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Contact: David J. Brooman, Esquire
Special Counsel to West Goshen Township
610-275-0700 | dbrooman@highswartz.com

West Goshen Township Files Complaint Against Sunoco Logistics for Breach of Contract

Township contends Sunoco Logistics violated terms of settlement agreement, misled the township

WEST GOSHEN, Pa. – Feb. 17, 2017 – West Goshen Township has filed a complaint with the Pennsylvania Public Utilities Commission against Sunoco Logistics Partners, LP (also known as Sunoco Pipeline, L.P. and Sunoco Logistics). The township alleges that Sunoco Logistics breached the terms of a settlement agreement with regard to the Mariner East 1 and 2 highly volatile liquid pipelines.

West Goshen Township, in an effort to protect its residents and their properties, negotiated with Sunoco Logistics to install remotely operated valves to be operational at two separate Mariner East 1 pipeline markers within 150 days of a June 15, 2015 settlement agreement. The valves are designed to permit remote and automatic mainline valve closure, isolating segments of the pipeline in the event of an emergency. To date, only one of those valves has been installed.

According to attorney David Brooman, special counsel to West Goshen Township from High Swartz LLP, “Sunoco Logistics did not live up to their commitments. This is surprising, disappointing and a violation of the 2015 settlement agreement. West Goshen Township intends to hold Sunoco Logistics to the letter and spirit of the settlement agreement.”

The complaint alleges that “the ongoing lack of a remotely operated valve at pipeline marker 236.6 constitutes a clear, present and ongoing danger to the citizens of the township” and “despite the clear, present and ongoing danger to township residents..., [Sunoco Logistics] has delayed, engaged in obfuscation, and provided outright false reasons for why the automated valve closure ... has not been installed despite the passage of more than two years and nine months since the Settlement Agreement was finalized.”

The township also recently learned that Sunoco Logistics plans to install and operate an above-ground pipeline valve at Mariner East 2 pipeline mile marker 344, near Greenhill and Boot Roads, in West Goshen Township. SPLP promised in the Settlement Agreement to not construct or operate any additional above ground facilities for Mariner East 2 in the township without first notifying the township Board of Supervisors. No such notification was received from Sunoco, also in violation of its agreement with the township.

“We will vigorously advocate on behalf of our residents and urge Sunoco Logistics to honor the terms of the agreement it willingly consented to,” said West Goshen Township Manager Casey LaLonde.

The township has petitioned the Pennsylvania Public Utilities Commission (PUC) to issue an order declaring that Sunoco Logistics is in material violation of the 2015 settlement agreement and requests that Sunoco Logistics be required to install and have fully operational a remotely actuated mainline valve at mile marker 236.6 within 30 days of the Pennsylvania PUC’s ruling.

The township further requests that the Pennsylvania PUC issue an order directing Sunoco Logistics to cease and desist with any actions in support of constructing, installing or operating any valve or additional above ground facilities for the Mariner East 2 pipeline on any property located in West Goshen Township. The township also requests that Sunoco Logistics face sanctions, including a daily fine, for its breach of the settlement agreement.

About West Goshen Township

Named one of the Top 10 Places to Live in the United States by Money Magazine, West Goshen Township is located in Chester County, Pennsylvania. The township is home to nearly 22,000 residents and 500 businesses.

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