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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: CHAPTER 105 PERMIT APPLICATIONS FROM SUNOCO  
LOGISTICS FOR ITS MARINER EAST II PENNSYLVANIA  
PIPELINE PROJECT

PUBLIC HEARING

\* \* \* \* \*

ORIGINAL

BEFORE: JOHN REPETZ, CHAIR  
Scott R. Williamson, Program Manager,  
Waterways and Wetlands Program  
Joseph Adams, Director, DEP Southcentral  
Office

HEARING: Tuesday, August 16, 2016  
6:35 p.m.

LOCATION: Pennsylvania Farm Show Complex  
2300 North Cameron Street  
Harrisburg, PA 17110

Reporter: Corey Elizabeth Summers

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1 I N D E X

2

3 OPENING REMARKS

4 By Chair 5 - 6

5 PRESENTATION

6 By Mr . Williamson 6 - 8

7 By Chair 8 - 9

8 PUBLIC COMMENT

9 By Stephanie Catarino Wissman 9 - 12

10 By Abe Amoros 13 - 15

11 By Patrick Henderson 15 - 18

12 By Kim Van Fleet 18 - 22

13 By Wendi Taylor 22 - 25

14 By Ross Stephens 25 - 27

15 By Jay Cleveland 27 - 29

16 By Bill Eavenson 29 - 32

17 By Ellen Gerhart 32 - 36

18 By David Butterworth 36 - 38

19 By Carl Marrara 38 - 42

20 By Rob Bair 42 - 45

21 By Ed Hill , Jr. 45 - 47

22 By Dave Horn 48 - 50

23 By Charles Clarke 50 - 52

24 By Rich Wiaterowski 52 - 53

25 By Gordon Tomb 54 - 56

---

1	I N D E X (cont.)	
2		
3	PUBLIC COMMENT	
4	By Toby Mack	56 - 59
5	By Elise Gerhart	59 - 62
6	By Todd Stager	62 - 66
7	By Donny Williams	66 - 70
8	By Zora Gussow	70 - 72
9	By Christian Nelson	72 - 74
10	By Marisa Shea	74 - 76
11	By Ned Ludd	76 - 77
12	By Tom Gunne	78
13	By Thomas Droege	78 - 80
14	By Lily Nina	80 - 82
15	By Fred Durst	82 - 84
16	By Ruddy Turnstone	84 - 86
17	By Diedre Lally	86 - 90
18	By Joyce Kunkle	90 - 93
19	CLOSING REMARKS	
20	By Chair	93 - 94
21		
22		
23		
24		
25		

E X H I B I T S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

			Page
Number	Descri t		Offered

NONE OFFERED

## P R O C E E D I N G S

CHAIR :

Good evening , everyone. My name is John Repetz. I'm a Community Relations Coordinator for the Pennsylvania Department of Environmental Protection's Southcentral Regional Office here in Harrisburg. Tonight we are here to hold a formal public hearing on the Chapter 105 permit applications from Sunoco Logistics for its Mariner East II Pennsylvania Pipeline Project.

Thank you all for corning tonight. We want to thank the Farm Show Complex for serving as our host this evening. I'd also like to introduce Mr . Joseph Adams, Director of DEP 's Southcentral Regional Office, and Mr. Scott Williams on, Waterways and Wetlands Program Manager for DEP 's Southcentral Regional Office. I would also like to note that we have representatives from Sunoco here this evening .

Tonight we are here to hold a formal public hearing. We will take testimony in the form of comments from those of you who wish --- who are registered to speak. If you wish to make a formal comment and have not yet signed up, please go to the registration table out in the lobby now and please do

1 so. We will close off registration as soon as we  
2 begin with the first speaker this evening. You must  
3 be registered if you wish to present testimony this  
4 evening. And remember, comments offered here tonight  
5 in person or in written form, via e-mail or postal  
6 service, carry the same weight.

7 I will now turn things over to Scott  
8 Williamson, the Waterways and Wetlands Program  
9 Manager, to provide a brief overview of the permitting  
10 process and the applications the DEP is currently  
11 reviewing.

12 MR. WILLIAMSON :

13 Thank you, John. Again, my name is  
14 Scott Williamson, I'm the Program Manager at DEP's  
15 Southcentral Regional Waterways and Wetlands Program.  
16 Sunoco Pipeline, LP submitted Pennsylvania Water  
17 Obstruction and Encroachment Applications, also known  
18 as Chapter 105 applications, as required by 25 Pa.  
19 Code, Chapter 105 in the Pennsylvania Dam Safety and  
20 Encroachments Act and the Pennsylvania Clean Streams  
21 Law to the Pennsylvania Department of Environmental  
22 Protection, also known as DEP, for activities  
23 associated with construction of their proposed  
24 Pennsylvania pipeline, which is also known as Mariner  
25 East II Pipeline System.

1           The permits are required for the  
2 proposed activities located in, along, across or  
3 projecting into a water course, floodway or body of  
4 water, including wetlands. These Chapter 105  
5 applications are currently under technical review by  
6 DEP. The Pennsylvania Pipeline Mariner East II  
7 Project is a proposed expansion of the existing Sunoco  
8 Mariner East Pipeline System. The overall pipeline  
9 project involves construction of two new larger  
10 pipelines to convey natural gas liquids.

11           The two new proposed pipelines will  
12 extend more than 300 miles and 255 miles respectively  
13 in Pennsylvania between Houston Borough, Washington  
14 County, PA and Marcus Hook Borough, Delaware County,  
15 PA. The two new proposed pipelines will cross three  
16 regions of the DEP, five counties in the Southwest  
17 Region, ten counties in the Southcentral Region and  
18 two counties in the Southeast Region.

19           Notice of the Chapter 105 permit  
20 applications was published by DEP in the Pennsylvania  
21 Bulletin on Saturday, June 25th, 2016. Notice of this  
22 public hearing was published in the Pennsylvania  
23 Bulletin on Saturday, July 11th, 2016 and also in The  
24 Patriot-News and PennLive, Lancaster newspapers,  
25 Lancaster Online, on July 28th, 2016 and the Carlisle

1 Sentinel on July 29th, 2016, as well as several other  
2 Pennsylvania media publications. DEP will accept  
3 written comments on the Sunoco Pipeline, LP Chapter  
4 105 applications through Wednesday, August the 24th.

5 CHAIR:

6 Thank you, Scott. Because this is a  
7 formal hearing, the DEP personnel here tonight will  
8 not be answering any questions. Instead, all comments  
9 or questions will be addressed in writing by the  
10 Department at the close of the public comment period  
11 in what is called the public comment response  
12 document. Again, we will not be responding to  
13 comments or questions during this hearing. The public  
14 comment period, as Scott mentioned, will end on  
15 April 24th (sic).

16 The public comments and the Department's  
17 response will be made part of the administrative  
18 record, which is available for review at DEP  
19 Southcentral Regional Office here in Harrisburg.  
20 Arrangements can be made to review the administrative  
21 record by calling (717) 705 4732 during regular  
22 business hours, 8:00 a.m. to 4:00 p.m., Monday through  
23 Friday. The record can also be viewed online by going  
24 to the DEP website, clicking on the Pipeline portal  
25 and then clicking the Southcentral Region tab.



1                   At this point we will now begin the  
2 public hearing portion of tonight. Registration for  
3 the hearing is now officially closed. I will call  
4 those who have registered to come up to the microphone  
5 and provide your testimony. First, please state your  
6 name and spell it for our court reporter, so she can  
7 record it. You will then have three minutes to  
8 provide your testimony. A we ask that you please  
9 adhere to that three-minute limit. When you have one  
10 minute left, I will hold up a sign signaling one  
11 minute. When you have reached your time 1 it, I will  
12 say time and ask you to wrap up.

13                   Finally, we intend to have an orderly  
14 hearing tonight. Please respect the rights of the  
15 person speaking. Any attempt to disrupt this hearing  
16 could result in its termination. With that we will  
17 begin. Our first speaker this evening is Stephanie  
18 Catarino Wissman.

19                   MS. WISSMAN:

20                   Would you like me to speak here or ---?

21                   CHAIR:

22                   Yes.

23                   MS. WISSMAN:

24                   Okay. Do you need a copy?

25                   CHAIR:

1                   You can supply that later.

2                   MS. WISSMAN:

3                   Okay. Good evening. My name is  
4 Stephanie Wissman and I am the Executive Director of  
5 API-Pennsylvania. API-PA is a division of the  
6 American Petroleum Institute, which represents all  
7 segments of America's oil and natural gas industry.  
8 Its more than 650 members produce, process and  
9 distribute most of the nation's energy. The industry  
10 also supports 9.8 million U.S. jobs and eight percent  
11 of the U.S. economy.

12                   The U.S. Energy Information  
13 Administration recently announced that fossil fuels  
14 have supplied at least 80 percent of the world's  
15 energy since the 1900s and will continue to do so for  
16 decades to come. In particular, the tremendous supply  
17 of natural gas and associated natural gas liquids,  
18 such as ethane and propane, is driving economic and  
19 job growth in the industrial sector. Knowing that,  
20 it's important that we continue to support the  
21 development of pipeline infrastructure which delivers  
22 affordable energy and vital products to people across  
23 the country and here in Pennsylvania.

24                   Sunoco Logistics' Mariner East II is one  
25 of those important pipeline projects and will

1 transport NGLs from Eastern Ohio and Southwestern  
2 Pennsylvania to the Marcus Hook Industrial Complex  
3 outside of Philadelphia. NGLs can supply heat during  
4 the winter, are used to power homes and businesses and  
5 most importantly, provide a fuel source and feedstock  
6 for Pennsylvania 's manufacturing industry. The  
7 manufacturing sectors that rely on NGLs include  
8 chemicals, metals, glass, food processing, plastics,  
9 fibers, adhesives, coatings, cleaning agents and many  
10 others.

11 High industry standards are a critical  
12 part of the API mission. For more than 90 years we  
13 have taken our industry's collective wisdom on  
14 everything from drill bits to environmental protection  
15 to embrace proven, sound engineering and operating  
16 practices and safe interchangeable equipment and  
17 materials. We believe safety and environmental  
18 protection go hand in hand with industry operations.

19 A barrel of crude oil or petroleum  
20 product shipped by pipeline reaches its destination  
21 safely more than 99.999 percent of the time. Pipeline  
22 companies take active steps to ensure that health,  
23 safety, security and environmental concerns are  
24 addressed throughout the planning, construction and  
25 operational phases of pipeline operations. Pipeline

1 companies work to prevent releases by evaluating ,  
2 inspecting and maintaining pipelines in a program  
3 called integrity management. Integrity management  
4 programs have produced decreases in incidents  
5 attributed to every major cause of failure. Pipeline  
6 companies together fund millions of dollars worth of  
7 research into new inspection technologies and spend  
8 billions on safety each year.

9                   According to the eConsult Economic  
10 Impact Report , the Mariner East Projects have the  
11 potential to generate \$4.2 billion to the Pennsylvania  
12 economy and generate \$62,000,000 in tax revenues for  
13 the state. In addition, the projects are expected to  
14 support 30,000 jobs during construction and once  
15 completed , 300 to 400 permanent jobs. And with all  
16 the steel being sourced domestically and coated right  
17 here in Pennsylvania , these economic and employment  
18 benefits are already being realized.

19                   The Mariner East II Project will provide  
20 significant benefits to the state , and we recommend  
21 that DEP grant them their final permits to start  
22 construction. Thank you.

23                   CHAIR:

24                   Thank you, Stephanie. Next is Abe  
25 Amoros.

1                   MR. AMOROS:

2                   Good evening . My name is Abe Amoros.  
3 I'm the Pennsylvania Legislative Director for the  
4 Laborers' International Union of North America. And  
5 as a proud member, I stand here to voice my support  
6 for the Mariner East Pipeline. This project will be  
7 constructed and operated safely and in an  
8 environmentally-sound way, all to benefit our  
9 communities, businesses and workers.

10                   For over a century, LIUNA has been a  
11 voice for the hard-working men and women of America ,  
12 ensuring a right to obtain safe, living-wage jobs.  
13 Projects like Mariner East are lifelines for our  
14 community, helping to build lifelong careers for our  
15 members as well. We represent more than 18,000  
16 members in Pennsylvania. So for them these projects  
17 aren't just pipelines, they're also lifelines for  
18 families sustaining jobs. Because of their advanced  
19 skills and training, our workers have the knowledge  
20 and experience to build this project safely and with  
21 minimal impact on the environment and communities. In  
22 fact, our workers are already hard at working building  
23 those pipelines in Pennsylvania, making sure they're  
24 developed safely and responsibly.

25                   This project **will** create another 30,100

1 direct and indirect jobs during the construction  
2 phase, using union labor and approximately 300 to 400  
3 permanent positions throughout the Commonwealth.  
4 During construction our laborers patronize  
5 restaurants, retailers and other local businesses  
6 providing ancillary benefits and additional sources of  
7 income to the local communities.

8           Now, we all understand that many have  
9 expressed concerns about this project. But study  
10 after study has shown that pipelines are the safest,  
11 most efficient form of transportation for energy  
12 resources. And Sunoco has been moving products safely  
13 for more than 75 years. Mariner East II will be a  
14 state-of-the-art facility using the most advanced,  
15 technical safety and monitoring equipment available  
16 and will be done in an environmentally-sound way.  
17 That's because Sunoco has committed to working with  
18 unions like LIUNA to ensure the work is done properly  
19 the first time. They know that our skilled trades  
20 ensure compliance and a safe workplace, and are  
21 committed to operate with minimal destruction or  
22 impact to landowners and the environment.

23           This is our back yard too, folks. And  
24 we are certainly committed to caring for it for our  
25 families. Again, I believe this project can be

1 constructed and operated safely with minimal  
2 environmental impacts while providing tremendous  
3 benefits for Pennsylvania, this region, communities  
4 around it. And all those across the state will  
5 support the development and maintenance of its related  
6 assets. For these reasons the Laborers' support this  
7 project and urge DEP's support of the permits. Thank  
8 you.

9 CHAIR:

10 Thank you, Abe. Patrick Henderson.

11 MR. HENDERSON:

12 Good evening. My name is Patrick  
13 Henderson, P-A-T-R-I-C-K, H-E-N-D-E-R-S-O-N. And I  
14 serve as Director of Regulatory Affairs for the  
15 Marcellus Shale Coalition. The Coalition represents  
16 over 200 member companies involved in all facets of  
17 safely producing and transporting Pennsylvania's  
18 unconventional and natural gas resources. The MSC  
19 appreciates the opportunity to comment on and lend its  
20 strong support for the Department's issuance of the  
21 Chapter 102 and 105 permits submitted by Sunoco  
22 Logistics for its Mariner II East Phase II Pipeline.  
23 As DEP knows, much of the proposed corridor for  
24 Mariner .East Phase II will follow the existing Mariner  
25 East Pipeline, which will greatly mitigate and

1 minimize impacts on existing landowners.

2           Pipelines have been demonstrated to be  
3 the safest means of transporting energy resources from  
4 the areas of production to the areas of use. Our  
5 Commonwealth and nation have seen a significant and  
6 historic increase in shale gas production over the  
7 last decade, as producers tap resources that  
8 previously were limited due to economic or  
9 technological considerations. This tremendous  
10 increase in production, which has seen Pennsylvania  
11 climb to become the second largest natural gas  
12 producer in the nation, has had a significant,  
13 positive economic impact among consumers, created and  
14 retained tens of thousands of jobs, contributed to  
15 significant enhancements of our air quality and  
16 lessened our dependence on our foreign energy resources  
17 at a time of growing geopolitical instability.

18           As the Department knows, significant  
19 data and information has been submitted to support the  
20 issuance of these permits. The MSC commends the  
21 Department for making this information readily  
22 available for public consumption. As the information  
23 demonstrates, comprehensive environmental assessment  
24 forms have been submitted to correspond with each  
25 earth disturbance or stream or wetland crossing.



1 These assessments prepared by qualified and  
2 experienced environmental consultants identify the  
3 resources potentially impacted and the significant  
4 steps that Sunoco Logistics has and will undertake  
5 throughout this process to avoid or mitigate any such  
6 impacts. For example, here in Dauphin County, a  
7 licensed professional engineer has submitted a sealed  
8 risk assessment that attests that no public property  
9 or land uses will be adversely affected from earth  
10 disturbances associated with this project. Likewise,  
11 the cumulative impact reports submitted to both DEP  
12 and the U.S. Army Corps of Engineers attests that  
13 there will be no permanent impacts to waterways or  
14 wetlands, and limited temporary impacts during the  
15 construction phase of the project.

16 Pennsylvania's Chapters 102 and 105  
17 permitting criteria are among the highest in the  
18 nation. The design, construction, inspection and  
19 monitoring requirements included in each of the  
20 permitting regimes all help to ensure that  
21 Pennsylvania's water resources and all those who  
22 depend upon them are protected.

23 Approval of these permits and continued  
24 forward movement on the Mariner East Project are  
25 critical to fully realizing many of the positive

1 economic, environmental and energy security benefits  
2 of domestic shale gas production. All told, Mariner  
3 East Phase II will invest more than \$3,000,000,000 of  
4 private capital into the Commonwealth's economy,  
5 supporting over 30,000 jobs throughout the  
6 construction phase. Long-term benefits will yield  
7 nearly 400 permanent jobs and infuse over \$100,000,000  
8 annually into our economy. Sunoco Logistics is  
9 committed to constructing and operating this project  
10 with the highest consideration for protecting our  
11 Commonwealth's natural resources. The MSC urges DEP's  
12 favorable consideration of these important permits.  
13 Thank you for your consideration in these comments.

14 CHAIR :

15 Thank you, Patrick. Kim Van Fleet.

16 MS. VAN FLEET:

17 Good evening. My name is Kim Van Fleet ,  
18 K-I-M , capital V , A-N , capital F , L-E-E-T. And I'm a  
19 resident of Lower Frankford Township , Cumberland  
20 County. First and foremost, this is not about the  
21 pipeline jobs for members of the audience, nor union  
22 workers. It's about Sunoco's 105 permit application  
23 to DEP. I'd like to state that I think these hearings  
24 are still premature in that publicly-available  
25 documents contained in Sunoco's second submitted

1 permit application are still incomplete due to  
2 technical inadequacies and omissions. These may be by  
3 oversight, deliberate or through ignorance. Some  
4 insufficiency might be considered minor while others,  
5 if not fully addressed, could result in grave  
6 consequences for families living along the pipeline  
7 route.

8           The proposed pipeline traverses various  
9 places set on soil and underlying geology. Each has  
10 unique characteristics that react differently to  
11 natural and manmade forces. The proposed pipeline  
12 crosses three rock types in Cumberland County and  
13 their associated soils, including sandstone, shale and  
14 finally carbonate bedrock. The geology along the  
15 regional topography influences the occurrence and  
16 nature of surface and ground waters in the region.

17           Numerous municipalities and hundreds of  
18 thousands of families are dependent on public and  
19 private water sources which originate near or are  
20 located along the entirety of this pipeline. Most of  
21 the streams in the northern part of the county begin  
22 on the Blue Mountain. Those streams, along with  
23 numerous limestone springs found in the central part  
24 of the county comprise the Conodoguinet Creek  
25 watershed. Numerous municipalities throughout the

1 county are fully dependent on the Conodoguinet for  
2 their water needs. Additionally, there are other  
3 municipalities and thousands of private homeowners who  
4 depend on well water associated with the groundwater  
5 in the limestone regions. Therefore, these water  
6 resources require protection and numerous factors that  
7 could further degrade or impair them, including this  
8 pipeline project , should be closely monitored.

9           Sunoco's proposed ME II Pennsylvania  
10 Pipeline Project has the potential to do just that if  
11 there are any shortcomings or omissions in the  
12 proposed site plans. In my opinion, Sunoco and their  
13 environmental contractor underestimated the overall  
14 area size of potential environmental impacts that  
15 could result from proposed open cuts along numerous  
16 streams and runs especially in areas of moderate  
17 elevation. Temporary or permanent alteration of  
18 stream flow and floodplains were not fully considered  
19 when determining the numerical extent of permanent  
20 temporary impacts to waterways and adjacent stream  
21 banks. Furthermore, Sunoco has not addressed  
22 potential stream degradation and sedimentation that  
23 occur post construction and after restoration efforts.

24           I'm going to skip down here because I  
25 have a lot more than what I have time for. Another

1 concern is that Sunoco and their consultants failed to  
2 address an old sanitary landfill in Cumberland County  
3 that is included in the proposed pipeline path. This  
4 unlined landfill goes back to at least the 1950s and  
5 was operated to the early 1970s, long before  
6 environmental laws mandated the safe operation or the  
7 type of site or the disposal of toxic waste. It was  
8 the unregulated dumping ground for numerous industries  
9 and municipalities in around the Carlisle area.  
10 Consequently, copious amounts of waste were dumped at  
11 this site, including but not limited to industrial  
12 chemicals and other manufacturing waste, heavy metals,  
13 household waste, unused pesticides like DDT, asbestos,  
14 paints, varnishes, et cetera, all creating to a toxic  
15 soup below the surface.

16 Leachate started oozing from this  
17 location back in the mid 1960s, ending up in the  
18 Conodoguinet Creek. Years later leachate is still  
19 finding its way along rock crevasses in the shale  
20 formation to its face, indicating that a toxic mess  
21 still exists.

22 CHAIR:

23 Your time's up, please wrap it up.

24 MS. VAN FLEET:

25 Okay. I will wrap it up. Basically,

1 the karst topography , Pennsylvania DCNR , the geology  
2 and topographic survey recommends highly against  
3 putting pipelines in carbonate rock, which is half the  
4 pipeline route in Cumberland County , due to subsidence  
5 and sinkholes that could develop along the pipelines .  
6 Thank you.

7 CHAIR :

8 Thank you. Next is Wendi Taylor.

9 MS. TAYLOR:

10 Wendi, W-E-N-D-I. Taylor, T-A-Y-L-O-R .  
11 I live in Cumberland County. Thank you for the  
12 opportunity to offer comments on the permits pending  
13 on Mariner East II Pipeline Project . This pipeline  
14 project is the second wave of the natural gas boom in  
15 Pennsylvania. The first wave was the construction of  
16 fracking wells and pressure stations and access  
17 routes. Between the fracking infrastructure and the  
18 pipeline project , the natural gas industry has managed  
19 to affect almost all of Pennsylvania.

20 During your hearings you will hear from  
21 people who understand the specific requirements  
22 necessary for securing Chapter 102 and 105 permits and  
23 why this pipeline does not meet the standards. Others  
24 will talk about health consequences and the negative  
25 effect that the pipelines will have on property owners

1 and communities. All of these are valid.

2                   However, oppose this project because  
3 it's the wrong time to build a pipeline. The whole  
4 world is joining forces to wean itself from fossil  
5 fuels in an effort to save the people living on this  
6 planet from life altering effects of global warming  
7 and climate change. You may not feel the pressure to  
8 address global warming right now, but that time is  
9 coming. As the cost of extreme weather events mount  
10 up, losses from wildfires, floods, heatwaves,  
11 hurricanes and droughts, the people will demand that  
12 government stop the loss of life and property.

13                   This proposal directly conflicts with  
14 the need to address climate change by lowering our  
15 carbon emissions. Not only will this project  
16 contribute to global warming, it will increase the  
17 impact that flooding will have as a result of climate  
18 change. As the home of three major river basins,  
19 Pennsylvania is particularly susceptible to flooding.  
20 And we need more natural wetlands and more natural  
21 buffers around our streams and rivers to help protect  
22 our citizens from the loss of property and life from  
23 flooding.

24                   Why would we allow a corporation to  
25 spend \$3,000,000,000 on a pipeline that we will

1 probably not allow them to use in the next ten years?  
2 As the effect of climate change causes more misery,  
3 the public will demand all development of fossil fuels  
4 stop. When that happens, the industry will ask, why  
5 did you let us build these pipelines if you weren't  
6 going to let us use them? That is why we need to  
7 reject these pipelines now.

8                   Sunoco is seeking permission to build a  
9 pipeline that will cut through 350 miles of  
10 Pennsylvania, 17 counties, affect 2,700 private  
11 property owners, across 581 wetlands and 1,227  
12 streams. And this is only one of the many pipelines  
13 that are planned for Pennsylvania. We need to take  
14 into account cumulative effects of all the pipelines  
15 being proposed and what effect it will have on our  
16 drinking water, on our public land and on our  
17 landowners.

18                   The Mariner East II Pipeline plans to go  
19 through neighborhoods, business districts, armlands,  
20 a route that was determined way before the boom from  
21 World War II. So what was wide open spaces 80 years  
22 ago are now trailer parks, farms, back yards, business  
23 districts, orchards and old growth forests.

24                   CHAIR:

25                   Excuse, time is running -



1                   MS. TAYLOR:

2                   Okay. In short, I just think this is  
3 the wrong time to be doing this project. Thank you.

4                   CHAIR:

5                   Ross Stephens.

6                   MR. STEPHENS:

7                   Good evening. My name is Ross Stephens  
8 and I'm a Pennsylvania resident and Operating  
9 Engineers           Sorry, let me start over.

10                   Good evening, my name is Ross Stephens.  
11 I'm a Pennsylvania resident and member of Operating  
12 Engineers Local 542. I'm here tonight to tell you why  
13 I, along with my operating engineers and other union  
14 brothers, s   ort the Mariner East II Pipeline  
15 Project.

16                   First, you should know, Sunoco has  
17 committed to using union       ers exclusively on this  
18 project. This means Mariner East will be built by  
19 IUOE members right here in Pennsylvania. We have more  
20 than 6,000 members spread across Eastern Pennsylvania  
21 and Delaware. And I can tell you, we have provided  
22 the trained and qualified workers that helped build  
23 the state's economy over a century. We take a lot of  
24 pride in our role in developing Pennsylvania because  
25 this is also our home.

---

1                    Secondly, our involvement ensures a  
2 safe, quality installation. Our members' paychecks  
3 depend on it, as does our future work on similar  
4 projects. And speaking of paychecks, the incomes our  
5 members receive for this project, not to mention all  
6 future projects that will come as a result of this  
7 influx of low-cost energy along the Mariner East II  
8 Project, will continue to lead to spending and  
9 economic activity that will resonate through our local  
10 communities and economy for years to come. I myself  
11 have worked on many pipeline projects over the last 15  
12 years and have become a homeowner and I'm currently  
13 raising a family due to these wages.

14                    A big part of ensuring environmental  
15 safety on pipeline projects means making sure they are  
16 staffed by an experienced workforce. Mariner East's  
17 intent is to complete this project following  
18 state-of-the-art standards, using the highest quality  
19 components, most of which will be produced in the  
20 United States. The pipeline industry is one of the  
21 safest industries our members work in. Both the  
22 contractors and owners place a high priority on  
23 quality work, safety and respect for the environment  
24 ttlely're working in.

25                    For landowners, insisting on local

1 workers for this project injects yet another layer of  
2 value and assurance the job is done right. Be  
3 assured, neighbors, that we expect and maintain the  
4 highest standards of quality, workmanship and loyalty.  
5 We will not let you down.

6 I urge you to consider the thousands of  
7 hard-working Americans who will have access to lower  
8 energy costs and quality careers because of this  
9 pipeline. And I urge you to approve the environmental  
10 permits necessary to allow this project to move  
11 forward. Thank you very much.

12 CHAIR:

13 Thank you, Ross. Jay Cleveland.

14 MR. CLEVELAND:

15 Good evening, John. I'm Jay Cleveland,  
16 with Cleveland Brothers Equipment Company. I'm  
17 president and CEO. We're a CAT dealer. We service 59  
18 counties in Pennsylvania. We have 25 locations  
19 throughout the Commonwealth, stretching from the  
20 northeast corner all the way to the southeast and all  
21 through the center of the state. We employ over 1,250  
22 people.

23 Well, we sell, rent and service  
24 construction equipment and engines made by Caterpillar  
25 and other manufacturers to the pipeline contractors in

1 Pennsylvania. Since the Marcellus Shale and Utica  
2 Shale natural gas opportunity has been developed here  
3 in Pennsylvania , it has allowed us to hire 350 people  
4 over the last five years. It is down a hundred this  
5 year just because of the delay in some of the  
6 permitting process here in Pennsylvania. And it could  
7 go further, if things don't start to move .

8                   So the five ---. We do have  
9 longstanding relationships with all the pipeline  
10 contractors and we have upported them for decades.  
11 The five pipeline companies that will be doing work  
12 along this project are well-known. They're also  
13 well-known for the best practices in all construction  
14 phases and also using the newest technology. Some of  
15 it has been displayed out here in the lobby with the  
16 directional drilling to get through the streams or  
17 under the streams, as well as land restoration, which  
18 they take great pride in. They want to leave this  
19 land better than it was when they first arrived , at  
20 least once we get done with it.

21                   We've also earmarked hundreds of  
22 millions of dollars to support these projects, well  
23 north of \$200,000,000, whether in equipment ,  
24 facilities or people. And we need to get that to work  
25 now. So this project will support hundreds of jobs in

1 my company, and you've already heard thousands in  
2 Pennsylvan ia.

3                   So because of this, we are in support of  
4 this project. We as a state need to spend more time  
5 embracing this opportunity that shale gas has given us  
6 and what it can mean for Pennsylvania. This should be  
7 about clean energy production and jobs, jobs, jobs for  
8 Pennsylvan ia. I want to thank DEP for hosting us this  
9 evening. Thank you, sir.

10                   CHAIR:

11                   Thank you, Jay. Up next is Bill  
12 Eavenson.

13                   MR. EAVENSON :

14                   I want to thank you for giving me the  
15 opportunity to speak here tonight. My name is Bill  
16 Eavenson. I'm a union steward on pipeline  
17 construction. I've been working pipelines since 1985.  
18 I'm quite familiar with the process and what takes  
19 place. You know, I've been to a couple of these  
20 hearings and I've heard, you know, different  
21 landowners talk about, you know, they feel violated  
22 because the land's being taken from them. I'm sure  
23 that the landowners have had land that the turnpikes  
24 and interstates felt the same way, you know. Where  
25 would we be without the interstates and turnpikes? It

1 would take us six hours to get to Philadelphia. Now  
2 it takes an hour and a half.

3 I just feel as if, you know, the  
4 pipeline is a good thing for Pennsylvania and a lot of  
5 jobs will be created. A lot of people talk about  
6 temporary jobs and, you know, it won't create a lot of  
7 full-time positions. Well, you know, all these  
8 laborers and teamsters, we all work on temporary jobs  
9 every year. You know, we make a lot of money working  
10 on temporary jobs. That's what we make our money  
11 from, you know.

12 And a guy was telling me a story about  
13 some landowners that he knew when he was a kid, that  
14 he went to meetings like this and the landowners were  
15 talking about all the different things that would  
16 happen if the power lines came through their property  
17 and put up towers. And, you know, it'd kill people  
18 and cause birth defects or animals would suffer from  
19 it. They wouldn't be able to grow crops. And all  
20 that stuff turned out to be untrue, you know. They're  
21 still able to use that land, they can still grow their  
22 crops.

23 And the same with the pipeline. And  
24 you'd still be able to hunt on it afterwards. You'd  
25 be able to grow your crops. You'd be able to hike on

1 it, do whatever the landowners want to do with it.  
2 You know, it's underneath the ground. And all the  
3 sensitive areas in which the pipeline will be going  
4 through, we all know, you know, who work on it about  
5 directional drilling. And it's a safe way to do it.  
6 It doesn't disrupt the land above it or the wetlands.  
7 And the gas companies go through millions and millions  
8 of dollars in training the laborers for Environmental  
9 Protection Agency or, you know, for environmental  
10 concerns. You know, they do a good job, you know,  
11 putting down silt fence and silt stocking to make sure  
12 that no contamination gets into the water.

13                   And open cutting, it's just a slow  
14 process. They divert the water from one part of the  
15 stream to the other. And very little harm comes to  
16 streams. There's more damage that goes through  
17 streams from heavy rain falling through fields and  
18 farmland from the soil and the pesticides and stuff  
19 that's in there that would get into the water far more  
20 than what the cutting of the --- open cutting that the  
21 pipeline would do.

22                   And I'm here to support Article 102 and  
23 105 of the permits, and hope that you go forward with  
24 this so that we can get to work and get our temporary  
25 jobs, which are really our future. And we work

1 temporary jobs every year, you know. And I've made a  
2 lot of money working on temporary jobs. I've worked  
3 temporary jobs, you know, three in one year and made  
4 all kinds of money. That's the way it is with us. We  
5 all work temporary jobs. And, you know, they do it  
6 safely and I'm for the, you know, the permits being  
7 processed as soon as possible. Thank you.

8 CHAIR :

9 Thank you, Bill. Ellen Gerhart.

10 MS. ELLEN GERHART:

11 My name is Ellen Gerhart and I am one of  
12 the affected landowners along the pipeline, so I would  
13 like to address that issue. We have 27 acres of land.  
14 Three of those acres are going to be well, not  
15 going to be, have been clear-cut for the Mariner East  
16 II Pipeline. Now, three acres might not seem like  
17 much, but these three acres contain a pond, stream and  
18 wetlands. Eminent domain allowed Sunoco to clear-cut  
19 the 50-foot right-of-way, and 150 foot by 250 foot  
20 temporary workspace, even though they have no water  
21 crossing and obstruction permits or soil erosion  
22 management permits to date.

23 Sunoco Logistics has a well-documented  
24 history of safety and permit violations. I have  
25 articles here; I'm just going to read the headlines.



1 I'm submitting articles in my written comment. DEP  
2 proposes \$2.3 million fine for 2008 gas line spill  
3 from Sunoco pipeline. State issues \$95,000 penalty  
4 against Sunoco Logistics for wastewater spills between  
5 June and November, 2014 in Westmoreland, Allegheny and  
6 Washington Counties. The Pipeline and Hazardous  
7 Materials Safety Administration posed a \$1.5 million  
8 civil penalty for failure to report an accident that  
9 occurred in 2013 that required the hospitalization of  
10 a worker and since identified a total of 15 violations  
11 of the pipeline safety regulations related to the 2013  
12 accident. So much for Sunoco having the best interest  
13 of its workers at heart.

14 In baseball it's .three strikes and  
15 you're out. But wait, there's more.

16 In our case, trees that were cut between  
17 March 29th and March 30th fell into the wetlands and  
18 stream areas. And this is documented on videotape and  
19 I just so happen to have pictures of tree cutters  
20 walking through streams, the clearcutting above our  
21 pond and trees that were cut into the wetlands and in  
22 the stream area. So n't tell me that Sunoco pays  
23 attention to their environmental concerns.

24 Beyond that, in addition, Sunoco  
25 Logistics violated its own injunction against us.

1 According to the injunction, they would have to  
2 complete clearcutting on our property before March  
3 31st because of the U.S. Fish & Wildlife Migratory  
4 Bird Act and to avoid the nesting season of the  
5 endangered Brown Bat. Yet they came back on  
6 April 7th to continue cutting the dozen or so trees  
7 that were still standing. So they violated DEP  
8 regulations, PHMSA regulations, U.S. Fish & Wildlife  
9 regulations and their own court-ordered injunction.

10 We ultimately had to hire, at our own  
11 expense, Schmid & Company from Media, Pennsylvania to  
12 do an ecological evaluation of our land. Sunoco's  
13 environmental consultants, Tetra Tech, had major  
14 errors in their evaluation of our property. Their  
15 initial report showed only half of the streams and  
16 one-seventh of the wetlands on our property. In  
17 addition, the forested wetland was identified as an  
18 emergent wetland. Their conclusion that our property  
19 contained no endangered or threatened species was  
20 based on the PNDI information which only lists areas  
21 of probability. There was no onsite inspection by  
22 Tetra Tech or DEP until after April 7th, when the  
23 trees had already been cut and left lying on the  
24 ground.

25 CHAIR :

1                   You're out of time. Please wrap up.  
2 Thank you.

3                   MS. ELLEN GERHART:

4                   Okay. I've also been told that Tetra  
5 Tech and Sunoco Logistics have provided conflicting  
6 information on stream and wetland impacts in  
7 applications for Chapter 105 state in Section 404  
8 PASPGP applications for this pipeline. Obviously, if  
9 this is true, more time should be extended for file  
10 review.

11                   It has also come to my attention that  
12 shape files, which are critically needed for  
13 verification for the presence of threatened and  
14 endangered species are not being released by DEP,  
15 although DCNR apparently has them. My understanding  
16 is that DEP does not need Sunoco's permission to  
17 release them. How can a thorough investigation be  
18 done if crucial information is not available?

19                   So let's review. DEP is considering  
20 issuing permits to Sunoco Logistics, a company that  
21 has blatantly violated regulations at all levels, a  
22 company that has misrepresented information to DEP, a  
23 company that doesn't even have its application for  
24 Delaware County complete.

25                   CHAIR:

1                   Wrap, please.

2                   MS. ELLEN GERHART:

3                   Last sentence. By its own admission,  
4 DEP has stated that it is understaffed, specifically  
5 in the area of permitting and oversight. Wouldn't it  
6 seem prudent to err on the side of caution and logic  
7 and refuse to issue permits to Sunoco Logistics?  
8 Thank you.

9                   CHAIR :

10                  David Butterworth.

11                  MR. BUTTERWORTH:

12                  Thank you. My name is David  
13 Butterworth, B U T-T-E-R-W-O-R-T-H. I'm a business  
14 agent for Pipeliners Local 798. I would like to speak  
15 this evening out the quality, safety and training  
16 that Local 798 brings to the table during the  
17 construction of pipeline projects such as Mariner East  
18 II. I represent 6,000 welders, helpers and journeymen  
19 who live all over the United States. My jurisdiction  
20 runs from Maine to Virginia, and there are around a  
21 thousand of our members who live and work in this  
22 northeast jurisdiction. Local 798 has built most of  
23 the major pipelines that run across this nation,  
24 including the Alaska Pipeline, which was built in the  
25 1970s.

1 I would like to now talk about the  
2 quality of work and craftsmanship the Local 798  
3 devotes to these projects. Our welder members must  
4 take a qualification test before they are allowed to  
5 weld on the pipeline. These qualification welds are  
6 destructively tested and if any imperfections are found  
7 in the weld, that member is not allowed to weld on the  
8 pipeline. If a member does pass the qualification  
9 test, he then has every weld he makes on the job  
10 x-rayed and reviewed by a level III x-ray technician  
11 who decides if the weld is acceptable and stands up to  
12 1104 Code. In most places if a welder has three or  
13 more unacceptable welds, he will be removed from that  
14 project. With these standards in place, Local 798  
15 welders are held under some of the strictest  
16 guidelines in the construction industry. And these  
are standards that we are proud to uphold.

18 Safety is also something that Local 798  
19 holds of the utmost importance. Our contractors and  
20 the clients we work for have extensive safety programs  
21 that protect our workers and have policies in place to  
22 make sure that everyone goes home safe at the end of  
23 the day. When these pipelines are built, they are  
24 built by a collective group that understand that when  
25 we build a pipeline we must build it safe and

1 everything else is secondary to that.

2           Training. Local 798 is home to the most  
3 --- one of the most state-of-the-art training  
4 facilities in the country. We understand that we must  
5 keep up with the most current welding procedures in an  
6 ever-changing industry. Our facility has 52 welding  
7 booths and is equipped with a ten-ton overhead crane  
8 so our members can either brush up or learn new  
9 welding skills. The Local 798 training center is a  
10 testament to our dedication to providing our members  
11 with the best of the best when it comes to training so  
12 they can apply these latest technologies when  
13 pipelines are built now and in the future .

14           In closing, I would like to say the  
15 purpose of my speech is to show you who will be  
16 building this pipeline and to ensure you that it will  
17 be built with highly trained, skilled, safe American  
18 workers. I support this pipeline and look forward to  
19 seeing my people going to work on it.

20           CHAIR:

21           Carl Marrara.

22           MR . MARRARA:

23           Good evening. My name is Carl Marrara,  
24 I'm the Vice-President of Government Affairs for the  
25 Pennsylvania Manufacturing Association. We are the

1 statewide, nonprofit trade organization representing  
2 the people who make things here in our Commonwealth,  
3 generating over \$79,000,000,000 annually in gross  
4 state product and employing 575,000 hard-working  
5 Pennsylvanians on the plant floor and supporting  
6 supplying, distribution and retail networks that  
7 sustain millions of additional Pennsylvania jobs. I'm  
8 honored to be here today commenting before  
9 Pennsylvania DEP to express our support for the Sunoco  
10 Logistics Mariner East II Project.

11                   Manufacturers in particular depend on  
12 affordable dry and liquid gas, specifically gas  
13 products, to remain globally competitive. Total  
14 natural gas demand is poised to increase by 40 percent  
15 over the next decade. And researchers at the National  
16 Association of Manufacturers found the key drivers of  
17 this demand will be manufacturing and power  
18 generation. Therefore, projects such as Mariner East  
19 II are so vitally important for the Commonwealth's  
20 manufacturing sector.

21                   The Mariner East II Project will  
22 transport propane, ethane and butane, the feedstock,  
23 the raw components of all modern manufacturing. Many  
24 of these products our human hands touch every single  
25 day, but they come from these essential fuels. Every

1 plastic, coating, rubber, foam products, such as  
2 plastic containers, sanitary items, paint, cosmetics,  
3 those water bottles, the carpet, the foam in the  
4 cushions, the foam in the shoes on your feet, all come  
5 from these products that manufacturers so desperately  
6 need.

7                   Affordable natural gas and gas products,  
8 such as propane, ethane and butane, are simply not  
9 getting to market because Pennsylvania lacks a  
10 sufficient pipeline network. According to the  
11 Marcellus Shale Coalition, of the 9,000 plus wells in  
12 Pennsylvania, it has been estimated that approximately  
13 25 to 30 percent of the wells drilled to date still do  
14 not have pipeline-takeaway capacity. Projects such as  
15 Mariner East II open and expand markets, create entire  
16 new industries and sustain and stabilize the energy  
17 industry that manufacturers so desperately rely on.

18                   Many today will speak to the number of  
19 jobs created and the massive economic investments  
20 associated with this project. But I'm here to tell  
21 you that the economic impact of this project will have  
22 lasting results, far beyond the construction pipeline  
23 and a revitalized manufacturing sector. According to  
24 a recent study by the National Association of  
25 Manufacturers and IHS Economics, the improved



1 competitive positioning of industries in the  
2 manufacturing sector is shaping state and local  
3 economic development strategies across the country.  
4 Increased supplies of natural gas and gas products,  
5 specifically, especially at lower delivered prices,  
6 enhances the competitiveness of economies by making  
7 them more attractive to manufacturers --  
8 manufacturing activities --- large and intensive users  
9 of natural gas such as chemicals, food, paper and  
10 metals.

11                   The close proximity of existing clusters  
12 of manufacturing establishments to increase natural  
13 gas supplies can generate new pipeline-related  
14 economic development often because of availability of  
15 direct connections to a new or expanded gas pipeline.  
16 Expansions of natural gas pipeline capacity are also  
17 needed to enable the construction of new  
18 electric-generating plants. In addition to providing  
19 key inputs for construction of pipelines, the  
20 manufacturing sector will also benefit economically  
21 from capital expenditures for new electric generating  
22 plants and for facilities used to process and store  
23 natural gas liquids. In a nutshell, the combination  
24 of increased access to shale gas and the transmission  
25 lines that move affordable energy to manufacturers

1 across America meant 1.9 million jobs in 2015 alone.  
2 Pennsylvania knows energy independence,  
3 it always has, through timber and coal, and now we  
4 have the opportunity to strengthen America's energy  
5 leadership again, through abundant, efficient and  
6 clean burning natural gas. Pennsylvania's natural gas  
7 revolution is giving our manufacturers new momentum  
8 with abundant cost-competitive energy for feedstock  
9 and for chemical engineering. But to fully realize  
10 the potential of shale gas, Pennsylvania needs a  
11 robust infrastructure, transmission and refinement.  
12 That is why we support Mariner East II, and we hope  
13 that you will, too. Thank you.

14 CHAIR:

15 Rob Bair.

16 MR. BAIR:

17 Thank you. Rob Bair, B-A-I-R. Business  
18 Manager, IBEW Local 143. I'm also secretary/treasurer  
19 of the Central Pennsylvania Building Trades and I  
20 pretty much represent everybody sitting in here in a  
21 yellow or green shirt. Politics and pipelines have  
22 one thing in common, passion on both sides. That's  
23 well-documented, well-versed. But we need this  
24 pipeline. Not just for the jobs, we want the jobs, of  
25 course we do. We want the economic benefit for

1 Pennsylvania. Manufacturers Association needs it, we  
2 need it.

3 We also need to balance when we build  
4 and how we build. We've heard that there's been some  
5 problems in the past. That's documented. We don't  
6 dispute that. I know these guys that are going to  
7 build this pipeline. I don't care if they put it in  
8 my back yard. I know them, they're my neighbors.  
9 They're my coworkers. If these guys tell me they're  
10 going to put a pipeline in my back yard, good, go  
11 ahead. If it brings jobs and it brings economic  
12 impact to PA.

13 And I'm going to tell you something.  
14 We've heard that we want to wean ourselves off of  
15 fossil fuels. Well, folks, let me tell you, I am in  
16 the power-generation business, for 30-some years. And  
17 we're going to lose our ability to generate power with  
18 coal soon. Fear not, right now they're going to  
19 replace it with wind. I built the windmills. ■  
20 climbed them. They look great. I'm going to ruin  
21 five acres of ground for every one you want me to put  
22 up. You want a big solar farm? I'd be happy to put  
23 you 50 to 100 megawatts of solar in. I'm going to  
24 ruin 500, 600, 700 acres at a time to never be used  
25 again. Okay? You don't want nuclear.

1           The gentleman from the Manufacturing  
2 Association said it best, we need to generate more  
3 power and we're going to do it with natural gas. You  
4 want clean power? That's the cleanest power we got.  
5 The IBEW has partnered with Sun to do these projects.  
6 We build by the code of excellence. I hold every one  
7 of these guys to a higher standard. I know them  
8 personally, I've worked with them. I've turned  
9 wrenches with them. I'm an electrician in a suit  
10 tonight, that's what I am.

11           I have no doubt that these gentlemen and  
12 these women that are here representing these trades,  
13 they'll build the pipeline safely. And I have no  
14 doubt that there's going to be passion on both sides  
15 of this issue, but it's about the greater good for PA.  
16 And that's why we support this project. I ask you to  
17 approve the permits. I ask you to move this project  
18 along. I would ask that we do build the project safe.  
19 And I have no doubt that Teddy's guys or Paul's guys  
20 or Ed's guys or my guys --- it's going to be done  
21 safe. And we do hold ourselves to a higher standard.

22           And I can tell you right now, if my guys  
23 are on that site, and they want to do something shady  
24 or shoddy, that ain't going to fly. So please,  
25 approve it, let's get the shovels in the ground and

1 let 's build something and let's bring Pennsylvania to  
2 the forefront. Thank you.

3 CHAIR :

4 Ed Hill , Jr.

5 MR . HILL:

6 Edwin Hill, Jr. I'm also with the  
7 International Brotherhood of Electric Workers. I  
8 represent our international headquarters and the  
9 members in Pennsylvania , which number upwards of  
10 40,000 , including retirees and their families. Much  
11 has been stated about the economic benefits of the  
12 Mariner East Project. We hear that upwards of 30,000  
13 construction and associated jobs will be created, in  
14 between 300 and 400 permanent jobs. Considering all  
15 factors , the steady stream of tax revenues would be  
16 important for the communities which are --- which the  
17 pipeline will operate in.

18 Overall , approximately \$4.2 billion in  
19 economic impact to the state and the communities in  
20 which the pipeline resides in. These amounts don't  
21 include , as the Manufacturing Association commented  
22 on , the additional opportunities for jobs in  
23 manufacturing , and also, the reduced production of  
24 reliance on foreign energy. We know that there's cost  
25 associated with importing energy in this country. And

1 the security costs are not monetary costs, but they're  
2 very important.

3           Energy is a necessity in all our lives,  
4 I think we all recognize that, for the most  
5 fundamental daily activities, light, communications,  
6 travel and certainly the products we use, our food and  
7 even the containers we put it in. Harvesting energy,  
8 even renewable energy, is not without cost and some  
9 disturbance and some sacrifice. And all of us must  
10 focus on the safest and most environmentally-sound  
11 method to harvest the energy. And certainly when  
12 we're moving gas and liquids, pipeline is by far the  
13 most safe method.

14           Thankfully in the United States we have  
15 a publicly-controlled entity such as the PA Department  
16 of Environmental Protection that ensures that all  
17 energy development is done within the highest level  
18 safety and minimal environmental impact. Sunoco  
19 Logistics has and continues to demonstrate deep  
20 consideration and commitment to safety and minimal  
21 impact to the environment on their projects. The ME  
22 II project has been designed to minimize noise,  
23 preserve health and preserve the beauty of the  
24 surrounding environment and ensure minimal disruptions  
25 to landowners and those in the communities in which

1 the pipeline will operate.

2 Sunoco is committed to use the highest  
3 quality domestic products in its projects, from the  
4 steel source within the U.S., to the coatings in the  
5 pipeline manufactured in Pennsylvania. They committed  
6 to use the most highly trained and skilled workers to  
7 build and install their projects in Pennsylvania.  
8 We've been working ---. The IBEW's been working on  
9 pipelines for generations and it continues to train  
10 our members to the highest standards. Sunoco has  
11 committed to use the workers who live in the  
12 communities of their projects as well. This is  
13 important because the money that's made in  
14 Pennsylvania stays in Pennsylvania.

15 These people carry concern for their  
16 areas that they live in, their communities, through  
17 safety and minimal impact, while being on the job.  
18 Because, again, it is their community. When our  
19 members make commitment to a project, it gets done to  
20 the highest technical and safety standards. We  
21 maintain that. I encourage the DEP to approve this  
22 permit application, 102 and 105, as submitted by  
23 Mariner East Pipeline. Thank you.

24 CHAIR:

25 Dave Horn.

1                   MR. HORN:

2                   Hello. My name is David Horn , H-0-R-N.  
3 And I'm here representing the Laborers International  
4 Union of North America or LIUNA. More specifically,  
5 the Laborers Local Heavy & Highway 158 , covering 29  
6 counties in Pennsylvania. And I'm here to support the  
7 Sunoco Logistics Mariner II Pipeline Project and their  
8 Chapter 102 and 105 permit application.

9                   I've also worked with Governor Wolf's  
10 Pipeline Infrastructure Task Force on things like best  
11 practices , safety , economic advantages and business  
12 development , upstream, midstream and down , and the  
13 impact that it will have on the environment . And I  
14 can tell you that natural gas is important not only to  
15 the economic future of Pennsylvania , but it 's the best  
16 way to bridge the gap for renewables.

17                   Pipelines are the safest and most  
18 reliable way to transport it. Let 's put aside the  
19 over 30,000 construction jobs and the \$4.2 billion in  
20 the economy and the \$62,000,000 in tax revenue and  
21 focus on the safety before , during and after  
22 construct ion. Sunoco Logistics will utilize the most  
23 advanced safety technology and monitoring systems and  
24 will work with all regulatory agencies to fully comply  
25 with laws and regulations to protect sensitive areas.



1 Sunoco Logistics' pipelines are built and operated  
2 with many layers of safety features working together  
3 to protect the people, the property and the  
4 environment for the life of the pipeline.

5 Mariner East intends to complete this  
6 project following state-of-the-art standards and using  
7 the highest quality components, most of which are  
8 produced here in t e United States. As a result of  
9 this investment by Sunoco Logistics, a company with  
10 deep ties in Pennsylvania, and because of their  
11 commitment to use skilled union labor, we **will** have  
12 one of the safest, most advanced systems of natural  
13 gas liquid transport in the region. Sunoco has  
14 committed to employ highly skilled, highly-trained  
15 workers to construct the pipeline.

16 And before it's in operation, a number  
17 of safety procedures, including x-ray technologies,  
18 pressure testing and third-party inspection will be  
19 utilized. For more than a century, pipeline systems  
20 have safely and reliably delivered energy resources to  
21 every corner of Pennsylvania and our country, partly  
22 thanks to the highly trained and skilled workers at  
23 LIUNA. You can expect the same results in the Mariner  
24 East II Project.

25 Like everyone else, we want to ensure

1 that our land and waterways are clean and safe for our  
2 children. The protection of the people, property and  
3 the environment are top priority for our union members  
4 and me. That 's why our crafts spend countless hours.  
5 studying and training the foremost safety standards  
6 and practices we know , and we know how to build these  
7 projects right, for the environment , for our land and  
8 for public safety.

9 On behalf of my LIUNA brothers and  
10 sisters, I humbly ask DEP to approve the Sunoco  
11 Mariner East II permit application. Thank you.

12 CHAIR:

13 Charles Clarke.

14 MR. CLARKE:

15 Good evening. My name is Chuck Clarke ,  
16 Charles Clarke , C-L-A-R-K-E. I'm a resident of  
17 Plains, Pennsylvania. And I speak on behalf of my  
18 fellow brothers and sisters of Laborers Local 158 .  
19 I 'm here to support the Mariner East II Pipeline  
20 Project for the importance of pipeline infrastructure  
21 in Pennsylvania and the need to expand these systems  
22 in order to meet a growing demand for natural gas.  
23 The safest way to transport natural gas to production  
24 areas, to consumers, is with thousands of miles of  
25 steel pipelines buried deep underground.

1           We depend on these pipelines so much  
2 that it's easy to take them for granted. This highly  
3 sophisticated pipeline transportation system, known as  
4 the interstate highway for natural gas, currently  
5 consists of more than 300,000 miles of high-strength  
6 steel transmission pipe. Pennsylvania already takes  
7 advantage of the abundance of affordable natural gas  
8 to generate nearly a quarter of its power. There's  
9 much more room to grow, though. Adding more natural  
10 gas online will make Pennsylvania make great strides  
11 towards cleaner energy goals and the state's growing  
12 energy demand.

13           This is where the Mariner East II  
14 Project will come in. While we are not opposed to  
15 renewable energy, renewable energy alone is not  
16 enough. To fill the clean energy shortage,  
17 Pennsylvania would need over 219,000 acres of solar  
18 panels, which would cover an area of two-and-a-half  
19 times the size of Philadelphia. This project is  
20 committed to use local union workers that receive the  
21 most advanced training, safety procedures and other  
22 operational excellence protocols.

23           Additionally, the Mariner East II  
24 Project will be built to high standards for  
25 environmental safety, create jobs that provide living

1 wages and provide homegrown necessary resources for  
2 Pennsylvania. Skilled men and women of our Laborers  
3 International Union of North America have safely  
4 constructed much of the existing energy highway and  
5 will continue to do so if given the opportunity.

6 In closing , I request DEP approve  
7 without delay the Mariner East II Pipeline Project .  
8 Thank you.

9 CHAIR :

10 Rich Wiaterowski.

11 MR . WIATEROWSKI:

12 Good evening. Rich Wiaterowski ,  
13 W -I-A-T-E-R-O-W-S-K-I. I speak on behalf of my fellow  
14 brothers and sisters at LIUNA, and I'm also a member  
15 of Laborers Local 158. I am in support of the Mariner  
16 East Pipeline Project.

17 Pipelines throughout the region  
18 transport natural gas in a way that minimizes the  
19 effect on the environment. And while other forms of  
20 transportation are possible , according to the United  
21 States Transportation --- United States Department of  
22 Transportation, pipeline --- and Hazardous Material  
23 Safety Administration, pipelines are the safest mode  
24 to transport energy resources. These resources are  
25 critical for our countless consumer , things like

1 manufacturing , winter heating and vehicle fuel.

2           Domestic energy production is both  
3 crucial for national security and economic  
4 perspective. But we must also ensure that the  
5 pipeline infrastructure is developed for a safe ,  
6 efficient transport of those resources as well.

7           LIUNA, the Laborers' International Union  
8 of North America , is one of the most diverse and  
9 effective unions , representing more groups than ever  
10 through our construction industry. Our members live  
11 throughout the communities in Pennsylvania and are at  
12 the forefront of providing highly-skilled workers for  
13 rebuilding and maintaining Pennsylvania' s  
14 infrastructure , highways, bridges and gas pipelines ,  
15 as well as other sectors of the highway --- of the  
16 heavy-highway construction industry.

17           Furthermore, our members and their  
18 families breathe the same air , drink the same water  
19 and enjoy the same outdoors all along the communities  
20 of the proposed project. They have vested interest.  
21 They have the best interest to provide the safe  
22 practices in order to maintain the high quality of  
23 life we all long for.

24           In closing, I request the DEP approve,  
25 without delay, the Mariner East Project. Thank you.

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CHAIR :

Gordon Tomb.

MR. TOMB:

Good evening. My name is Gordon Tomb, T-0-M-B, like tomb. I'm a senior fellow with the Commonwealth Foundation, it's a free market think tank based in Pennsylvania. There are a lot of reasons to allow enterprises such as Mariner East. The most important, probably, is that they are needed.

The current turndown (sic) in development of Pennsylvania's Marcellus Shale is at least partly because of insufficient pipeline capacity to move product to market. According to the U.S. Census Bureau, Pennsylvania exported nearly \$40,000,000,000 worth of goods last year. The natural gas industry is part of that same global market and it needs the infrastructure to participate fully in it. If producers have access to more markets, the entire state will benefit from the increased commerce.

Last year Pennsylvania lost more than 41,000 residents. Many of those people left to find work. Since 2011 more people have moved out of Pennsylvania than moved in. Many families assume that their children or their grandchildren will have to go elsewhere to find employment.

1           A vibrant gas industry means more jobs  
2 in the gas fields, in supporting industries, in new  
3 manufacturing, which is expected to be drawn to the  
4 state by the plentiful and affordable supplies of gas.

5           Finally, I will speak to the issue of  
6 safety. In various parts of the state, coal-laden  
7 trucks regularly travel the highways. Everywhere  
8 there are big rigs hauling all kinds of liquid fuels.  
9 In recent years, trains transporting coal from western  
10 deposits eastward have been moving through  
11 Pennsylvania. And for more than 50 years, underground  
12 pipelines have been shipping natural gas from the  
13 southwest through Pennsylvania to the East Coast and  
14 the petroleum products from refiners to distributors.

15           As a native Pennsylvanian, I've  
16 witnessed all of this. As a coal truck driver many,  
17 many years ago, I even participated in a little bit of  
18 it. Our own experience, my own experience, tells us  
19 that pipelines are far safer than surface  
20 transportation for shipping fuels. And the data  
21 confirm our perception.

22           The Manhattan Institute for Policy  
23 Research say it all in its title for a 2013 study,  
24 quote, pipelines are safest for transportation of oil  
25 and gas. To quote the study itself, in addition to

1 enjoying a substantial cost advantage, pipelines  
2 result in fewer spillage accidents and personal  
3 injuries than do road and rail. Americans are more  
4 likely to be struck by lightning than to be killed by  
5 a pipeline accident.

6                   From our perspective, well-constructed  
7 and well-operated pipelines mean increased prosperity  
8 and safety. For these reasons, we recommend the  
9 approval of Mariner East. Thank you for the  
10 opportunity to speak.

11                   CHAIR:

12                   Toby Mack.

13                   MR. MACK:

14                   Good evening. My name is Toby Mack,  
15 M-A-C-K, and I am speaking on behalf of the Energy  
16 Equipment and Infrastructure Alliance of which I am  
17 president. EEIA is a nonprofit organization  
18 representing many thousands of local and regional  
19 businesses and hundreds of thousands of skilled  
20 workers who build the infrastructure and supply  
21 equipment, products and services for shale gas  
22 operations, including both energy production and  
23 infrastructure construction. This includes hundreds  
24 of Pennsylvanian companies and the many thousands of  
25 their workers whose livelihoods depend on



1 Pennsylvania's energy-driven industries.

2           Other speakers this evening are  
3 recounting the significant number of good Pennsylvania  
4 jobs that this project will create during this  
5 construction. But there's another important economic  
6 dimension that must also be considered. And I'm  
7 referring to the additional thousands of jobs and  
8 millions of dollars of economic growth and state and  
9 local tax revenues generated by Pennsylvania's energy  
10 supply-chain companies and workers engaged on this  
11 project.

12           When in operation, Mariner East II will  
13 accommodate increased energy production in the wet gas  
14 regions of the Marcellus and Utica Shale formations.  
15 That additional production will in turn be supported  
16 by Pennsylvania and upstream supply-chain companies  
17 and workers. These are the businesses and jobs that  
18 manufacture, supply and operate machinery and  
19 equipment, build the infrastructure required for  
20 production, supply the necessary materials such as  
21 steel, sand and cement, and provide the logistics,  
22 information technology and professional services  
23 necessary to production.

24           Based on recent independent research,  
25 more than 2,300 permanent Pennsylvania energy

1 supply-chain jobs will be created by the increased  
2 energy product on that this pipeline will accommodate.  
3 These are well-paying jobs that exist at the  
4 production end of the pipeline. To underscore the  
5 importance of the energy supply chain and the total  
6 picture of energy-driven employment, that same study  
7 by the research firm IHS documents that for every job  
8 created at the oil and gas exploration and production  
9 level, three more are created in the supply chain.

10 In addition to that, six more are  
11 created when these workers and businesses spend their  
12 wages and earnings in the local, regional and state  
13 economies, in such areas as retail, restaurants, auto  
14 and household needs. These jobs do not even include  
15 the thousands more permanent jobs that have been cited  
16 already, but this new transport capacity will enable,  
17 at the consumption end, and particularly in the  
18 logistics, manufacturing and fuel-related industries  
19 that will be the consumers of the natural gas liquids  
20 this pipeline will deliver.

21 The entire Pennsylvania economy has been  
22 seriously harmed by the dramatic downturn in economic  
23 activity driven by drilling for natural gas and  
24 natural gas liquids. Since Marcellus drilling  
25 activity peaked a few years ago, when there were 140

1 drilling rigs in operation, that number has declined  
2 steadily and dramatically to the present count of only  
3 21 natural gas rigs in operation. That lack of  
4 capacity to deliver the natural gas and liquids to  
5 market has been a root cause. A number of working  
6 rigs is a proxy for the number of energy-driven jobs  
7 generated by production, transportation and  
8 consumption.

9                   With the Marcellus rig count now down  
10 from its peak four years ago, there can be no doubt  
11 about the need for the Mariner East II Project to move  
12 forward and bring back employment for thousands of  
13 Pennsylvania workers. We urge your expeditious  
14 approval of these permits. Thank you.

15                   CHAIR:

16                   Elise Gerhart.

17                   MS. ELISE GERHART:

18                   My name is Elise Gerhart and my family  
19 lives along the route of the proposed Mariner East II  
20 Pipeline, and we do not live along the route of the  
21 existing Mariner East I pipeline. So this thing about  
22 the pipelines paralleling each other is not correct.  
23 I'll just tell you that to begin with.

24                   I also want to remind the DEP that  
25 comments related to jobs are not supposed to hold

1 weight over established wetlands protections that is  
2 in the code that we're talking about today. Okay? So  
3 all of these comments about jobs, yes, jobs are  
4 important, but it is not relevant to your decision  
5 regarding these permits.

6 I'm also here to remind you that Sunoco  
7 is a crime violator, which is another reason why it is  
8 your job to deny these permits. I also have a  
9 photograph from our home in Huntingdon County,  
10 Pennsylvania from when Sunoco came to do  
11 clearcutting, which they didn't need any permits for  
12 and they didn't have any of the permits that we're  
13 talking about today. And this space right here is a  
14 stream. But you can't see it because it's filled with  
15 debris from clearcutting. It is completely filled.  
16 And you want to tell me that that's no impact? That's  
17 no impact right there, that's no effect on the stream,  
18 that's what that looks like.

19 So secondly, I want to remind you that  
20 Sunoco is being fined by PHMSA for failing to follow  
21 proper welding procedures and failing to hire  
22 certified welders on the Tex Pipeline in Texas.  
23 That's an ongoing fine. I would also remind you that  
24 there was an explosion in Texas over the weekend at a  
25 Sunoco Logistics facility, which does receive natural

1 gas from part of this Mariner system from Mariner  
2 South, and seven workers were injured, four of them  
3 critically injured. Okay? I'm basically asking DEP  
4 to not be part of the criminal act of forcing these  
5 pipelines on families who are refusing to sign  
6 easements. We do not want to be in that blast zone  
7 and it is not okay to put us in it.

8                   And I also remind you that workers will  
9 be pushed to work quickly because this project is  
10 already behind schedule, and that schedule is to meet  
11 contracts with multibillion dollar European  
12 petrochemical companies. So we know that the work is  
13 going to be done as quickly as possible, which does  
14 not equate to safely as possible.

15                   And so all the people here giving  
16 comments about jobs, about being a Pennsylvanian, I'm  
17 a Pennsylvanian with a job, too. My mother is a  
18 Pennsylvanian who worked for 32 ye9rs as a special  
19 education teacher; okay? And we're not here to fight  
20 you about jobs. We are working people, too. Okay?  
21 And the land that my mother was here talking about, it  
22 was not inherited, it was worked for. Okay?

23                   So you want to talk about revenue coming  
24 into the state. Yes, there would be revenue from this  
25 project. But it would be from your tax dollars and

1 from our tax dollars that we continue to pay property  
2 taxes on the land that Sunoco is making billions of  
3 dollars off of, a company whose CEO makes \$200,000,000  
4 a year.

5                   And people want to get up here and say  
6 that these impacts are minimal? Well, I'm here to  
7 tell you that they are not minimal, they are  
8 life-changing. Like that land was supposed to be my  
9 family's future and now it's not safe and it's not  
10 secure. There's no security in property rights for  
11 us, for any of us as Pennsylvanians with this eminent  
12 domain being pushed through.

13                   CHAIR:

14                   Time, please wrap up.

15                   MS. ELISE GERHART:

16                   So basically you all know what you're  
17 supposed to do, you know. You have every right to  
18 deny these permits. They have done everything wrong  
19 at every juncture, and to approve these permits is  
20 criminal.

21                   CHAIR:

22                   Todd Stager. Is Todd present?

23                   MR. STAGER:

24                   Todd Stager, T-O-D-D, S-T-A-G-E-R. I'm  
25 a licensed professional engineer in the State of

1 Pennsylvania. I also have an environmental  
2 engineering degree. I am employed by a consulting  
3 engineering firm, so I'm very familiar with obtaining  
4 Chapter 102 and 105 permits. I know the procedures.  
5 That being said, I'm also an avid outdoorsman. As a  
6 kid, I spent a lot of time on my family's 200-acre  
7 property. My wife and four kids spend a majority of  
8 our free time in the outdoors.

9                   For approximately 3,000 linear feet, the  
10 Mariner East Pipeline runs through my family's  
11 property. As far back as I can remember, close to 40  
12 years now and counting, there have never been an  
13 incident with a pipeline on my family's property. I  
14 believe this speaks highly of Sunoco Logistics' good  
15 safety program and operational maintenance program.

16                   From my personal experience two summers  
17 ago, my daughter and I were fishing on a lake at the  
18 property. This is when they were doing the Mariner  
19 East I upgrades. Two contractors and a land man  
20 showed up on our property about 200 yards away, a  
21 staging area 200 yards away, while we were fishing.  
22 They had the courtesy to come up to us, asked us if  
23 they could continue their work so not to bother us. I  
24 think this speaks highly of Sunoco Logistics'  
25 professionalism down to their subcontractors, like

1 the.se union workers here.

2 I have reviewed the permit applications.  
3 It took quite a long time, a lot of drawings, a lot of  
4 paperwork. In my opinion they have demonstrated that  
5 they have identified an environmentally sound,  
6 technically feasible and cost-effective pipeline  
7 route. They have worked with many agencies, the DEP,  
8 the Army Corps, DCNR, Game Commission, Fish  
9 Commission, U.S. Wildlife Service to protect sensitive  
10 areas. Their route follows the existing corridor,  
11 which is a best management practice to following  
12 existing corridors, co-located along the original  
13 Mariner East I Pipeline, significantly reducing  
14 clearing and disturbance. They're rerouted the  
15 pipeline around sensitive areas, like the Gerharts.

16 MS. ELISE GERHART :

17 No, they didn't.

18 MR. STAGER :

19 They have reduced the temporary  
20 construction right-of-way from 50 feet to 75 feet in  
21 sensitive areas. ATWSS are located a minimum of ten  
22 feet outside of wetland boundaries. One of the best  
23 examples of avoiding surface impacts is the use of  
24 HOD. By utilizing HOD technology to go under wetlands  
25 and streams, Sunoco has reduced the wetland impact by



1 60 percent and stream impact by 40 percent.

2                   Two years ago they were doing an  
3 upgrade. This past weekend I was walking the  
4 pipeline, and you would not even know that they were  
5 doing that upgrade two years ago. It looked the same  
6 as it did five years ago, ten years ago, 20 years ago,  
7 30 years ago. And it will look the same five years  
8 from now, ten years from now, 30 years from now. They  
9 use restoration/mitigation measures, topography and  
10 hydrology are restored, vegetation grows back to its  
11 original condition.

12                   DEP should issue Sunoco Logistics the  
13 Chapter 102 and 105 authorizations for the following  
14 reasons. They have clearly demonstrated that they  
15 have avoided or minimized potential impacts to aquatic  
16 resources, including wetlands, streams, floodways,  
17 threatened and endangered species and cultural  
18 resources. They conduct business in a safe manner  
19 with good operational maintenance programs. They  
20 conduct business in a professional manner. They  
21 provide tremendous economic benefit to the  
22 Commonwealth. In addition, they are repurposing 800  
23 acres of this decommissioned land in Philadelphia.

24                   I support this project, and I would hope  
25 that you guys approve these permits without delay.

1 Thank you.

2 CHAIR:

3 Donny Williams.

4 MR . WILLIAMS:

5 Hi. My name is Donny Williams . I live  
6 in Lusby, Maryland. I live in the town where the Cove  
7 Point LNG Export Terminal is being built , which is the  
8 place that most of the gas from Marcellus Shale and  
9 Utica Shale will be exported. So it's not for U.S.  
10 domestic use at all , it 's just for a private profit  
11 for companies to take that and ship it abroad. And  
12 that 's where they get their real money. So the same  
13 thing is going on for this Mariner Pipeline here. So  
14 this is for export.

15 Somebody was saying earlier --- I  
16 believe it was you over here. You said that ---. Oh ,  
17 this would lower energy costs , because of this  
18 pipeline. This isn't about lower energy costs. This  
19 isn't even about energy . It 's about propane and  
20 butane and ethane. If the workers who were working on  
21 this don't know what they're working on, that 's an  
22 issue.

23 Also, I heard before the API person said  
24 pipeline companies spend billions on safety each year.  
25 I mean, really? And they're still exploding , you

1 still spend billions. You should spend some more.  
2 Also, the second guy who spoke said that we're going  
3 to build it in an environmentally-sound way, and then  
4 the same person said Sunoco had been moving their  
5 product safely for more than 25 years across these  
6 pipelines. They obviously haven't been moving safely  
7 for a week. We just had these explosions in Texas.

8           They can't do this. These companies  
9 that you're looking to, to have the projects happen in  
10 a safe way can't do it. If you show me a pipeline  
11 that doesn't leak, I'll show you a pipeline that's not  
12 been inspected. That's how that works. And you  
13 should know that more than anybody else, because  
14 you're supposed to be inspecting them.

15           So also I heard that no public property  
16 would be adversely affected by this project. I  
17 believe --- maybe this guy, somebody who looks like  
18 him, from Marcellus Coalition said that. That's  
19 ridiculous. The last speaker, I believe, said they  
20 rerouted the pipeline, it would be rerouted around the  
21 Gerhart property, these people are just telling you  
22 straight up lies. It's just a lie. Everybody knows  
23 this.

24           Of course properties are adversely  
25 impacted by pipelines. Of course. You can't build a

1 pipeline on somebody's property and not have them be  
2 adversely impacted.

3                   And just straight up, oh, it's being  
4 rerouted around the Gerharts. Well, that would be  
5 great news to the Gerharts, the thing is it's not.  
6 And even if it was, it may be routed through another  
7 family's prop rty or another --- impact wherever that  
8 goes. You can't build a pipeline without a erse  
9 impacts.

10                   And so what this is all about really,  
11 it's just       nent domain for short term financial  
12 gain. So these companies are corning in, seeking  
13 eminent domain, which is s   osed to be for the public  
14 good, and then actually ruining the public good and  
15 then making money off of that.

16                   So I guess that these people over here,  
17 these people over here, maybe other people who aren't  
18 wearing matching shirts, are also looking to get jobs  
19 and I get that. People want to pay their bills. The  
20 thing is, though, like I'm sure you all und rstand,  
21 like if you have land, if you have friends who have  
22 land, any of this, you don't want to see that land  
23 taken in this way. You don't want to see       Just  
24 like Elise said, you don't want to see like what is  
25 supposed to be everything that you were building

1 toward and spending your family --- you want it to be  
2 in your family for generations. You don't want to see  
3 that just ruined with a pipeline that could blow up at  
4 any moment. It happens.

5 I'm sure everybody saw the story of the  
6 guy right outside of Pittsburgh, the pipeline blew up  
7 right by his house. He managed to escape, kind of,  
8 barely. He's in the hospital in really critical  
9 condition with massive burns. Right now I'm living in  
10 a community right now that there's more than a  
11 thousand people that could If the facility that  
12 is in my community, if it blows up at any moment  
13 which it's already done in 1979 --- it could kill more  
14 than a thousand people. And when this thing is  
15 finished with an export terminal, it could kill many  
16 thousands of people.

17 Some of you all who work with electric  
18 codes, I'm sure you know that you're supposed to make  
19 sure gasses can't come into the light switches.  
20 That's because in 1979 the Cove Point facility, where  
21 I live, blew up and killed people. So your jobs are  
22 built around these accidents and doing best practices  
23 around that, and you kind of pretend all of this  
24 doesn't exist.

25 So of course I encourage you to protect

1 wetlands, you know, protect these specific clauses  
2 that you're looking for now, but also just reject the  
3 pipeline outright overall. Thanks.

4 CHAIR:

5 Zora Gussow.

6 MS. GUSSOW:

7 My name is Zora Gussow. Z-0-R-A,  
8 G-U-S-S-O-W . I farm in Columbia County, Pennsylvania ,  
9 where we're also very, very concerned about the  
10 environmental impacts that we're facing with potential  
11 pipelines being built through historic farmlands and  
12 other natural resources.

13 My problems today are related to the  
14 hearing and permitting process which seems alarmingly  
15 not complete at this point in time, given that there  
16 are not --- all of the right-of-way agreements have  
17 not been completed and have not been agreed to along  
18 this pipeline route, along with no air-quality permits  
19 being applied for, which means that the information  
20 about where the compressor stations will be a required  
21 part of putting in a pipeline is lacking.

22 So I understand that these are segmented  
23 applications. However, it seems like an alarming  
24 decision to allow these permits when all of the  
25 information is not available to the relevant people,

1 to the landholders and the other stakeholders involved  
2 and who would be affected by the building of this  
3 pipeline.

4                   So for starters, I think that the public  
5 comment period should be extended for a minimum of  
6 another 45 days, because it has not allowed for enough  
7 time for people to bring in independent surveyors and  
8 other relevant information to submit to the DEP about  
9 their environmental concerns. And that is really  
10 alarming. And I think that when that information  
11 comes in, when we have independent sources coming in  
12 and looking at the work that the pipeline companies  
13 have done on the environmental impact assessments,  
14 we'll see that, in fact, the environmental impacts,  
15 regardless of safety ---. Because when you cut down  
16 lots of trees and when you cross streams, you get  
17 sedimentation and you get fragmentation of land. And  
18 you affect endangered species which are protected by  
19 the federal and state governments. That this pipeline  
20 could not be built safely and could not be built in a  
21 way that did not have negative environmental impacts  
22 on the land that it is going through.

23                   And so from that perspective I think  
24 that there should be more time allowed for this  
25 process. And at the end of the day I think that these

1 permits should be denied outright . Thank you.

2 CHAIR:

3 Christian Nelson.

4 MS. NELSON:

5 Hello. Thank you for giving me the  
6 opportunity to speak to you all today. My name is  
7 Christian Nelson. I have a few points, you know,  
8 given what I've heard tonight and also the research  
9 that I've done on this project. You know, a lot of  
10 people have mentioned tonight that, you know, the  
11 information provided to you is inaccurate. I think  
12 that that 's been said and should be said again. You  
13 cannot allow these projects to go forward without the  
14 information necessary to provide these permits.

15 And we have, you know, people here  
16 tonight who are impacted. They are living in these  
17 communities and other communities impacted by similar  
18 projects. And your job is to make sure that these  
19 projects don't go forward unless they are done safely.  
20 And we've proven here tonight by many different and  
21 intelligent speakers who have poured a lot of their  
22 own time and effort into researching this project and  
23 other projects like it that it cannot be done safely.

24 So in addition to that, you know, it's  
25 not just about building this pipeline, it 's also about



1 the cumulative effect. We've had other people  
mention  
2 that. Building a pipeline is devastating. But also  
3 maintaining it. There's a poor track record for  
4 Sunoco and companies like it that are here paid to  
5 represent the interest of oversea companies who are  
6 benefitting from this project. And I can't trust the  
7 opinions of people who are paid or are perfectly  
8 incentivized to be here to tell you lies because the  
9 information that we've been given is not accurate.

10 And the community has taken on the  
11 responsibility of providing that information for you.  
12 And it's the least we can do, the least we can do as a  
13 community, given the time to do that. And so that's  
14 why I'm here petitioning, at the very least, give us  
15 more time as a community to research accurately and  
16 independently the real impacts of this project. And  
17 I'm sure you'll find that it's truly not a safe  
18 project.

19 In addition Give me a moment,  
20 please. So this is ---. Excuse me --- it's an  
21 expensive oversight, where there's ---. This is a  
22 critical moment; right? So this is the beginning of a  
23 project that'll impact these communities for decades,  
24 just decades. And that's astonishing to me. And we  
25 need to make sure that we're taking it very seriously,

1 because these people aren't. These are their  
2 communities and this is your job. So look at the  
3 guidelines and protocols in which you are held  
4 accountable to. And you'll see that it does not  
5 support the decision to move forward with this  
6 project.

7                   And I want to, you know, talk to the  
8 workers a little bit. I have worked with unions. ■  
9 care about unions, I care about workers. I, like  
10 everybody here, have to have a job. And that's a  
11 really difficult position to be put in. You're  
12 between a rock and a hard place. But, you know,  
13 protecting your job does not supersede the needs of  
14 the community that you work in. And the community has  
15 spoken tonight and will continue to speak  
16 intelligently about this issue. And I implore you to  
17 listen to them and prioritize their voices, because,  
18 you know, your job's important, but this is our life.  
19 And this is our land that we live off of and that's  
20 what really matters. So thank you.

21                   CHAIR :

22                   Marisa Shea.

23                   MS. SHEA:

24                   So my name is Marisa Shea, S-H-E-A. I'm  
25 from Massachusetts. I'm a math teacher. I am also

1 fighting my own pipeline fight. They're also from  
2 Texas. It all feels very deja vu right now. So I'm  
3 just here standing in solidarity with this community  
4 that's being affected.

5 I guess I'll be brief. I just want to  
6 speak directly to the Chapter 105 Code, which a lot of  
7 people have been talking about. So if you approve  
8 these permits, it's just a straight up violation of  
9 the law that regulates the permitting process, because  
10 Chapter 105 requires that Sunoco have the easements  
11 before you give the permit. And they don't have all  
12 the easements, so you can't give the permits. There's  
13 still over 30 easements that Sunoco doesn't have.  
14 Elise's family is one of them. Sunoco has no legal  
15 rights to her land. They can't build.

16 So pipeline companies have a way of  
17 getting around this; right? They sue people and they  
18 take them to court and they take their land by suing  
19 them for eminent domain. But there are 30 cases  
20 that And they win; right? They've won at the  
21 district level. But those 30-plus families are  
22 appealing in the courts right now. So those cases  
23 aren't closed. So Sunoco doesn't actually have any  
24 legal rights to those land --- you know, to that  
25 property until the cases are closed. It's in limbo

1 right now.

2                   So since Sunoco doesn't have any legal  
3 rights to the land, you don't --- you can't actually  
4 approve the permits. So if you did, it would just be  
5 an egregious violation of the law. You can't legally  
6 do it. So I guess I'm just asking you to follow the  
7 law more than anything.

8                   But my reasonable request for you is,  
9 don't even --- don't                   One, you really can't even  
10 consider the application until these court cases and  
11 all of these appeals that are going through the court  
12 right now                   They're at all levels. They're  
13 appealing at the appellate level, at the Supreme  
14 the State Supreme Court level. Until these cases are  
15 closed, you just can't even consider the application.  
16 So that's my request for you. Let's wait and see what  
17 the courts say, because if you don't, you're violating  
18 the Chapter 105 Code. So, thanks.

19                   CHAIR:

20                   Ned Ludd .

21                   MR . LUDD :

22                   Hello. I'm here speaking on behalf of  
23 the Ned Ludd Institute for Technology, you make it, we  
24 break it. First off, I would like to suggest that all  
25 the comments centered on jobs tonight be thrown out ,

1 as this is a permitting process meeting.

2           Furthermore , I would like to talk about  
3 the permitting process and point out the fact that  
4 Sunoco has not done due diligence in their wetland  
5 protection assessment. They're permitting assessment  
6 evaluation has been riddled with contradictions. The  
7 private --- or independent contractor that came in to  
8 survey the wetland area found multiple contradictions  
9 within the wetland streams in Sunoco's permit.

10           Give me just a moment. Forgive me.

11 Sunoco, furthermore , has provided incomplete  
12 information to verify that the project would not  
13 comply --- would comply , rather, with stormwater  
14 management programs.

15           The DEP eFACTS site , your very own  
16 institution, states that the target date for  
17 completing the technical review is October 26th.  
18 There could be more opportunity for the public to  
19 speak at additional hearings. As the last speaker  
20 said, I urge the DEP to extend the publiccomment  
21 period and to hold public comment meetings within  
22 every county affected by this pipeline. Thank you.  
23 Deny the permits.

24           CHAIR :

25           Tom Gunne.

1                   MR. GUNNE:

2                   I'm going to keep it short. As everyone  
3 said, there's been some inaccuracies and some  
4 inconsistencies in the documents that this application  
5 has been made with. I am asking for an extension of  
6 the public comment period and hearings in every  
7 community being impacted by this. You're wagering a  
8 lot and evidence has only been brought by companies  
9 that stand to gain from this pipeline being built.  
10 I've seen the repercussions of boom and bust in short  
11 term resource extraction job gains in West Virginia,  
12 where there are layoffs left and right. Tons of  
13 people are losing jobs like after coal is gone.

14                   So if you want to put another straw in  
15 to take out all of your natural gas, fine. You know,  
16 are you going to do it at risk of destroying all the  
17 natural resources that you could depend on for  
18 alternate forms of income for people that live in  
19 Pennsylvania? I think that's a bad decision. The  
20 very least, we need a longer time period to  
21 investigate the impact of this pipeline, independently  
22 of the companies that stand to profit from it.

23                   CHAIR:

24                   Thomas Droege.

25                   MR. DROEGE:

1 Hi, my name's Thomas Droege. It's  
2 D R-O-E-G-E. I'm from Col ia, Pennsylvania. That's  
3 Lancaster County. I grew up running these rivers,  
4 running these streams and knowing that you can't eat  
5 the fish and you can't swim in the rivers,  
6 specifically Susquehanna River. Earlier this year  
7 Susquehanna River was listed as the third most  
8 endangered river by the conservation group American  
9 Rivers. One of the reasons is due to the Conowingo  
10 Dam has reached its limit for trapping sediment,  
11 sediment caused by lack of riparian buffers, which are  
critical ecological buffer zones that are the river's  
13 natural filters. Any further degradation o these  
14 systems will only add to the sickness of Susquehanna  
15 Valley.

16 I've seen firsthand the bad practices  
17 that Sunoco Logistics has already perpetrated at the  
18 Gerhart property. As a wetland delineator ecologic  
19 surveyor, I was appalled to see trees cut right into  
20 the stream banks, felled across streams and into  
21 critical wetlands. There were zero sed nt socks or  
22 any use of erosion control in place. And no evidence  
23 that a single test hole had been dug to properly  
24 delineate wetland boundaries. If a farmer had done  
25 this, DEP would have strict penalties, most likely

1 causing that farmer to shut down their operations.

2 I was also appalled to find out that all  
3 this was done before any permitting had been issued,  
4 violating wetland disturbance codes and violating the  
5 privacy of the Gerhart family .

6 Also , someone had mentioned that the HDD  
7 method was going to be used on the Gerhart property.  
8 That's not true. They're planning on using the  
9 trenching method. This was just one of hundreds of  
10 wetlands and thousands of streams that this pipeline  
11 would cross.

12 In addition, this pipeline is crossing  
13 the Ohio/Pennsylvania state boundary. And therefore,  
14 it should be considered an interstate-route issue , not  
15 intrastate issue. I urge DEP to pass this project off  
16 to the proper agency for future consideration.

17 Also , the comment period should be  
18 extended 90 days , making the end date September 26th ,  
19 2016. DEP provided a 90-day comment period for the  
20 Atlantic Sunrise Project and should be doing the same  
21 for Mariner East II. Also, don't approve this fucking  
22 project.

23 CHAIR:

24 Lily Nina.

25 MS. NINA:



1 Hello. My name is Lily Nina, L-I-L-Y,  
2 N-I-N-A. I'm here to y to share in the opposition of  
3 the Mariner East Pipeline Project. I believe that the  
4 number of public hearings DEP is hosting for the  
5 pipeline project is significantly inadequate. It is  
6 incredibly irresponsible of the DEP to hold only five  
7 meetings across the state, even though the project  
8 spans 17 counties. This terrible cision only gives  
9 the opportunity for roughly 300 indivi als to submit  
10 testimony. It is critical that additional public  
11 hearings be held or rescheduled for future dates. It  
12 is undoubtfully inadequate for one three-hour public  
13 hearing for two counties when a conservative estimate  
14 of 700 directly-impacted landowners are being  
15 affected.

16 Although I am demanding that the public  
17 hearings be extended and e anded, the horrific  
18 environmental impacts of this toxic pipeline for  
19 countless families and ecosystems need to be  
20 considered and shut down. This pipeline needs to be  
21 shut down. I am concerned that the pipeline project  
22 would cross 581 wetlands, 1,227 streams and would  
23 permanently impact 35.3 acres of wetlands and 8.6  
24 acres of streams. While I oppose all stream crossing  
25 methods, it is fair to question why Sunoco would

1 forego implementing a more environmentally-friendly  
2 method in every four out of five stream crossings,  
3 prioritizing cheaper methods versus  
4 environmentally-sound.

5                   Considering the leaks and ruptures  
6 Sunoco is currently --- is known for, including the  
7 one that happened this weekend in Texas, the lack of  
8 transparency regarding this pipeline and the comment  
9 period should be extended to 90 days, making the end  
10 date Monday, September 26th, 2016. The DEP provided a  
11 90-day comment period for the Atlantic Sunrise  
12 Project. You should give the same opportunity to  
13 residents affected by this pipeline. All in all, for  
14 the safety of families and our natural world, which we  
15 all inhabit, this pipeline and its evil plan must be  
16 shut down once and for all.

17                   CHAIR:

18                   Fred Durst.

19                   MR . DURST:

20                   My name is Fred Durst. F-R-E-D,  
21 D-U -R-S-T. I come here tonight as a naturalist and a  
22 deep ecologist. I spend my time studying the natural  
23 processes that are so complex we don't know much  
24 about. These pipeline companies pretend they do, but  
25 they don't. This Mariner East II Project would cross

1 581 wetlands, 1,277 streams and would permanently  
2 impact 35.3 acres of wetland and 8.6 acres of streams.

3 Let's talk about methods. We've got  
4 open cut or horizontal directional drilling. All  
5 associated with environmental harm, all unnecessary,  
6 because this project is unnecessary.

7 But if we're going to talk about what  
8 the better process is, horizontal directional drilling  
9 has at least harm. But then why is it that only 17  
10 percent of the pipeline crossings are horizontal  
11 directional drilling?

12 MS. ELISE GERHART:

13 It's cheaper.

14 MR. DURST:

15 It's cheaper. Did someone say that the  
16 CEO of Sunoco makes, what, \$200,000,000?

17 MS. ELISE GERHART :

18 The CEO of Energy Transfer Partners  
19 which owns Sunoco.

20 MR. DURST:

21 Well, it sounds like there's money  
22 somewhere. Guess you could spend it on the least  
23 harm. Why wouldn't you? I would. But I want to  
24 repeat this, both methods aren't acceptable because  
25 the project is unacceptable.

1           So it was said here earlier tonight , you  
2 know, that on the Gerharts' property there had to be  
3 an independent assessment done on this property.  
4 Sunoco incorrectly mapped and mischaracterized many  
5 wetland features. Half the stream segments were  
6 missed ; one-seventh the wetlands were not  
7 acknowledged. So obviously there 's something wrong  
8 here.

9           And the impacts are significantly  
10 understated , and they have been , as most projects  
11 most pipeline and fracking projects have and continue  
12 to be. So Sunoco has shown themselves to be  
13 negligent , shady, incorrect in their assessments. So  
14 the DEP has a choice , they can be ---. And you can be  
15 complicit in this ill-conceived project or not.

16           So I have some questions. I know you're  
17 not going to answer them. So the ball is in your  
18 court. What game will you play? Sunoco's? One  
19 riddled with violations , ecological destruction and  
20 a ll-around foul play . Or one in which the air , water  
21 and all creatures win. But really , there 's only one  
22 choice, put the earth first .

23           CHAIR :

24           Ruddy Turnstone.

25           MS. TURNSTONE:

1                   Good evening. My name is Ruddy  
2 Turnstone with Global Justice Ecology Project. I'm  
3 not paid to be here. I'm here in support of the  
4 families and communities, human and nonhuman, that  
5 will be impacted by the Mariner East Pipeline II.  
6 Evidence has demonstrated that this pipeline does not  
7 have all necessary permits. I urge the DEP to deny  
8 Sunoco Chapter 102 anti 105 permits for the Mariner  
9 East II Pipeline.

10                   Sunoco and its subsidiaries are not  
11 entities you can trust. I'm looking at you all. In  
12 2015 alone, the PA DEP cited Sunoco for at least 42  
13 violations specific to this pipeline you're  
14 considering permitting. In 2005, Sunoco was fined  
15 \$2.5 million for their pipeline leaking 260,000  
16 gallons of crude oil in the Kentucky and Ohio Rivers.  
17 In 2008, their pipeline had a 12,000-gallon leak near  
18 Murrysville, which polluted a three-mile section of  
19 Turtle Creek. This is what you're responsible for.

20                   In 2012, another of their pipelines  
21 spewed 2,780 barrels of gasoline, forcing 30 homes to  
22 be evacuated. You're lucky that your home wasn't  
23 destroyed yet or your land, for those of you that  
24 support this.

25                   In 2014, another Sunoco pipeline in

1 Louisiana spilled 4,000 barrels of crude oil. In  
2 2009, a deadly accident injured 13 contract workers,  
3 sending them to the hospital in Philadelphia. If it  
4 isn't enough, just four days ago, as it was mentioned  
5 already, a terminal in Nederland, Texas had an  
6 explosion that injured seven workers.

7                   When does a company destroy enough lives  
8 and ecosystems that it is no longer fit to do  
9 business? That time is now. Right now. This is the  
10 moment where you actually get to make a decision.  
11 Extend the comment period and deny the Chapter 102 and  
12 105 permits.

13                   CHAIR:

14                   Diedre Lally.

15                   MS. LALLY:

16                   Hi. My name is Diedre Lally. I live in  
17 Columbia County, Pennsylvania. And I actually live  
18 very near where a pipeline exploded on June 9th of  
19 last year, so I actually do know what it's like to  
20 have to evacuate your home due to unsafe pipelines.  
21 And so that's one of the many reasons I first urge the  
22 DEP for a 90-day comment period which would end on  
23 September 26th.

24                   I also request one hearing per county.  
25 It's a little extreme to ask people to drive over an

1 hour at night to talk about what's going to happen to  
2 their property when they've been working all day.

3 I have some comments based on an  
4 independent wetlands survey that was actually just  
5 completed yesterday. And I will be writing technical  
6 comments and sending them in before the end of the  
7 comment period. I wanted to read a couple tonight.

8 One issue of major concern is that basic  
9 information about the project has been withheld or  
10 made difficult to obtain. The precise location of the  
11 300-plus mile section of the pipeline route that  
12 crosses Pennsylvania is depicted on hundreds of  
13 individual large-scale drawings. The location also is  
14 identified on a GIS shape file that can easily be  
15 incorporated into a GIS program. Such shape files  
16 were provided, at minimum, to various resource  
17 agencies responsible for determining potential impacts  
18 to threatened or endangered species of plants and  
19 animals in conjunction with the DEF-required PNDI  
20 screening process. It is likely that the applicant  
21 provided DEP and the other agencies with dated shape  
22 files when it provided a completed set of dated  
23 revised site plan drawings in late May 2016.

24 So use of the shape file makes  
25 understanding and evaluation of the project much

1 simpler, not only for the Department and its sister  
2 agencies, but also for us, the public, who are going  
3 to have to live with these impacts. Yet public access  
4 to this valuable record has been made exceedingly  
5 difficult. So in future pipeline and similarly large  
6 linear projects, the Department should insist that the  
7 applicant provide it with a shape file of the proposed  
8 route and with updated shape files whenever the  
9 proposed route is revised. The Department should also  
10 make those shape files available to the public in  
11 online files that include other detailed information  
12 about the application.

13                   And in addition                   This is a little  
14 long. I hope I can make it in my time. But if not,  
15 again, I'll send them to you. The extent of  
16 exceptional value wetlands along the pipeline route  
17 likely has been underestimated. Both exceptional  
18 value and high-quality waters in Pennsylvania are  
19 entitled to special protection to prevent degradation  
20 when construction activities are being considered.  
21 Those waters identified as exceptional-value waters in  
22 Pennsylvania are tier three outstanding natural  
23 resource waters. And in terms of the Federal Clean  
24 Water Act, such waters are to receive the highest  
25 level of protection, no degradation of their quantity



1 and quality. This level of protection is even more  
2 stringent than applied -- than that applied to  
3 high-quality waters for which the true economic  
4 justification can be used as a rationale for allowing  
5 partial degradation.

6           Exceptional-value wetlands, because they  
7 are EV waters, are to be afforded the same degradation  
8 special protection as streams that have been  
9 designated EV waters. That is no reduction of their  
10 water quality is to be allowed by federal and state  
11 laws. Along this proposed pipeline route, a total of  
12 129 wetlands has been identified as exceptional value,  
13 according to tables prepared by Tetra Tech and dated  
14 24 of May 2016. Consequently, exceptional-value  
15 wetlands represent 20 percent of all wetlands to be  
16 impacted by construction of this pipeline.

17           Five different bases are listed for  
18 considering a wetlands to be exceptional value. And  
19 in some instances a wetland is categorized as  
20 exceptional value on more than one basis. In some  
21 instances wetlands are along EV streams, and thus  
22 qualify as exceptional value, but they are not so  
23 listed. Two examples are included in Berks County and  
24 Chester County. And again, I'll send more  
25 information.

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CHAIR:

Time. Please wrap up.

MS. LALLY:

Okay. Well, the last thing I would have to say is, any such wetlands along the Mariner East Pipeline route would qualify as exceptional value, yet this application includes no discussion at all about this criterion, nor does it describe or even mention whether any of the wetlands along the proposed route is located above or along a public or private drinking water supply.

The permit should be denied. This is not a proper process, based on your terms.

CHAIR:

Joyce Kunkle.

MS. KUNKLE:

Hello, everybody. My name is Joyce Kunkle, spelled J-O-Y-C-E, K-U-N-K-L-E. I am here to ask you to deny permits 102 and 105 as submitted by Sunoco for the building of Mariner East Pipelines. To at least for now extend the public comment time, to hold additional public hearings for the other counties that are also affected.

Due to the great number of streams and wetlands which will be adversely and unnecessarily

1 affected , the endangerment to the communities along  
2 the route, those who themselves find --- that will  
3 find themselves within the blast radius due to the  
4 high-pressure capacity           The towns near the  
5 pumping stations will be plagued with open flaring ,  
6 averaging 23 gallons of propane or ethane per day ,  
7 creating a home environment fraught with anxiety .  
8 Here are but two reasons or two objections to the  
9 proposed pipelines.

10                   I can't escape the irony when I, amongst  
11 three very , very peaceful protestors three years ago ,  
12 gathered after a short walk and we arrived at the  
13 Rachel Carson building, the very home of PA's  
14 Department of Environmental Protection ---. Here we  
15 were in front of the building named after the famous  
16 Pennsylvanian who lived close to --- relatively close  
17 to Harrisburg , who warned the nation and the world of  
18 the danger of chemicals , poisons that endanger all  
19 life, us included.

20                   When landowners affected respectively  
21 --- and we respectively , amongst us, respectfully  
22 asked to sit in with the participants, all who were  
23 landowners, were denied. The public be damned, it  
24 would seem.

25                   Those at the table were only fracking

1 industry reps and probably pipeline people as well,  
2 and our own DEP officials. Of course we couldn't get  
3 in to find out who was there or what was spoken. I  
4 suppose even now, even Rachel Carson, who wrote Silent  
5 Spring, would have been denied entry to her own  
6 building.

7 Rachel said, we still talk of conquering  
8 --- and I would add profiting --- from using nature  
9 with poisonous chemicals. She went on, man is part of  
10 nature, and that means that we are affecting, we are  
11 going to be poisoned along with the poisons that we're  
12 using eventually. We're taking it in.

13 When hearing that equally dangerous  
14 chemicals were now being shot into the bowels of the  
15 earth for profit, she probably would be aghast, as  
16 it's her building and this is going on with the  
17 apparent --- apparently the, at least for now, the  
18 approval of all this that's going on. Would they be  
19 able to face her? Would the people who have actually  
20 approved or are approving these pipelines and the  
21 fracking, would they be able to face Rachel Carson,  
22 their own founder of --- not of DEP, but of the  
23 building itself, that it's named ---.

24 Back to the Mariner II Pipelines. The  
25 only ones who profit from these 300-mile pipelines is

1 the Texas-based industry and its top stockholders, not  
2 the resident Pennsylvanians who call Pennsylvania  
3 their beautiful home. The landowners' heritage from  
4 their forefathers and foremothers was land, air and  
5 water untainted. They want it to remain that way. ■  
6 wish the fine pipe workers They're good people,  
7 we want them to have jobs, but not at our expense.

8 CHAIR :

9 Joyce, please wrap up.

10 MS. KUNKLE:

11 There was one gentleman ---. Thank you,  
12 one brief ---. One gentleman indicated recently, I  
13 guess that NGLs, would be a soft gap before going into  
14 renewables. If that would be the case, we certainly  
15 won't need this massive network of pipelines that are  
16 being Please deny the permits. I thank you.

17 CHAIR :

18 Joyce was our last registered speaker  
19 for tonight, so that will conclude this public  
20 hearing. We will note for the record that  
21 representatives of the Pennsylvania Department of  
22 Environmental Protection were present to hold this  
23 hearing.

24 As a reminder, the public comment period  
25 will close Wednesday, August 24th. If you wish to

1 submit questions or comments between now and then,  
2 please feel free to use the resources that were made  
3 available to you when you entered tonight. Thank you  
4 for being here. We appreciate your interest in this  
5 project. Have a safe trip home and good night. Thank  
6 you.

7 \* \* \* \* \*

8 HEARING CONCLUDED AT 8:33 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chair Repetz was reported by me on 8/16/16 and that I, Corey Elizabeth Summers, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

*(Y*  
*Corey Elizabeth Summers)*  
*1.cir III, fIV?L.VIA"*  
Court Reporter

Corey Elizabeth Summers