



EDWARD G. MEAKIM, JR., *Chairman*
HUGH J. PURNELL, JR., *Vice-Chairman*
PHILIP J. CORVO, JR., *Member*
RAYMOND H. HALVORSEN, *Member*
CHRISTOPHER PIELLI, ESQ., *Member*

Board of Supervisors

CASEY LALONDE, *Township Manager*

1025 Paoli Pike • West Chester, PA 19380-4699
610•696•5266 ~ Fax: 610•429•0616
twp@westgoshen.org
www.westgoshen.org

July 7, 2017

Sent via E-mail & Certified Mail
mlgordon@sunocologistics.com

Sunoco Pipeline L.P.
Attn: Matthew L. Gordon
535 Fritztown Road
Sinking Springs, PA 16908

Re: NOTICE OF VIOLATION
West Goshen Township Code Violation – Chapter 69 – Soil Erosion and Sediment Control
1141 Boot Road, West Chester, Pennsylvania 19380
Tax I.D. #: 52-1-8-U

Dear Mr. Gordon:

You are hereby notified that Sunoco Pipeline L.P. ("Sunoco") is in violation of Chapter 69 of the West Goshen Township Code ("Code"), titled "Soil Erosion and Sediment Control", as well as the Earth Disturbance Permit (No. 2017-202-1), which was issued for the above-referenced property, located at 1141 Boot Road, West Chester, Pennsylvania 19380 (Tax I.D. #: 52-1-8-U) (the "Property").

Following Sunoco's application for a grading permit, West Goshen Township issued an Earth Disturbance Permit (No. 2017-202-1) ("Permit") on June 6, 2017 for proposed earth disturbance at the 3.85-acre Property, in conjunction with Sunoco's Mariner East II Pipeline Project.

It has been brought to the Township's attention that Sunoco is prematurely engaged in earth disturbance activities at the Property, in violation of Township Code Section 69-10.A. Section 69-10.A. requires, in part, that "[t]he permittee shall notify the Township Building Inspector at least 48 hours before any work is undertaken pursuant to an issued permit." Sunoco made no such notification to the Township Building Inspector, as required, despite undertaking earth disturbance activity at the Property.

Moreover, the Permit was applied for and issued in accordance with Section 69-7.A. of the Code. Pursuant to Section 69-7.A. of the Code,

"[a]ny person proposing to engage in any activity requiring a permit hereunder shall apply for a grading permit by written application on a form available from the Township. Such

permit shall require the applicant's agreement to comply with the regulations established in § 69-9 hereof upon the permit's issuance. Failure of the applicant to abide by such regulations shall be a violation of the provisions of this chapter."

As such, Sunoco is also in violation of Code Section 69-9.I., which requires that the installation and maintenance of erosion and sediment control measures shall be accomplished in accordance with the standards and specifications established by state and/or federal law, except as otherwise required by Chapter 69 or other applicable Township Ordinance.

This Notice of Violation is issued pursuant to the authority of Township Code Section 69-11. (entitled, "Revocation or suspension of permit"), whereby "[a]ny permit issued under [Chapter 69] may be revoked or suspended by the Board of Supervisors of the Township, after notice to the permit holder for:

- A. Failure to carry out the control measures described in the application at the approximate times as specified in the applicable time schedule or within such reasonable extension as may be granted by the Township Engineer.
- B. Violation of any other condition of the permit.
- C. Violation of any provision of this chapter or any other applicable law, ordinance, rule or regulation relating to the work.
- D. Existence of any condition or the doing of any act constituting or creating a nuisance, hazard or endangering human life or the property of others.

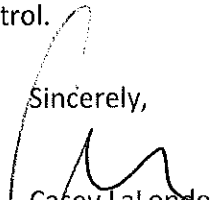
Earth disturbance activities at the Property associated with the Permit must be ceased immediately. The violations cited above must be cured (i.e., notification to the Township Engineer at least 48 hours in advance) prior to engaging in any further earth disturbance activities at the Property which are associated with the Permit. No such proper notification has been made to the Township Engineer.

Failure to comply with this Notice of Violation immediately, unless extended by appeal, constitutes an ongoing violation, and West Goshen Township will begin enforcement remedies in order to institute appropriate action(s) or proceeding(s) to prevent, restrain, correct or abate the stated violations.

Pursuant to Code Section 69-15., any person who violates or permits the violation of any provision of this chapter, shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of prosecution. Each section of Chapter 69 that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of Chapter 69 is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine.

For your reference, enclosed is a copy of the relevant sections of the West Goshen Township Code – Chapter 69 – Soil Erosion and Sediment Control.

Sincerely,



Casey LaLonde
Township Manager

Enclosure

cc: Kristin S. Camp, Esquire (w/encl.); (via e-mail only)
David J. Brooman, Esquire (w/encl.); (via e-mail only)
Richard J. Craig, P.E., Township Engineer (w/encl.); (via e-mail only)