

TO: Mayor Gainey

FROM: Sarah Liez, Intern (Sustainability Commission)

RE: Mariner East Pipeline Project

DATE: February 17, 2022

Summary of Issue:

The Mariner East Pipeline Project is a proposed expansion of the pre-existing Sunoco Mariner East Pipeline system. The pipeline stretches from the Ohio and Pittsburgh area across the state of Pennsylvania to Marcus Hook in Delaware County, PA. The project necessitates the construction of two large pipelines, roughly 20 inches in diameter, that would transport roughly 275,000 barrels of natural gas liquids across the state per day. The two parent companies of the pipeline, Sunoco Logistics Partners and Energy Transfer Partners, wish to use this pipeline for domestic as well as foreign distribution.

Background:

Currently, the Mariner East Pipeline Project is already underway. Phase 1 of construction has been completed in Western Pennsylvania, where roughly 50 miles of pipeline are being used to transport ethane and propane from Western Pennsylvania to the Marcus Hook facility in Eastern Pennsylvania. At this facility, these natural gasses are being processed and traded both in the United States and abroad.

Phase 2 of construction seeks to construct a new pipeline that would expand upon the current pipeline's capacity. This new line would extend from Ohio through West Virginia, Pennsylvania, and Delaware, transporting natural gas liquids to the Marcus Hook facility for use and commerce both in the United States and abroad. The goals of creating this additional pipeline include the utilization of natural resources, the creation of jobs, and the enhancement of both the state and federal economy.

Despite a number of deficiencies concerning the builder's regulatory requirements, the DEP approved all necessary permits for the pipeline in March of 2017. Since then, there have been a multitude of problems and legal investigations into the pipeline's creation. In late 2017, an ethics complaint was filed against a top aide to Governor Tom Wolf, prompting concern for potential political pressure placed on the DEP. Throughout 2019, as the project generated a variety of environmental calamities, numerous criminal investigations were launched into the project, into Sunoco and Energy Transfer, and into Governor Wolf. Simultaneously, many environmental organizations and individuals personally impacted by the Mariner East Pipeline Project have taken to protesting its construction, voicing predominantly environmental concerns.

Stakeholders:

- Sunoco Logistics Partners and Energy Transfer Partners
 - The two parent companies of the pipeline, overseeing and funding its construction
 - Benefit financially from the creation of the pipeline through business trade and revenue
- The Pennsylvania Public Utility Commissions (PUC)
 - Enforce federal and state safety regulations in connection to public utilities supplying natural gas via intrastate transportation, and public utilities supplying intrastate transportation of natural gas and hazardous liquids
- The Department of Environmental Protection (DEP)
 - State department dedicated to protecting Pennsylvania's air, water, and land from pollution and other harmful anthropogenic activities, thus providing a clean, safe, and healthy environment for its citizens
- Individuals living nearby the pipeline

- Those living near or along the construction of the pipeline are subject to loss of private land, privacy, and elements of livelihood due to land use, construction, and potential gas leaks
- Workers building and maintaining the pipeline
 - Those employed by Sunoco or Energy Transfer Partners are reliant on construction of the pipeline to obtain their income
 - These individuals necessitate safe working conditions or else be at physical and other health risks that may arise in building the pipeline
- Community and state governments
 - Pennsylvania, Delaware, Ohio, and West Virginia State governments, the United States federal government, state attorney generals
 - It is the inherent mission of state and federal governments to protect the interest of the people it represents
- Environmental organizations
 - Corporations that conduct research and facilitate policy development in order to promote sustainability and prioritize the environment
 - Clean Air Council, PennFuture, Environmental Integrity Project, Earthworks, Beyond Dirty Fuels Campaign, Sierra Club, Mountain Watershed Association, Clean Water Action

Relevant laws/acts:

- Eminent domain: the Mariner East Pipeline Project is able to exist through use of eminent domain, where the government may legally seize private property for public use as long as there is proper compensation
- Department of Environmental Protection permits
 - Chapter 105 — Water Obstruction and Encroachment Permits
 - Chapter 102 — Erosion and Sediment Control Permit
 - NPDES Permit for Hydrostatic Test Water Discharges (PAG-10)
- Pennsylvania Clean Streams Law: protects the state's water resources

Recommendation:

With all of the above information in mind, it is my professional recommendation that we must enact greater inspection and regulation of the Mariner East Pipeline Project, necessitating better transparency and communication from Sunoco and Energy Transfer Partners.

Contact information:

This issue brief was prepared by Ms. Sarah Liez, undergraduate student of the University of Pittsburgh Dietrich School of Arts and Sciences. Contact her at sjl88@pitt.edu or 610-608-5090 for further information.

References:

- <https://files.dep.state.pa.us/ProgramIntegration/PA%20Pipeline%20Portal/MarinerEastII/PPP%20Information%20Sheet1.pdf>
- <https://www.chescoplanning.org/pic/ProjectsMariner.cfm>
- <https://www.chescoplanning.org/pic/pdf/meFactsheet011717.pdf>
- <https://www.dep.pa.gov/Business/ProgramIntegration/Pennsylvania-Pipeline-Portal/Pages/Mariner-East-II.aspx>
- <https://stateimpact.npr.org/pennsylvania/2019/11/13/mariner-east-2-pipeline-fbi-investigations/>
- <https://cleanair.org/wp-content/uploads/8.21.2020-Clean-Air-Council-letter-to-Sec-McDonnell.pdf>
- <https://stateimpact.npr.org/pennsylvania/2015/08/12/sunoco-launches-eminent-domain-proceedings-for-mariner-east-2-pipeline/>