

**MIDDLETOWN TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

PROCLAMATION

A PROCLAMATION of the Middletown Township, Delaware County, Township Council, expressing great concern to the Governor of the Commonwealth of Pennsylvania, to the Pennsylvania Department of Environmental Protection (“PADEP”), and to the Pennsylvania Public Utility Commission (“PUC”) regarding a natural gas liquids (“NGLs”) transmission pipeline project that raises safety concerns in the Township.

WHEREAS, a proposed Sunoco pipeline known as Mariner East 2 could, if constructed, transport through Middletown Township approximately 275,000 barrels (11,550,000 gallons) per day of NGLs (with the potential to expand to approximately 450,000 barrels (18,900,000 gallons) per day); and

WHEREAS, the NGLs, that are being transported through the Township by Sunoco, are, if released, gaseous, invisible, odorless, toxic, heavier than air and highly flammable; and

WHEREAS, this project has the potential to jeopardize public safety in Middletown Township in the event of accidental leaks, explosions, or fire;

NOW THEREFORE, BE IT PROCLAIMED that the Middletown Township Council expresses deep concern about the proposed Sunoco Mariner 2 East transmission pipeline to the Governor of the Commonwealth, the Secretary of the PADEP, and the PUC. Of particular concern to the Council Members are:

I

The high level of potential risk to Township residents which may occur due to the nature of the NGLs proposed to be transported through the Township. This risk must be demonstrably mitigated by such measures as the development of an incident response plan which includes (but is not limited to) viable worst-case evacuation routes developed in cooperation with the Township personnel and affected residents; enhanced safety equipment and safety training for first responders.

II

Essential to the powers of the Township are the police powers granted generally under Pennsylvania law, and the power to regulate the uses and development of land granted by the Municipalities Planning Code. Exemptions given to public utilities under these enabling bodies of law and judicial decisions interpreting their applicability severely weaken the Township's ability to exercise its police powers and its ability to fully protect the health, safety and welfare of its residents.

III

Legislation is needed to more fully empower the Township to exercise control over public utility facilities at the local level, which in turn supports the Commonwealth's responsibility for ensuring the health, safety and welfare of the citizens of the Commonwealth.

BE IT FURTHER PROCLAIMED, the Township understands the concerns expressed by Township citizens with respect to the safety of the pipeline, the emergency preparedness steps which must be taken in the event of a leak or spill, and the need for effective evacuation plans. Township Council noticed and advertised public meetings which were held on January 16, 2016, August 22, 2016, and September 26, 2016 to address such concerns, and received additional comment at public meetings on July 25, 2016 and September 12, 2016. The level of risk must be mitigated by developing a comprehensive risk assessment study and incident response plan. Enhanced safety equipment and safety training for first responders must be reviewed and instituted.

The Township hereby conveys its concerns to Governor Wolf, the Secretary of the PADEP, and the Chairman of the Public Utility Commission. We join in the expression of concern set forth in the September 9, 2016 letter from Senator Tom Killion and Representative Chris Quinn to the Chairs of both the State and House Veterans Affairs and Emergency Preparedness Committees, a copy of which is attached hereto, and we request that the Committees hold additional public hearings to compile a complete and thorough record of all safety efforts and requirements currently in place, so that all needed steps are taken in the future to ensure the safety of the Middletown Township citizens.

PROCLAIMED by the Council Members of Middletown Township, Delaware County, Pennsylvania, at the regular meeting of said Council held this 26th day of September.

TOWNSHIP OF MIDDLETOWN

SIGNED: _____



MARK KIRCHGASSER
COUNCIL CHAIRMAN

ATTEST: _____



W. BRUCE CLARK
TOWNSHIP MANAGER