



This an addendum and correction to my public comment of earlier submitted and received today June 12th of 2024. I want to make sure that the agency and public are aware that I utilized the research and public comment of Lora Snyder who took the time to research and share her experience in this. This process was quite confusing and being that many of us grassroots, fence line, NGO- types are spread so thin and with little resources to keep up with the tactical operations of this organized public disservice... I want to make sure the work of those who give so much effort and care into protecting their community are given the credit they deserve- and make sure the agency and the industry sees our numbers in the comments. My intention is to elevate Lora's voice who worked tirelessly to break down the key points in this regulatory proposal. I will be accountable for my poor methodology, yet I won't apologize for the fact I COMPLETELY resonate with her words and appreciate and want to elevate her voice... in fact we worked side by side for years.... and most times alone. What I respect is - she doesn't give up... we both feel the same in this - because we lived it, and there are MANY MANY more watchdogs who do not even know they are yet. We empower that in people. So to be clear; this is her research and comment which I simply wanted to add to. It's not easy to juggle all of what PA is throwing at us right now, yet we cannot forget to be transparent. Thank you Lora!

The new HVL pipeline safety regulations are essential to the health, safety and well being of our affected fence line communities and our environment. As the Environmental Chemist for Physicians for Social Responsibility Pennsylvania, we advocate for the health and safety of these impacted communities, and we urge the IRRC to uphold the proposed regulations. I am also a resident impacted by the Mariner East pipeline construction. I have been compelled to document the numerous egregious violations in my community committed by Energy Transfer for the past 7 years. We have established our own community watchdog groups because of the necessity and success in it. This was necessary to defend our families, communities and environment. The truth is, these new HVL regulations only represent the bare essential requirements necessary, and therefore they MUST be scrupulously upheld.

After having endured the construction nightmare of the Mariner East Pipeline for 7 years we must now cope with the realization that we are residing, working, shopping, and for all intents and purposes literally living within the blast zone of these HVL pipelines, the designs of which under the new proposals are prohibited, yet the Mariner East pipelines are now grandfathered in.

Lora Snyder, a friend and fellow watchdog stated it perfectly, "For those of us living within the blast zone an experience as natural as observing morning fog will now and forever provoke alarm and, as a consequence, anxiety and fear. This is because the probability exists that this is not just fog observed but possibly an HVL pipeline leak creeping into our community." This is now the reality we have been left with due to poor rules and regulations, the exploitation of them by a profit driven company, and the rushed approval of such a poorly planned, reckless, and dangerous project.

Accordingly the following proposed requirements must be upheld:

1. The new pipeline spacing regulation requiring a minimum of 12 inches distance between the outside of the pipe and the edge of any other underground structure is crucial. We have already witnessed and must now coexist with Mariner East pipes actually lying upon each other (Please reference the photos below) with minute “spacers”, now proposed to be impermissible, to prevent the metal pipes from rubbing and scraping together during HDD pipe “pull back” operations and pipeline construction.
2. The recommended enhanced geological and environmental studies for pipelines with a diameter 8 inches or greater, a bore depth greater than 10 feet, or pipeline length greater than 250 feet, must require the operator to conduct an analysis of geological and environmental impact. As a well owner in Chester County, I see this as a minimal requirement to offer some protection to our environmental resources, especially our aquifers and drinking water .
3. The enhancements to public notification for commencement of drilling and contingency plan are also essential for aquifer, groundwater and drinking water protection. The operator must develop a written preparedness, prevention, and contingency plan for potential impacts from drilling fluid discharges, potential possible contamination of public and private water supplies, and issues presented by conducting the underground mining particularly on karst terrain. I would also suggest these regulations address the Loss of Circulation and the drilling fluid which was lost in the process, yet also did not surface. This is very important in preserving the groundwater behaviors which are what recharge our aquifers that our private wells feed off of.
4. Prohibiting pipelines from being constructed or relocated under any building or dwelling is indispensable. No one should ever have to assume the risk of having these highly explosive pipelines under their homes, school buildings, workplaces, etc.
5. Protecting valve stations adjacent to roadways is categorically imperative. Vehicle barriers must be installed at above-ground valve stations adjacent to a roadway, unless there is a natural barrier. Despite being necessary even this new requirement falls short of adequately protecting vulnerable existing valve stations which presently relegate community members to “sitting ducks” from a catastrophic pipeline incident due to a vehicular accident.
6. The cathodic protection guidelines to have written procedures for the design, installation, operation and maintenance of cathodic protection systems is a basic requirement needed to prevent pipeline corrosion and leaks. We have already witnessed cathodic protection failures with the new ME2 and ME2X pipes needing to be repaired due to corrosion issues. Between Delaware and Chester County we have witnessed several repairs now.
7. Promoting increased transparency of the oil and gas industry and enlisting enhanced public notification regulation is essential. This would require the pipeline operator to provide updated information to the affected public at least twice a year, including a warning that a leak from the hazardous liquid pipeline can cause property damage, personal injury, burns, asphyxiation, or death, or any combination of aforementioned. Additionally twice-yearly messages to emergency responders are required, and to public officials annually, or more frequently as needed, must be mandated. Again this is a minimal requirement to promote transparency and provide education in order to assist

with protecting the fence-line communities and first responders. The first responders must be fully informed, trained, and equipped in the event of an HVL pipeline emergency. What are ET's current emergency rescue plans in the event of a pipeline accident and leak? Having residents run upwind on foot? How does this address those with disabilities? Is this a violation of the ADA, especially for non-essential infrastructure (for private profit, with no benefits to impacted communities)?

8. The most recent revision of the regulations drafted by the PA PUC no longer requiring land agents to hold a valid Pennsylvania professional license in one of the following professions: attorney, real estate salesperson, real estate broker, professional engineer, professional land surveyor or professional geologist in the initial rulemaking is very disturbing. This regulation revision will certainly promote unethical and unprofessional practices dealing and communicating with affected landowners in the future without landowner recourse. The prerequisite for holding a professional license should be reinstated to encourage ethical business practices and landowner protection. Residents who had to deal with land agents have experienced and reported harassment, abusive behavior, non-transparency, lies, misleading information, trespass, among other issues...yet nothing could be done to stop it or repair these people from the trauma of it. The state has a duty to make sure the public is safe, professional licenses are something that can be lost due to unethical practices, these licenses can be challenged by the public, and this is how we as a state can hold land agents accountable for their actions and behaviors. To remove that from this document, places the public's safety at risk. There are several documented cases and MANY residents who should have been consulted before allowing the industry to convince our public service agencies to remove this part of the proposed rules. Please prioritize the public's needs first, and perhaps get, in writing, why the PA PUC would remove it- what harm would be caused if it was reinstated? Remember harm has already been done to members of our community, and many others, and there will be no reparations for them. In the least, take a lesson from them and hold these land agents accountable through licensing.

I want to elevate and echo the voice of Lora Snyder (in the public comments), because I don't think I could say it much better than this, and I completely resonate with her words,

"We, as residents, had to stand by as our aquifers became contaminated and endure our houses shaking and vibrating day after day, month after month from HDD pipeline construction operations. Our communities were overtaken by an incursion of heavy construction vehicles in addition to the high decibel noise from endless suck trucks removing our breached aquifer water 24/7 continually for months. We were subjected to toxic fumes, excessive noise levels and earthquake equivalent vibrations which were endless. We observed sinkhole after sinkhole appear during the HDD operations and even post construction. These sinkholes opened up a few feet to within inches from the 90 plus year old antique ME1 and "Frankenpipes". These antiquated pipes contained HVL products in the same easement as the Mariner East 2 and 2X pipe installations. We legitimately feared for our families, neighbors, and community's safety as well as our private property.

Having endured this trauma we sincerely thank the PA PUC for listening to affected community members, taking action and proposing these long overdue pipeline safety enhancements, which now must be upheld.”

With this final ruling, public utilities transporting hazardous materials via pipeline will have Pennsylvania specific safety reporting standards to meet in addition to those required by federal PHMSA regulations. This Commonwealth has the ability to further protect the health and safety of the people by improving upon the antiquated federal regulations. This is where industry tends to exploit an overburdened, slow moving bureaucracy, while it catches up with technology, science, and the needs of the public. Right now, the state has the opportunity to do better for the people. I hope Pennsylvania chooses to side with protecting the health and safety of the people of this Commonwealth over anything else.

The PA Independent Regulatory Review Commission must now uphold these regulations to establish minimal protection for our environment and our communities’ safety, health and wellbeing. Thank you for the opportunity to provide public comment.

Christina DiGiulio, impacted Chesco resident of the Mariner East Pipeline Project

Environmental Chemist, Physicians for Social Responsibility Pennsylvania