

April 10, 2022

From:

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To:

PUC

RE: Docket No. L-2019-3010267

Public-comment period for some important changes to the Pennsylvania Public Utility Commission (PUC) regulations, affecting Mariner East Pipeline and Sunoco

Dear PUC Members:

Pipeline Safety Rules are essential! Thank you for this comment period.

Here are three important points, as you go about making crucial changes to the way Sunoco has been allowed to operate:

59.131. Definitions. Most of the definitions in this section are self-explanatory, but one is quite noteworthy: the definition of “Affected public”. It is defined as “residents and places of congregation (businesses, schools, and the like) along the pipeline and the associated right-of-way within 1,000 feet, or within the LFL [lower flammability limit], of a pipeline or pipeline facility, whichever is greater.” The “lower flammability limit” is the outermost edge of a flammable cloud—what we commonly refer to as the boundary of the “blast zone”.

The definition of “affected public” and “LFL” are used throughout the proposed regulations to specify who must receive communications and be notified of events, and where valves can be located.

Implementing this rule will mean that pipeline operators will have to be upfront about the size of the flammable cloud that could be produced by a leak. (Sunoco has steadfastly refused to disclose this information.) **THEY MUST BE FORCED TO DISCLOSE IT NOW!!!**

59.133. Accident reporting. “... after the release of a hazardous liquid [the operator] must provide immediate notice to the Pipeline Safety Section [of the PUC] and emergency responders. Notice must be provided at the earliest practicable moment and no later than one hour after confirmed discovery.”

This is a start, but it is insufficient. If the emergency responders are notified an hour after a leak is confirmed, it may be far too late for evacuation. Automatic leak detection and immediate notification, or the addition of an odorant, are needed. (See 59.139, below.)

59.136. Construction. There are several important requirements in this section:

“... no pipeline may be located under private dwellings, industrial buildings, and places of public assembly.”

Of course these pipelines shouldn't go under buildings that might have people in them! In fact, the pipelines

should be placed far away from them. As far as I know, Mariner East does not go under buildings, but it comes within a few feet.

“... a minimum of 12 inches between the outside of a pipe and any underground structure, including structures owned by the hazardous liquid public utility and foreign structures, without exception. “

By placing ME2 and ME2x within 4 inches of each other when they are put inside casings (and at the entrance and exit of casings), **Sunoco increases the risk that an explosion in one would trigger an explosion in the other.** 12 inches is probably not sufficient spacing, but it would be far better than Sunoco’s current practice.

Something to keep: The proposed regulations concerning land agents in Section 59.141 are essential, given the terrible record of deception and intimidation by unregulated agents seeking easements for Mariner East.

Thank you for considering my comments,

Best,

Judith Kay McClintock