pipelines at issue in this litigation, namely Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines. By way of further response, SPLP has already provided information responsive to this Interrogatory s in response to the Flynn Complainants Interrogatories Set 1, Nos. 113-118, which sought information regarding "all leaks, punctures, and ruptures" on the Mariner East 1 and 12-inch pipeline, and such response is incorporated by reference as if set forth fully herein and documents previously produced. By way of further response, in response Flynn Complainants Interrogatories Set 1, Nos. 113-118, SPLP produced copies of the relevant PHMSA Form 7000-1 for each incident. In accordance with 49 C.F.R. § 195.50, SPLP is required to report any incident of a release of 5 gallons or more of hazardous liquids, and thus any incident that is relevant to the claims at issue in this litigation are captured in the PHMSA Form 7000-1 that were previously produced. By way of yet further response, there have not been any releases from the Mariner East 2 or Mariner East 2X pipeline systems in Chester or Delaware Counties.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

92. Identify and describe each liquids leak on any pipeline asset you own, control, manage or operate since January 1, 2010, reported to PHMSA or not, of any amount of any hydrocarbon product or commodity, including but not limited to gasoline, diesel fuel, jet fuel, kerosene, crude oil, condensate, fractionated hydrocarbons or any other commodity not referenced in the above paragraph.



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**RESPONSE:** *See* response to Interrogatory No. 91, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

93. Describe the pipe thicknesses, materials of construction of all gaskets and materials used to connect the pipe to ancillary equipment, coatings (field applied or factory applied) used to protect any pipe used in this project, steps required to protect the pipe from damage during storage, construction or field work (including but not limited to light-related degradation due to excessive storage times) and other concerns which you have considered in implementing the Mariner East project.

**RESPONSE:** SPLP objects to this Interrogatory on that it is overly broad and unduly burdensome, and to the extent that it seeks information regarding the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines outside of Chester and Delaware Counties. Subject to and without waiver of any objection, information responsive to this Interrogatory regarding the Mariner East 1 and 12-inch pipelines is shown on alignment sheets that have been previously produced (Bates No. SPLP00007001-SPLP00007033, SPLP00031522-SPLP00031734). By way of further response, construction specifications for the Mariner East 2 and 2X pipelines in Chester and Delaware Counties will be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

94. Identify and describe each change to your 49 CFR part 195 Manual you made in response to each such incident listed above.

**RESPONSE:** SPLP objects to this Interrogatory as vague and undefined in that it seeks information regarding changes in response "each such incident listed above" without reference to a corresponding interrogatory, and the immediately proceeding interrogatory seeks information regarding pipe thickness and gasket construction, not information regarding any alleged incident. As such, SPLP is unable to respond to this Interrogatory.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

95. Identify and describe all changes made to your public awareness program to accommodate the flow reversal and product change in ME1 or Point Breeze-Montello.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 228, which provided a list of all changes to SPLP's Public Awareness Program from January 1, 2014 through February 2019, with additional modifications since February 2019 provided in response to Interrogatory No. 141 below, which answers are each incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

96. Identify and describe all changes made to your public awareness program to accommodate NGL service, as compared to other hazardous liquids such as gasoline, diesel, jet fuel, kerosene or other liquid hydrocarbon products transported at ambient conditions without pressurization required for liquid transportation.

**RESPONSE:** SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, No. 228, which provided a list of all changes to SPLP's Public Awareness Program from January 1, 2014 through February 2019, with additional modifications since February 2019 provided in response to Interrogatory No. 141 below, which answers are each incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Gina Greenslate

97. Identify and describe all methods used by you to locate and inform the owners or occupiers of properties with private drinking water wells in and around Delaware or Chester Counties, Pennsylvania that you advised of pipeline construction activities prior to 2018.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding, regarding subject matters over which the Commission lacks jurisdiction, and that are within the jurisdiction of the PADEP. Subject to and without waiver of any objection, SPLP has identified and notified, and continues to identify and notify, private water supply owners regarding construction related activities in accordance with the terms and conditions of its PADEP permits for the Mariner East 2 and Mariner East 2X pipeline project.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Larry Gremminger

98. Identify and describe all owners or occupiers of properties with private drinking water wells in and around Delaware and Chester Counties, Pennsylvania that you informed of pipeline construction activities prior to 2018.

**RESPONSE:** *See* response to Interrogatory No. 97, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

99. Identify and describe all methods used by you to locate and inform the owners or occupiers of properties with private drinking water wells in and around Delaware and Chester Counties, Pennsylvania that you advised of pipeline construction activities in 2018 and thereafter.

**RESPONSE:** *See* response to Interrogatory No. 97, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

100. Identify and describe all owners or occupiers of properties with private drinking water wells in and around Delaware and Chester Counties, Pennsylvania that you informed of pipeline construction activities in 2018 and thereafter.

**RESPONSE:** *See* response to Interrogatory No. 97, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

101. Identify and describe any and all testing of public or private water supplies conducted by you or on your behalf in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding, regarding subject matters over which the Commission lacks jurisdiction, and that are within the jurisdiction of the PADEP. Subject to and without waiver of any objection, SPLP has offered and continues to offer private water supply testing pre-, during, and post-construction in Chester and Delaware Counties in accordance with the terms and conditions of its PADEP permits for the Mariner East 2 and Mariner East 2X pipeline project. SPLP does not test public water supplies.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

102. Identify and describe all sinkholes and depressions, including their location, observed by you or any agent acting in your behalf while constructing ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term “depressions” is vague and undefined. SPLP further objects to this Interrogatory on the basis that the term “sinkhole” refers to a specific type of geological event that occurs in karst or other carbonate rock formations. By way of further objection and response, ground surface subsidences and other geological features in Chester and Delaware Counties are mapped by the Pennsylvania Geological Survey and are publicly available. There is no karst geology in Delaware County. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information related to ground surface subsidences that have been observed in or adjacent to work spaces for the construction of the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, documents regarding the ground surface subsidences will be produced in response to Interrogatory No. 103 below.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

103. Identify and describe all sinkholes and depressions, including their location, caused or contributed by activities conducted by you or on your behalf in and around Delaware and Chester Counties, Pennsylvania.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term “depressions” is vague and undefined. SPLP further objects to this Interrogatory on the basis that the term “sinkhole” refers to a specific type of geological event that occurs in karst or other carbonate rock formations. SPLP further objects to this Interrogatory to the extent that it reflects a legal conclusion, to which no response is required. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information related to ground surface subsidences that have been observed in or adjacent to work spaces for the construction of the Mariner East and Mariner East 2X pipelines in Chester and Delaware Counties, there have been four such events at the following locations:

- HDD S3-0310 (Pennsylvania Drive), Uwchlan Township, Chester County
- HDD S3-0400 (Exton Bypass/Lisa Drive), West Whiteland Township, Chester County
- HDD S3-0591 (Valley Road), Middletown Township, Delaware County
- HDD S3-0620 (Glen Riddle), Middletown Township, Delaware County

Documents providing further information regarding these ground surface subsidence events, SPLP’s evaluation of the ground surface subsidences, and remedial efforts will be produced.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

104. Identify and describe your integrity management program.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 11-12, which is incorporated by reference as if set forth fully herein. By way of further response, SPLP’s previously produced Integrity Management Plans and related appendices (Bates Nos. SPLP00007034-SPLP00007161 and SPLP00031808-SPLP00032109), which are Extremely Sensitive Materials that are available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

105. Identify and describe all relevant portions of your 49 CFR § 195 Manual addressing integrity management anywhere in the United States or elsewhere regarding NGL pipeline transportation.

**RESPONSE:** *See* response to Interrogatory No. 104, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

106. Identify and describe the status of construction of ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, construction of the Mariner East 2 and Mariner East 2X pipelines is currently in progress at various locations throughout both Chester and Delaware Counties, the status of which is dynamic and changes on an hourly, daily, and weekly basis, such that it is impossible to respond to this Interrogatory on a county-wide basis with any particularity. SPLP would be willing to provide a further response to this Interrogatory to the extent it was modified to seek information regarding any particular work location.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

107. Identify and describe the proposed method of installing ME2 and ME2X in and around areas in Delaware and Chester Counties, Pennsylvania where construction has not been completed as of date of service of this document.

**RESPONSE:** Subject to and without waiver of any objection, the method of installation for the Mariner East 2 and Mariner East 2X pipelines falls into two general categories – (1) open cut/trenched method of construction; and (2) trenchless methods, which include various types of bores as well as horizontal directional drilling. The proposed method of installation for the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties is reflected in the permit materials, including mapping, that are publicly available on the PADEP's website for the Mariner East pipeline project, accessible at <https://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>, copies of which shall also be produced. By way of further response, SPLP has made certain modifications to the proposed method of installation of the pipelines at specific locations in Chester and

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

Delaware Counties, which are subject to certain permit modifications granted by PADEP, or which remain pending before PADEP.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

108. Identify and describe the status of applications to DEP for permit(s) to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** Subject to and without waiver of any objection, PADEP issued permits for the construction of the Mariner East 2 and Mariner East 2X pipelines, including permits for the work locations in Chester and Delaware Counties, on February 13, 2017. Copies of the permits for Chester and Delaware Counties and the related permit application materials, are publicly available on the PADEP's website for the Mariner East pipeline project, listed above in response to Interrogatory No. 107, and shall also be produced. By way of further response, SPLP has made certain modifications to the proposed method of installation of the pipelines at specific locations in Chester and Delaware Counties, which are subject to pending permit modification approvals from PADEP.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

109. Identify and describe the status of applications to DEP for permit(s) to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis it is identical to Interrogatory No. 108, and therefore incorporates its response as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

110. Identify and describe the status of required municipal permits to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding and that relates to subject matters over which the Commission lacks jurisdiction. Subject to and without waiver of any objection, in Chester County, SPLP obtained applicable permits for the construction of Mariner East 2 and Mariner East 2X pipelines related to stormwater, grading,

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

and earth disturbance activities from the following townships: East Nantemeal Township, Upper Uwchlan Township, Uwchlan Township, Wallace Township, West Goshen Township, West Whiteland Township. In Delaware County, SPLP obtained applicable permits for the construction of Mariner East 2 and Mariner East 2X pipelines related to stormwater, grading, and earth disturbance activities from the following townships: Edgmont Township, Middletown Township, Thornbury Township, Upper Chichester Township.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

111. Identify and describe all expired required municipal permits to construct ME2 and ME2X in and around Delaware and Chester Counties, Pennsylvania and any required steps you must take to renew or refile any such permits.

**RESPONSE:** None.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

112. Identify and describe the causes of all sinkholes and depressions that occurred in and around Delaware and Chester Counties, Pennsylvania in 2017 and 2018 related to the construction of ME2 and ME2X.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term “depressions” is vague and undefined. SPLP further objects to this Interrogatory on the basis that the term “sinkhole” refers to a specific type of geological event that occurs in karst or other carbonate rock formations. SPLP further objects to this Interrogatory to the extent that it reflects a legal conclusion, to which no response is required. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information related to ground surface subsidences that have been observed in or adjacent to work spaces for the construction of the Mariner East and Mariner East 2X pipelines in Chester and Delaware Counties, see documents produced in response to Interrogatory No. 103.

**DATE:** December 26, 2019

**BY:** Larry Gremminger



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

113. Identify and describe all investigations made by you or on your behalf related to the all sinkholes and depressions that occurred in and around Delaware and Chester Counties, Pennsylvania in 2017 and 2018.

**RESPONSE:** *See* response to Interrogatory No. 112, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

114. Identify and describe all investigations made by the PUC, PHMSA, DEP or any other government organization related to the sinkholes and depressions that occurred in and around Delaware and Chester Counties, Pennsylvania in 2017 and 2018.

**RESPONSE:** SPLP objects to the term “investigations” as vague and undefined. Subject to and without waiver of any objection, the locations listed above in Interrogatory No. 103 were subject to inquiries from the PUC, the Pipeline Hazardous Materials Administration, and PADEP. By way of further response, SPLP has been actively engaged with each of these agencies related to such inquiries.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

115. Identify and describe the status of all activities undertaken or to be undertaken by you or on your behalf to remediate and/or address sinkholes and depressions in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term “depressions” is vague and undefined. SPLP further objects to this Interrogatory on the basis that the term “sinkhole” refers to a specific type of geological event that occurs in karst or other carbonate rock formations. SPLP further objects to this Interrogatory to the extent it suggests that SPLP is responsible for all ground surface subsidences and other geological features in Chester and Delaware Counties that are unrelated to and at significant distances from the construction work spaces for the Mariner East 2 and Mariner East 2X pipelines, many of which are reflected on mapping by the Pennsylvania Geological Survey that is publicly available. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information related to ground surface subsidences that have been observed in or adjacent to work spaces for the construction of the Mariner East and Mariner East 2X pipelines in Chester and Delaware Counties, see documents produced in response to Interrogatory No. 103 and

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

recommendations for remediation contained therein, which SPLP has already completed or is currently in the process of completing.

**DATE:** December 26, 2019

**BY:** Larry Gremminger and Carl G. Borkland

116. Identify and describe any and all communications with Amtrak regarding the construction of ME2 and M2X in and around Delaware and Chester Counties, Pennsylvania, including the identification of any sinkholes and depressions in the location.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that the term “depressions” is vague and undefined. SPLP further objects to this Interrogatory on the basis that the term “sinkhole” refers to a specific type of geological event that occurs in karst or other carbonate rock formations. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information related to ground surface subsidences that have been observed in or adjacent to work spaces for the construction of the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, the incident at HDD S3-0400 (Exton Bypass/Lisa Drive) in West Whiteland Township, Chester County was the only relevant location. By way of further response, SPLP and Amtrak communicated regularly regarding that incident and SPLP’s remediation of the ground surface subsidences.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

117. Identify and describe any and all grout plugs used in any drilling in and around Delaware or Chester Counties, Pennsylvania, and the reasons for using such grout plugs.

**RESPONSE:** Objection to the term “grout plugs” as vague and undefined. Subject to and without waiver of any objection, to the extent that this Interrogatory is seeking information regarding SPLP’s use of grouting as a best management construction practice, SPLP is grouting the annulus on each HDD location in Chester and Delaware Counties to prevent groundwater migration within the annulus.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

118. Identify and describe the failure that occurred on the Revolution Pipeline in or around Center Township, Beaver County on or about September 10, 2018.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 2, Nos. 11-13, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez

119. Identify and describe the cause of the failure that occurred on the Revolution Pipeline in or around Center Township, Beaver County on or about September 10, 2018.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 2, Nos. 11-13, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Joseph Perez

120. Identify and describe the failure that occurred on the Point Breeze-Montello Pipeline in Delaware County and/or Philadelphia County on or about June 19, 2018.

**RESPONSE:** *See* PHMSA Accident Report Form PHMSA F 700.1 produced herewith. By way of further response, the section of the 12-inch pipeline where this incident occurred is not used as part of the Mariner East pipeline system.

**DATE:** December 26, 2019

**BY:** Todd Nardozzi

121. Identify and describe the cause of the failure that occurred on the Point Breeze-Montello Pipeline in Delaware County and/or Philadelphia County on or about June 19, 2018.

**RESPONSE:** *See* response to Interrogatory No. 120, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Todd Nardozzi

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

122. Identify and describe the incident in which an Aqua water company contractor struck the ME2 or ME2X in or around Middletown Township, Delaware County on or about May 21, 2018.

**RESPONSE:** SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 183-184, which is incorporated by reference as if set forth fully herein. *See* also documents previously produced, Bates Nos. SPLP00000040- SPLP00000046.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

123. Fully explain how and why the incident occurred in which an Aqua water company contractor struck ME2 or ME2X in Middletown Township, Delaware County on or about May 21, 2018.

**RESPONSE:** *See* response to Interrogatory No. 122, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2016

**BY:** Matthew Gordon

124. Identify and describe your activities, including dates and locations, to remove and replace portions of ME2 and/or ME2X in or around Delaware and Chester Counties, Pennsylvania in 2017 or 2018.

**RESPONSE:** *See* documents to be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

125. Identify and describe all reasons why you removed and replaced portions of ME2 and/or ME2X in or around Delaware or Chester County after January 1, 2017.

**RESPONSE:** *See* documents to be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

126. Identify and describe how you became aware of the need to replace the portions of pipe on ME2 and/or ME2X referenced in the proceeding paragraphs.

**RESPONSE:** *See* documents to be produced.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

127. Identify and describe any other areas along ME2 and ME2X that you replaced portions of the pipeline, and the reasons, dates, and locations for such replacement.

**RESPONSE:** In accordance with the Order issued by Administrative Law Judge Elizabeth Barnes on November 26, 2019, this Interrogatory is limited to Chester and Delaware Counties. By way of further response, *see* response to Interrogatories Nos. 125-126, which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

128. Identify and describe all investigations made by you in response to any and all claims regarding falsified inspection reports related to welds along ME2 and/or ME2X.

**RESPONSE:** In accordance with the Order issued by Administrative Law Judge Elizabeth Barnes on November 26, 2019, this Interrogatory is limited to Chester and Delaware Counties. SPLP objects to the term "claims" as vague and undefined. Subject to and without waiver of any objection, there were no claims regarding alleged falsified inspection reports related to the welds on Mariner East 2 and Mariner East 2X pipelines in Chester or Delaware Counties.

**DATE:** December 26, 2019

**BY:** Kirk Peterman

129. Identify and describe all investigations made by you in response to any and all claims regarding falsified inspection reports related to welds in other pipelines constructed, owned, operated or otherwise managed by you or covered under any 49 CFR part 195 Manual you use to comply with PHMSA regulations.

**RESPONSE:** SPLP objects to this Interrogatory to the extent it seeks information for pipelines other than the pipelines at issue in this litigation, namely the Mariner East 1, the 12-inch, Mariner East 2, and Mariner East 2X pipelines, and to the extent that it

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

seeks information outside of Chester and Delaware Counties, which is the limited scope of the complaints at issue in this action. Subject to and without waiver of any objection, SPLP is not aware of any investigations or claims of falsified inspection reports related to welds for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines in Chester and Delaware Counties.

**DATE:** December 26, 2019

**BY:** Todd Nardozzi

130. Identify and describe all Notices of Probable Violation issued to you by PHMSA or the PUC in the last 5 years for any pipeline owned, constructed, operated or otherwise managed by you.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome, as the term “you” is defined in the Interrogatories to include not only SPLP, but to also “Energy Transfer Partners, L.P., or any affiliate, parent, subsidiary or other entity related by ownership to Sunoco Pipeline L.P. participating in the Mariner East project.” As SPLP is the operator of the Mariner East 1 and 12-inch pipelines in Chester and Delaware Counties, as well as the entity that is in the process of constructing and the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, SPLP will respond to this Interrogatory on behalf of SPLP for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines. Subject to and without waiver of any objection, information regarding PHMSA’s enforcement actions for SPLP’s pipelines in Pennsylvania during the last 5 years, including copies of each Notice of Probable Violation, relevant documents and submissions, current status, and resolution, can be found on PHMSA’s website, accessible at <https://primis-stage.phmsa.dot.gov/comm/reports/enforce/enforcement.html?nocache=848>, using the following CPF numbers:

- CPF No. 120195006
- CPF No. 120195002
- CPF No. 120185026W
- CPF No. 120185027M
- CPF No. 120185002

By way of yet further response, PUC has not issued any Notices of Probable Violations to SPLP during the last 5 years.

**DATE:** December 26, 2019

**BY:** Todd Nardozzi

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

131. Identify and describe all Orders or Consent Orders issued to you by PHMSA or the PUC in the last 5 years.

**RESPONSE:** SPLP objects to this interrogatory as overbroad and unduly burdensome, as the term “you” is defined in the Interrogatories to include not only SPLP, but to also “Energy Transfer Partners, L.P., or any affiliate, parent, subsidiary or other entity related by ownership to Sunoco Pipeline L.P. participating in the Mariner East project.” As SPLP is the operator of the Mariner East 1 and 12-inch pipelines in Chester and Delaware Counties, as well as the entity constructing and the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, SPLP will respond to this Interrogatory on behalf of SPLP for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines. Subject to and without waiver of any objection, copies of any consent orders issued by PHMSA related to SPLP’s pipelines in Pennsylvania during the last 5 years can be found by accessing the PHMSA enforcement website and CPF numbers listed in response to Interrogatory No. 130. Orders issued by PUC to SPLP during the last 5 years can be obtained from the following PUC dockets via the individual hyperlinks provided below:

- [A-2013-2371789](#)
- [A-2014-2425633](#)
- [C-2014-2451943](#)
- [C-2016-2545634](#)
- [C-2017-2589346](#)
- [C-2018-3001451](#)
- [C-2018-3003605](#)
- [C-2018-3004294](#)
- [C-2018-3005025](#)
- [C-2018-3006116](#)
- [C-2018-3006534](#)
- [C-2019-3006898](#)
- [C-2019-3006905](#)
- [P-2013-2353476](#)
- [P-2013-2371775](#)
- [P-2014-2411941](#)
- [P-2014-2411942](#)
- [P-2014-2411943](#)
- [P-2014-2411944](#)
- [P-2014-2411945](#)
- [P-2014-2411946](#)
- [P-2014-2411948](#)
- [P-2014-2411950](#)

Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.

Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1

- [P-2014-2411951](#)
- [P-2014-2411952](#)
- [P-2014-2411953](#)
- [P-2014-2411954](#)
- [P-2014-2411956](#)
- [P-2014-2411957](#)
- [P-2014-2411958](#)
- [P-2014-2411960](#)
- [P-2014-2411961](#)
- [P-2014-2411963](#)
- [P-2014-2411964](#)
- [P-2014-2411965](#)
- [P-2014-2411966](#)
- [P-2014-2411967](#)
- [P-2014-2411968](#)
- [P-2014-2411971](#)
- [P-2014-2411972](#)
- [P-2014-2411974](#)
- [P-2014-2411975](#)
- [P-2014-2411976](#)
- [P-2014-2411977](#)
- [P-2014-2411979](#)
- [P-2014-2411980](#)
- [P-2014-2422583](#)
- [P-2017-2608957](#)
- [P-2018-3001453](#)
- [P-2018-3006117](#)
- [R-2014-2426158](#)
- [R-2014-2448626](#)
- [R-2014-2452684](#)
- [R-2014-2452686](#)
- [R-2015-2465141](#)
- [R-2017-2604212](#)
- [R-2017-2630400](#)

**DATE:** December 26, 2019

**BY:** Todd Nardozzi



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.’s Answers to Andover HOA’s Interrogatories Set 1**

132. Identify and describe all civil penalty assessments or consent assessments of civil penalties issued to you by PHMSA or the PUC in the last 5 years.

**RESPONSE:** SPLP objects to this interrogatory as overbroad and unduly burdensome, as the term “you” is defined in the Interrogatories to include not only SPLP, but to also “Energy Transfer Partners, L.P., or any affiliate, parent, subsidiary or other entity related by ownership to Sunoco Pipeline L.P. participating in the Mariner East project.” As SPLP is the operator of the Mariner East 1 and 12-inch pipelines in Chester and Delaware Counties, as well as the entity constructing and the Mariner East 2 and Mariner East 2X pipelines in Chester and Delaware Counties, SPLP will respond to this Interrogatory on behalf of SPLP for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines. Subject to and without waiver of any objection, to the extent any PHMSA enforcement action related to SPLP’s pipelines in Pennsylvania during the last 5 years resulted in the civil penalties assessments or consent assessments of civil penalties, such information can be obtained by accessing the PHMSA enforcement website and CPF numbers listed in response to Interrogatory No. 130 above. By way of further response, PUC has not issued any civil penalty assessments or consent assessment of civil penalties in the last 5 years for the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines.

**DATE:** December 26, 2019

**BY:** Todd Nardozzi

133. Identify and describe all complaints made to you by the public (including but not limited to complaints related to noise, dust, smoke or particulates, water supply, water pressure, flooding, sinkholes or depressions) related to the construction or operation of ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome, as it seeks information regarding all complaints made by the public related to the construction or operation of the Mariner East 1, 12-inch pipeline, Mariner East 2, and Mariner East 2X pipelines, for an unrestricted list of issues that are not relevant to this proceeding and that relate to subject matters over which the Commission lacks jurisdiction. SPLP further objects to this Interrogatory on the basis that it assumes that SPLP is required or obligated to document each and every complaint received from the member of the public. Subject to and without waiver of any objection, regarding certain of types of complaints listed above, namely complaints related to private water supplies, such complaints are governed by the terms and conditions of SPLP’s permits issued by PADEP for the construction of the Mariner East 2 and Mariner East 2 pipelines.

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**DATE:** December 26, 2019

**BY:** Matthew Gordon

134. Identify and describe all requests made by you to the Delaware River Basin Commission to change the method of pipe construction from Horizontal Directional Drilling to some other method of construction.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding and that relate to subject matters over which the Commission lacks jurisdiction. Subject to and without waiver of any objections, modifications to the proposed method of installation from a horizontal directional drill to another method of pipeline installation are subject to the permit modification process governed by PADEP. By way of further response, in accordance with the terms of Delaware River Basin Commission ("DRBC") Docket for the Mariner East 2 and Mariner East 2X pipeline project, SPLP notifies the DRBC of major permit modifications that seek to change the method for crossing an aquatic resource from horizontal directional drill to another method of construction. In Chester and Delaware Counties, SPLP has notified the DRBC of permit modifications for the following locations: HDD S3-0370 (North Pottstown Pike); HDD S3-0381 (Swedesford Road); HDD S3-0280 (PA Turnpike); HDD S3-0400 (Exton Bypass); HDD S3-0620 (Glen Riddle/SEPTA). Copies of SPLP's notifications to the DRBC for these permit modifications are produced herewith.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

135. Identify and describe the status of all requests made by you to the Delaware River Basin Commission to change the method of pipeline construction from Horizontal Directional Drilling to some other method of construction.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding and that relate to subject matters over which the Commission lacks jurisdiction. Subject to and without waiver of any objections, following PADEP's approval of major permit modifications, DRBC issues a corresponding approval. Following PADEP's approval of the major permit modifications for HDD S3-0370 (North Pottstown Pike) and HDD S3-0381 (Swedesford Road), the DRBC also corresponding approvals, copies of which are produced herewith. The remaining locations identified in Interrogatory No. 134 – HDD S3-0280 (PA Turnpike), HDD S3-0400 (Exton Bypass) and HDD S3-0620

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

(Glen Riddle/SEPTA) – are pending before PADEP and therefore likewise remain pending before DRBC.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

136. Identify and describe all actions taken by you or on behalf to evaluate the integrity of ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, SPLP has already provided information responsive to this Interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos 1 and 10, which is incorporated by reference as if set forth fully herein. By way of further response, SPLP also previously produced its Integrity Management Plans and related appendices (Bates Nos. SPLP00007034-SPLP00007161 and SPLP00031808-SPLP00032109), which are Extremely Sensitive Materials that are available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

137. Identify and describe all risks or threats identified by you or on your behalf related to ME1, ME2, ME2X and Point Breeze-Montello in and around Delaware and Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, SPLP identifies and evaluates risks to the pipelines in its risk assessments that were previously produced (Bates Nos. SPLP00031198-SPLP00031521), and its Integrity Management Plans and related appendices that were previously produced (Bates Nos. SPLP00007034-SPLP00007161 and SPLP00031808-SPLP00032109), which are designated as Extremely Sensitive Materials that are available upon request for an on-site review to qualified individuals that have executed the Amended Non-Disclosure Certificate pursuant to the Amended Protective Order in this Proceeding.

**DATE:** December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**BY:** Matthew Gordon

138. Identify and describe all remedial, preventative and mitigative measures taken by you or on your behalf to address the risks or threats related to ME1, ME2, ME2X and Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, information responsive to this Interrogatory is within SPLP's integrity management program, and maintenance and repairs performed in accordance with the program.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

139. Identify and describe all actions taken by your or on behalf to advise the public of the risks or threats associated with ME1, ME2, ME2X and Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome. Subject to and without waiver of any objection, SPLP's public awareness program, including the supplemental enhancements adopted for the Mariner East pipeline system and Chester and Delaware Counties in particular, provide information regarding the potential hazards associated with the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines. By way of further response, SPLP has provided testimony regarding its public awareness program and stakeholder outreach efforts in Chester and Delaware Counties during the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief and will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Gina Greenslate

140. Identify and describe all information provided to the public by you or on your behalf on how to respond in the event of a release or other emergency associated with ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** *See* response to Interrogatory No. 139, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

**BY:** Gina Greenslate

141. Identify and describe any proposed or anticipated changes to information provided by your or on our behalf on how to respond in the event of a release or other emergency associated with ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it is overbroad and unduly burdensome, and to the extent that it seeks information regarding future anticipated changes, which are speculative. By way of further response, in accordance with API RP 1162, SPLP performs an annual self assessment of its public awareness program and implements changes to its public awareness program as necessary and appropriate. SPLP also updates its public awareness program each time that SPLP acquires or builds a new pipeline asset. In response to the Flynn Complainants Interrogatories Set 1, No. 228, SPLP provided a list of changes to the applicable components of the public awareness program from January 1, 2014 through February 2019, which is supplemented herewith:

| <b>Date</b>   | <b>Changes Made</b>  |
|---------------|--|
| February 2019 | SOPs A.17 and HLA.17 updated with a revised management commitment form.  |
| July 2019     | Added additional information to Landowner Hotline log including the resolution of the call, information on calls that are forwarded to our group from another source other than the hotline and which pipeline system is being referenced in the call. |
| July 2019     | Updated brochure text for our 2019 mailing including mileage, additional NPMS information, upwind and uphill language and more.  |
| 12/5/2019     | Began the process of integrating all SEM Group assets in CO, KS, LA, ND, OK and TX into the Energy Transfer Public Awareness Program.  |

**DATE:** December 26, 2019

**BY:** Gina Greenslate

142. Identify and describe all communications between you and each school district operating within Delaware or Chester Counties, Pennsylvania.

**RESPONSE:** SPLP objects to this Interrogatory as overbroad and unduly burdensome, in that it seeks SPLP to identify all communications between SPLP and every school district in Chester and Delaware Counties regarding any subject matter for an undefined period of time. Subject to and without waiver of any objection, to the extent that this Interrogatory seeks information regarding SPLP's public awareness and stakeholder outreach to school districts in Chester and Delaware Counties, SPLP has engaged and continues to engage each school district along

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

the route of the Mariner East 1, 12-inch, Mariner East 2, and Mariner East 2X pipelines, including providing supplemental information and training sessions. By way of further response, SPLP has provided testimony regarding its outreach efforts to school districts in Chester and Delaware Counties during the November 2018 hearing on Flynn Complainant's Petition for Interim Emergency Relief, and will provide additional information responsive to this Interrogatory when it serves its testimony in this matter pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** December 26, 2019

**BY:** Gina Greenslate

143. Identify and describe all communications related to the Aqua public water source in or around Drill 381, including but not limited to, the establishment of the monitoring well in that location.

**RESPONSE:** SPLP objects to this Interrogatory on the basis that it seeks information that is not relevant to this proceeding and that relate to subject matters over which the Commission lacks jurisdiction. Subject to and without waiver of any objections, the relevant communications from Aqua are included in the major permit modification application to PADEP for the HDD S3-0381 (Swedesford Road) location, which is publicly available on PADEP's website listed above. By way of further response, copies of the permit modification package and PADEP's approvals of the permit modifications shall be produced.

**DATE:** December 26, 2019

**BY:** Larry Gremminger

144. Identify and describe any and all efforts made by you to avoid areas containing private dwellings, commercial or industrial buildings, critical infrastructure, such as highways, rail lines and airports, and places of public assembly.

**RESPONSE:** Subject to and without waiver of any objection, SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 165-168 which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

145. Identify and describe all investigations of alternative routes for the construction of ME2 and ME2X.

**RESPONSE:** Subject to and without waiver of any objection, SPLP has already provided information responsive to this interrogatory in response to the Flynn Complainants Interrogatories Set 1, Nos. 165-168 which are incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

146. Identify and describe any and all PUC tariffs related to ME1, ME2, ME2X or Point Breeze-Montello.

**RESPONSE:** Subject to and without waiver of any objection, copies of the PUC tariffs for the Mariner East 1, Mariner East 2, Mariner East 2X, and the 12-inch pipelines are produced herewith.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

147. Identify and describe all products approved for conveyance through ME1, ME2, ME2X and Point Breeze-Montello.

**RESPONSE:** SPLP's certificate of public convenience broadly provides it the authority to transport petroleum products, which includes natural gas liquids such as propane. It does not require additional Public Utility Commission permission to transport any single type of these products through any particular pipeline or set of pipelines. As the PUC has explained:

“The product to be shipped by Sunoco - “petroleum products” - is a broad term that includes both propane and ethane. While gasoline and fuel oil were the original products that were shipped in the pipelines until 2013, there is no restriction in any approved Certificate limiting Sunoco's services to these particular products. In *Petition of Granger Energy of Honey Brook, LLC*, Docket No. P-00032043 (Order entered August 19, 2004) at 9, we gave the undefined term “petroleum products,” as used in Section 102 of the Code, a broad meaning as a “catch all phrase” to include what would otherwise be an exhaustive list of products. Similarly, we specifically held in the Amendment Order that propane is a petroleum product. While ethane is not expressly identified in 49 C.F.R. § 192.3, it

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

also fits within the definition of "petroleum gas." Under 49 C.F.R. § 195.2, NGLs are encompassed under the terms "petroleum" and "petroleum product." The U.S. Energy Information Administration's definition of NGLs includes ethane and propane, which, in turn, is included in the definition of "petroleum and other liquids." In light of the above, we presumptively conclude that Sunoco's existing Certificate encompasses the movement of ethane and propane.

...

Thus, Sunoco has the authority to provide intrastate petroleum and refined petroleum products bi-directionally through pipeline service to the public between the Ohio and New York borders and Marcus Hook, Delaware County through generally identified points. This authority is not contingent upon a specific directional flow or a specific route within the certificated territory. Additionally, this authority is not limited to a specific pipe or set of pipes, but rather, includes both the upgrading of current facilities and the expansion of existing capacity as needed for the provision of the authorized service within the certificated territory."

*Petition of Sunoco Pipeline, L.P. et al*, Docket Nos. P-2014-2411941 et al, 2014 WL 5810345 (Order entered Oct. 29, 2014).

**DATE:** December 26, 2019

**BY:** Counsel

148. Identify and describe all products conveyed through ME1, ME2, ME2X and Point Breeze-Montello since 2014.

**RESPONSE:**

- Mariner East 1: primarily ethane and propane.
- Mariner East 2: primarily propane and butane.
- Mariner East 2x: none, as construction of the Mariner East 2X pipeline is not complete.
- 12-inch pipeline:
  - From 2014 through December 2018 – refined petroleum products.
  - From December 2018 to present – primarily propane and butane.

**DATE:** December 26, 2019

**BY:** Matthew Gordon



**Meghan Flynn, et al. v. Sunoco Pipeline L.P.  
Consolidated Docket No. C-2018-300616 et al.**

**Sunoco Pipeline L.P.'s Answers to Andover HOA's Interrogatories Set 1**

149. Identify and describe all products approved for intrastate conveyance through ME1, ME2, ME2X and Point Breeze-Montello.

**RESPONSE:** See response to Interrogatory No. 148, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

150. Identify and describe all products conveyed intrastate through ME1, ME2, ME2X and Point Breeze-Montello since 2014.

**RESPONSE:** See response to Interrogatory No. 150, which is incorporated by reference as if set forth fully herein.

**DATE:** December 26, 2019

**BY:** Matthew Gordon

/s/ Thomas J. Sniscak

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*Attorneys for Respondent Sunoco Pipeline L.P.*

Dated: December 26, 2019

# **ATTACHMENT B**

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Docket Nos. C-2018-3006116 and P-2018-3006117 et al**

**Sunoco Pipeline L.P.’s Answers to Complainants’ Interrogatories, Set I**

228. What changes were made to Sunoco's PAP in response to any public safety concerns?

**Response Required Pursuant to June 7, 2019 Order on Motion to Compel:** ALJ Barnes modified this request to require SPLP to “explain[] changes made to its Public Awareness Plan since January 1, 2014.” Order Granting In Part And Denying In Part Complainants’ Motion To Compel Responses To Complainants’ Interrogatories And Document Request Set 1, at p.37, Ordering Paragraph 29.

**RESPONSE:** SPLP developed a Public Awareness Program (SPLP PAP) compliant with American Petroleum Institute Recommended Practice 1162, *Public Awareness Programs for Pipeline Operators*. The SPLP PAP became effective on 9/30/2005 and was regularly reviewed and updated. While integration of SPLP and Energy Transfer (ET) began in 2017, all required Public Awareness Activities under the SPLP PAP were conducted under that plan until May 1, 2018, at which time SPLP began operating under the ET Standard Operating Procedure (SOP) *HLA.17 Public Awareness Plan*.

**Changes to the SPLP Public Awareness Program (1/1/2014 - 4/30/2018) and to HLA.17 (5/1/2018 -present)**

| <b>SPLP Public Awareness Plan</b> |  |
|-----------------------------------|--|
| <b>Date</b>                       | <b>Changes Made</b>  |
| 3/25/2014                         | Sec. 4: Added description of products transported.<br><br>Sec. 5: Added Farmers as a distinct group recognized by the SPLP PAP.<br><br>Sec. 6: Added 15% threshold for alternate language.<br><br>Sec. 12- Added Table 18 and added information for Effectiveness Analysis Process and on returned mail. |
| 12/18/2015                        | P. 12 – Before subsection 5.1, added: “Buffer zones (proximity to pipeline) for each Stakeholder Audience are provided in Table 14, Frequency and Documentation of Message Delivery.”  |
| 5/23/2016                         | P. 19 - Section 7 - Added information on determination of distances and considerations for changing the distances:   |

**Meghan Flynn, et al. v. Sunoco Pipeline L.P.**  
**Docket Nos. C-2018-3006116 and P-2018-3006117 et al**

**Sunoco Pipeline L.P.’s Answers to Complainants’ Interrogatories, Set I**

|   |  |
|---|--|
|   | <p>“The frequency and proximity to the pipeline may change based on a variety of factors, such as regulatory revisions, unique populations, and other considerations. An example is the increased buffer of 1,320 feet that SPLP adopted for HVL lines when the Mariner West pipeline went into service. After consideration of the characteristics of Highly Volatile Liquids, the proximity was increased to 1,320 feet. Another example is increasing the proximity to 1 mile and the frequency to every year for communication with schools. Suggested revisions will be reviewed by the PAP Team and documented.”</p> |
| June 2017   | Began integrating Sunoco assets into Energy Transfer's Public Awareness program.   |
| February 2018   | Made changes to A.17, HLA.17, I.40 and HLI.40 to reflect organizational and responsibility changes due to the Sunoco merger.   |
| <b>May 1, 2018 Energy Transfer SOP HLA.17 became effective for SPLP</b> |  |
| August 2018   | Expanded the buffer of our annual public awareness mailing for Affected Public from 660 feet to 1,000 feet for Pennsylvania NGL lines.   |
| January 2019  | Public Awareness Communications Tracker (PACT) officially rolled out and active. PACT has replaced GForms as the Public Awareness database.  |
| February 2019   | Expanded the buffer of our annual public awareness mailing for Affected Public from 1,000 feet for Pennsylvania NGL lines.   |

SPLP reserves its right to supplement this response, including through its testimony in this proceeding pursuant to 52 Pa. Code § 5.324(a)(2).

**DATE:** June 17, 2019

**BY:** Gina Greenslate