



House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

March 11, 2019

Dear Governor Wolf,

We respectfully reach out to you today to urge you to take action to preserve the health, welfare and safety of our constituents who live, work and raise their families in the high consequence areas of Chester and Delaware Counties within the potential impact radius of the Mariner East pipeline project.

Chester County's Emergency Services department and the West Chester Area School District, Rose Tree Media School District, and Downingtown Area School District have made multiple attempts to complete their comprehensive All Hazards Emergency Response Plans to fulfill their statutory requirement under Title 35. In order to do so effectively, they are in need of the Emergency Response Plan from Energy Transfer subsidiary, SPLP, for the Mariner East project. ETP/SPLP continues to elude this important information-sharing responsibility by claiming restrictions in **PUBLIC UTILITY CONFIDENTIAL SECURITY INFORMATION DISCLOSURE PROTECTION ACT 156 (2006)**.

1) 156 states, (2) *Portions of emergency response plans that are submitted to the Department of Environmental Protection, the Pennsylvania Public Utility Commission or any other Federal, State or local agency dealing with response procedures or plans prepared to prevent or respond to emergency situations, except those portions intended for public disclosure, the disclosure of which would reveal vulnerability assessments, specific tactics, specific emergency procedures or specific security procedures. Nothing in this term shall be construed to relieve a public utility from its public notification obligations under other applicable Federal and State laws.*

2) All 9 of the other pipeline operators within Chester County, including Enterprise (transmitting propane, an NGL), have released this information to our first responders. SPLP attorneys often argue in court that Mariner East is no different than Enterprise, an existing NGL pipeline operating within the county. In a recent meeting between ETP/SPLP executives and several local government personnel and elected leaders designed to resolve this issue, Bill Turner from Chester County Emergency Services stated that they "requested the Enterprise ERP on a Wednesday and had it in hand by Friday."

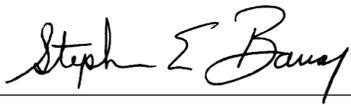
3) ACT 156 (2006) is flawed in that it allows the operator to decide "what" is considered sensitive as it relates to specific safe guards, but it is not meant to preclude information from first responders for planning purposes. In fact, the PUC has gone on the record stating that once the operator has deemed a document "sensitive" persons at PUC can be jailed for releasing. Act 156 was clearly not intended to be used this way.

Our local first response agencies have a mechanism in place to protect vital, sensitive information for homeland security purposes. The absence of the ERP from SPLP means that in an emergency situation, our local first responders would be operating from a completely different “playbook” than the operator, which hinders immediacy in coordination and response to effectively prevent the loss of life and property.

ETP is stating that they cannot release information because it is a national security risk. We have homeland security protected, national security risk level facilities currently transporting highly volatile products through our “high consequence” communities that our local first responders have not mitigated or planned to address adequately due to lack of cooperation from an operator. Simply stated, ETP/SPLP is Risking a Catastrophe, which under Title 18 - Chapter 33 is a criminal offense.

We are asking you to step in, requesting a moratorium on the operation and transmission of NGL products through the Mariner East pipeline system until such time as the mandated protocols are in place for our local responders and school districts to properly manage an emergency.

Thank you for your time. We look forward to working with you to ensure that public safety and cooperation with first responders is at the frontline of any operator in Pennsylvania’s program.



State Rep. Steve Barrar



State Rep. Carolyn Comitta



Sen. Andy Dinniman



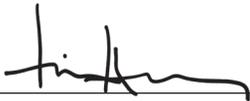
State Rep. Danielle Friel Otten



State Rep. Tim Hennessey



State Rep. Kristine Howard



Sen. Tim Kearney



State Rep. Leanne Krueger



State Rep. John Lawrence



Sen. Katie Muth



State Rep. Chris Quinn



State Rep. Christina Sappey



State Rep. Melissa Shusterman



State Rep. Dan Williams

CC: Josh Shapiro – Attorney General  
David Padfield, Acting Director, PEMA