

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG PENNSYLVANIA 17120**

**Amended Petition of State Senator Andrew E.
Dinniman for Interim Emergency Relief;
PA State Senator Andrew E. Dinniman**

**Public Meeting held August 2, 2018
3001453-OSA
P-2018-3001453; C-2018-3001451**

v.
Sunoco Pipeline, L.P.

STATEMENT OF CHAIRMAN GLADYS M. BROWN

In our Order entered on June 15, 2018, maintaining the injunction on construction of Mariner East 2 and Mariner East 2X in West Whiteland Township, we directed that Sunoco provide to the Commission certain inspection and testing protocols and a comprehensive emergency response plan. In both instances, we stated that the response should include **but was not limited to**, certain items, for example “leak detection and repairs” and “public education materials and notification protocols in the event of a pipeline-related incident.” June 15th Order, Ordering Para. No. 6.

On June 22, 2018, Sunoco filed its response to Ordering Paragraph Number 6. While Sunoco’s June 22nd filing complies with the Commission’s Order, I note that Sunoco opted not to provide one iota more than was requested and did not, in my opinion, attempt to assuage the concerns regarding lack of transparency voiced by the Parties in this proceeding. That being said, Sunoco’s June 22nd filing comports with the directives in Ordering Paragraph Number 6.

In our June 15th Order we also issued the following directive to Sunoco:

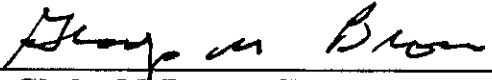
7. That the Sunoco Pipeline L.P. shall file a verification or affidavit that the Department of Environmental Protection has issued the appropriate permission for continued construction of Mariner East 2 and Mariner East 2X in West Whiteland Township when it is granted.

On July 3, 2018, and July 18, 2018, Sunoco made responsive filings regarding the Department of Environmental Protection (DEP) permits. Sunoco’s filings show that the DEP has issued eight of the twelve required permits. Sunoco requests permission to restart construction in the eight areas where the DEP has issued permits.

Because Sunoco has not fully complied with our Order regarding the DEP permits, I do not agree that the injunction on construction should be lifted. Ordering Paragraph Number 7 speaks of West Whiteland Township as a whole because it was not our intent to allow the resumption of construction in a piecemeal fashion. The clear intent of Ordering Paragraph Number 7 was to

verify to this Commission that all DEP work stoppage directives to Sunoco in West Whiteland Township were lifted, and that the Company had express authority to resume or begin construction of Mariner East 2 and 2X. Therefore, I respectfully register my dissent.

August 2, 2018
Date



Gladys M. Brown, Chairman