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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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COMMITTEES

AGING AND OLDER ADULT SERVICES
CHILDREN AND YOUTH
ENVIRONMENTAL RESOURCES AND ENERGY
POLICY
TOURISM AND RECREATIONAL
DEVELOPMENT

March 26, 2020

Governor Tom Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Secretary Dennis M. Davin
Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Dear Governor Wolf and Secretary Davin:

Our Commonwealth, nation, and world are in the midst of an unprecedented crisis, and I truly appreciate all you are doing to keep Pennsylvanians safe. I understand that we are, all of us, figuring out the answers as we go.

I am writing today because it has unfortunately become clear that even as we are all being asked to do our part to flatten the curve, protect healthcare professionals on the front lines, and buy as much time as possible to address the still-growing COVID-19 pandemic, operators and industries with political influence and power are receiving preferential treatment that endangers us all.

My staff and I continue to receive a steady stream of calls and emails from small business owners in my legislative district asking, "Why are the big-chain home supply and retail stores allowed to be open, when my independent gardening/nursery center must remain closed?" "Why are national builders being granted approval to keep building houses, when smaller builders like me are getting our waiver applications for exactly the same activities denied?"

We have one constituent with a debilitating, infected wisdom tooth who cannot get her condition treated by a dentist, yet Energy Transfer is given 17 waivers to restart non-life sustaining construction activities on a pipeline project slated to export Pennsylvania's natural resources internationally for the purpose of producing plastic products. Medically trained and certified professionals are being put through the wringer to obtain waivers to provide emergency dental services, while a letter from Energy Transfer's PR department is apparently all it takes to get a

waiver allowing pipeline construction to continue, circumventing the critical protections put in place to prevent deaths of Pennsylvanians in the face of COVID-19.

It is inconsistent, indefensible, and unsafe to grant waivers to giant corporations and special interests whose life-sustaining value is questionable at best, while smaller companies in some of the very same sectors have their waivers denied. Our small business owners and solo operators, who are in real jeopardy of losing their livelihoods, are trying to do the right thing, get in line for waiver consideration, and comply with DCED decisions, while the gun retailers, Sunoco/ET, big-box stores, and national builders go to the front of the line and have their waivers granted.

To be clear, I am not suggesting that more waivers should be granted; rather, I am objecting to the number and manner in which waivers have been allowed.

Every construction project allowed to continue, particularly for large national and regional outfits that bring in crews from all over the state and beyond, means more people touching gas pumps, stopping in to local convenience stores, driving through fast food restaurants, using public restrooms, using the masks desperately needed by frontline healthcare workers, and making demands on townships and municipalities to keep up with inspections, permits, code enforcement, and construction site conditions.

Every non-essential retail operation that remains open, every waiver granted to a non-life-sustaining business, weakens the message that this threat is real, and deadly, and that the certain consequences of maintaining “business-as-usual” are worse than any economic fallout.

As an article in the March 25, 2020 issue of *The Atlantic* magazine aptly put it, “There are now only two groups of Americans. Group A includes everyone involved in the medical response, whether that’s treating patients, running tests, or manufacturing supplies. Group B includes everyone else, and their job is to buy Group A more time.”

Please stop endangering our doctors, nurses, citizens, and truly essential workers like grocery store employees by allowing political influence to override public interest. We are in the fight of our lifetimes. I believe we can win this battle, but only if we are united in sharing the burden.

Sincerely,



Danielle Friel Otten
State Representative,
155th Legislative District

Cc: Dr. Rachel Levine, PA Secretary of Health
Senator Katie Muth, 44th Senatorial District
Marian Moskowitz, Josh Maxwell, & Michele Kichline, Chester County Commissioners
Jeanne E. Casner, Chester County Health Director