

## **Upper Makefield Board of Supervisors**

### **July 15, 2025 Meeting Minutes**

The July 15, 2025 Special meeting of the Upper Makefield Township Board of Supervisors was called to order by Chair Yvette Taylor at 7:30 p.m. In attendance were the following members of the Board of Supervisors: Chair Yvette Taylor, Treasurer Braun Taylor, Member Tom Cino. Vice Chair Ben Weldon and Member Tim Thomas participated by telephone. Also in attendance were Interim Township Manager Terry Fedorchak, Assistant Township Manager Judy Caporiccio, and Project Manager David Fennimore.

#### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Ms. Taylor led in the recitation of the Pledge of Allegiance which was followed by a moment of silence in recognition of the two-year anniversary of the flash flood in the Township that claimed 7 lives.

#### **PA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) DISCUSSION AND STATUS UPDATE ON THE MT. EYRE MANOR JET FUEL PIPELINE LEAK**

Dave Brown, Lisa Strobridge and Dustin Lipkin represented the PA Department of Environmental Protection (DEP) to provide an update and answer questions related to the jet fuel leak in Mt. Eyre Manor.

Lisa Strobridge thanked the Township for inviting DEP to answer questions for the residents and give an update on the Mt. Eyre Manor Jet Fuel Pipeline Leak. Ms. Strobridge noted that although Secretary Shirley could not attend due to a prior commitment, she is closely following the situation is receiving regular updates.

Ms. Strobridge stated that a letter has been sent to Energy Transfer, with full support from Secretary Shirley, expressing displeasure with the pace of the site characterization and vapor intrusion investigation. DEP did receive a response with action items. Ms. Strobridge highlighted that DEP will use all tools available to them to ensure that characterization and remediation takes place without unnecessary delays.

Mr. Brown provided background on developments since the DEP issued an Order to Sunoco on May 6, 2025 which outlines specific submittals and requirements, including providing safe drinking water, installing water filtration systems where contaminated wells were found, and submission of a detailed cleanup plan and schedule. He then provided details about the clean-up process, Public Involvement Plan, vapor intrusion process and Site Characterization Work Plan.

Regarding the Public Involvement Plan, Mr. Brown noted that it includes requirements for community engagement, and DEP has required that Energy Transfer hold more interactive public meetings to ensure that residents can ask questions and receive timely updates. Energy Transfer has also agreed to in-person meetings after significant milestones are completed. Zoom meetings are scheduled for July 31 and October 30 and an in-person meeting will be scheduled after submittal of the Site Characterization Plan. Mr. Brown highlighted that Energy Transfer is obligated to accept public comments on the Site Characterization Plan, and comments are due July 31, 2025.

An explanation of the Act 2 Pennsylvania Cleanup Program followed with Mr. Brown noting that there are cleanup standards for drinking water, soil, and vapor intrusion. He stated that Sunoco is required to complete an Act 2 cleanup, and the first step in that process is site characterization. He emphasized that this site is the early stage of the Act 2 process.

Mr. Brown provided a timeline of recent and future activities noting that three recovery wells have been installed, and two of them are recovering product. He said that to date, 260 gallons have been

recovered from recovery and private wells. He explained sub slab sampling and stated that DEP has asked Sunoco to conduct sub slab sampling to collect more data.

Mr. Brown and Mr. Lipkin provided details that the Order requires Sunoco to provide bottled water and POET system maintenance within a designated watershed zone plus a 500 ft buffer, and DEP will adjust the zone if they deem appropriate based on the data. Sunoco has recently agreed to maintain POET systems they installed outside the buffer zone for 10 years with arrangements to be made between the homeowner and Sunoco. Mr. Lipkin then explained the sampling requirements per the Order.

Mr. Brown detailed the letter issued last week by DEP to Sunoco expressing dissatisfaction with the pace of the site investigation, well installation, and vapor intrusion assessment, which included deadlines for additional well installations.

### **PUBLIC COMMENT**

Dan LaHart, 114 Spencer Road, asked questions about the process to determine the amount and locations of product leaked, potential penalties Sunoco would face if not meeting DEP Act 2 Order requirements, and if the DEP Order can be amended to require Sunoco to fund the Feasibility Study to help determine long-term water solutions for the life of the pipeline.

Kimberly Smith, 102 Spencer Road, questioned DEP about vapor testing and health impacts from toxins found in vapors, well locations, and what residents can do to help expedite the process, asking all parties to remain committed.

Sarah Baicker, 123 Walker Road, expressed lack of confidence in the boundary zone, requested further explanation of the Act 2 timeline, questioned why septic tank testing is not required and expressed concern about additional leaks.

Kat LaHart, 114 Spencer Road, asked if Energy Transfer was invited to the meeting. She then read statements from residents who could not attend the meeting. Melissa Tenzer, 113 Spencer Road, shared concerns about plume migration and remediation, and asked for an amendment to the DEP Order to mandate that Energy Transfer fund the Feasibility Study and determine a long-term water solution for the lifetime of the pipeline. Joe Chiolo, 991 Mt. Eyre Road, expressed concerns about declining home values due to the pipeline leak and stressed the urgency to determine a long-term water solution.

Seth Rabinowitz, 123 Walker Road, expressed frustration with Energy Transfer and encouraged stronger advocacy from DEP.

Kate Hipple, 205 Bruce Road, suggested that DEP legal advisors attend future meetings to answer resident questions.

Terry Dearden, 208 Bruce Road, questioned changing procedures for lead testing and requested that DEP require in their Order that that Energy Transfer continue to test for lead, and she questioned the logic of locating wells uphill from the leak site.

Jerry Zacharatos, 126 Walker Road, read a statement on behalf of his wife Justine expressing concerns about delays and/or reductions in water and vapor testing, delays in well installation, and she requested that DEP amend its Order to require Energy Transfer to fund both the Feasibility Study and the determined long-term water solution.

Kimberly Gornick, 1155 Mt. Eyre Road, expressed concern about the environmental impact and the resulting decrease in home values due to the pipeline leak. She then read a statement from her neighbor, Marilyn Drucker, Maple Shade, expressing concerns about her water and questioning why Energy Transfer has stopped testing outside the buffer zone before the plume has been identified. Ms. Gornick then shared her own experience with testing and urged DEP to include other areas outside the defined boundary in testing requirements.

Dawn Gerhrsitz, 8 Spring Court, shared her test results noting the urgency of defining the plume.

Naomi Robinson, 101 Spencer Road, expressed concerns about changes to the cadence of testing without historical data about the leak and a lack of response from Sunoco. She questioned the current parameters set for testing.

Debbie Osifat, 138 Glenwood Drive, asked for clarification due to conflicting information about who is authorized to provide maintenance of POET systems.

Kat LaHart, 114 Spencer Road, restated that the residents have requested that DEP require Energy Transfer to pay for the Feasibility Study and to determine a long-term water solution for the lifetime of the pipeline and asked if the Township has also done so.

Liz Cook, 120 Walker Road, expressed concerns about conflicting and changing information from Energy Transfer regarding the maintenance of POET systems not installed by Suburban, and the impact on reimbursement requests for that maintenance.

A resident referenced an email he received from Energy Transfer agreeing to pay for the POET system from a vendor of his choosing and for annual servicing of that system for ten years. He also encouraged more in-person meetings with DEP with Energy Transfer representatives present.

Senator Santarsiero thanked everyone for their attendance and expressed appreciation for the efforts of the community. He expressed dissatisfaction with lack of progress, stressed the urgency to delineate the plume, and referenced a joint letter he sent with Representative Warren to the DEP asking the DEP to undertake an enforcement action to avoid further delays and to monitor actions by Energy Transfer. He also relayed concerns about the lack of information from PHMSA about pipeline operations today and historically.

John Vanni, 121 Glenwood Drive, asked about test boring results on his property and next steps.

Mr. Fennimore shared comments and questions expressed by the Township to DEP and Energy Transfer about the urgency and importance of delineating the plume soon, questioning the technical rationale for locating wells upgradient from the leak, and questioning the well depth of 75 ft. in consideration that pumping influence and depth of residential wells could draw contamination deeper.

Kristine Wojnovich, 128 Walker Road, stated that a significant amount of the product recovered to date came from her well and the soil, not from recovery wells.

Jason Hipple, 205 Bruce Road, asked about the permit process for drilling wells.

### **ADJOURNMENT**

A motion was made by Mr. Cino and seconded by Mr. Taylor to adjourn the meeting at 10:24 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Judy Caporiccio". The signature is written in a cursive, flowing style.

Judy Caporiccio

Assistant Township Manager

Approved: August 5, 2025