

26TH DISTRICT  
STATE SENATOR  
**TIM KEARNEY**

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## Senate of Pennsylvania

### COMMITTEES

COMMUNICATIONS & TECHNOLOGY,  
DEMOCRATIC CHAIR  
LOCAL GOVERNMENT,  
DEMOCRATIC CHAIR  
LABOR & INDUSTRY  
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URBAN AFFAIRS & HOUSING  
POLICY

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March 20, 2020

Chairman Gladys Brown Dutrieuille  
North 302 Keystone Building  
400 North Street  
Harrisburg, PA 17120

Dear Chairman Brown Dutrieuille,

I call upon the PUC to mandate an immediate halt to construction of the Mariner East II pipeline. My priority is the health of our communities and families during this emergency declaration.

There are three significant reasons I am requesting a halt to construction:

1. Increased health risks near pipeline construction due to increased daytime population density as residents are now working and staying at home;
2. Increased health risks near the pipeline construction for residents over 60 and for those with pre-existing health conditions;
3. Increased health risks for pipeline workers who cannot conform to social distancing recommendations;

Multiple constituencies in Delaware and Chester Counties are concerned about ongoing Mariner East II construction work during the COVID-19 pandemic crisis. Sunoco ETP workers continue construction in contradistinction to clear guidance from the Governor for non-essential workers to stay at home. While our constituents are dutifully complying with COVID-19 state directives, their right to public safety is not being equally respected by Sunoco.

The Governor's clear intention is to halt all activity deemed not essential to the Commonwealth. You must agree that there is nothing essential about the construction of this pipeline at this time. Our communities along this right of way are vulnerable even under the best of circumstances—they experience sinkholes, accidental line strikes to utility lines, and damaged water main lines and wells. Now, Incident Command and first responders must prioritize the deadly COVID-19 to protect public health and safety. I am unable to explain to our constituents why the PUC has not stopped active construction on Mariner East II when all current PennDOT and DGS construction projects have been halted.

Delaware County Council's independent risk assessment of this project is based on specific population density and proximity-to-pipeline assumptions. With many of our families now working and staying at home as instructed, risks of the project are exponentially greater during the pandemic due to increased residential density. And residents who live near construction with pre-existing respiratory conditions are at much greater risk, as is the health and safety of the laborers who cannot conform to social distancing recommendations.

I call upon the PUC to mandate an immediate halt to construction, protecting the impacted constituents of the 26<sup>th</sup> Senate district and our neighboring Senate districts along the Southeastern portion of the Mariner East II route. We need your assurance that the construction sites are secured until a time when the COVID-19 crisis has passed.

On-going construction of the Mariner East II pipeline at this unprecedented time puts our families who live near the construction at needless additional risk, in particular those residents with pre-existing health conditions. We trust that your Commission will respectfully consider our request to halt construction with the same respect our constituents are demonstrating by complying with state guidelines to prevent the spread of the deadly COVID-19.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Kearney". The signature is written in a cursive, flowing style.

Tim Kearney  
26<sup>th</sup> Senatorial District

Copy: Brian Zidek, Chair, Delaware County Council

Marian Moskowitz, Chair, Chester County Commissioners