

SOS ALERT: WOODLAWN PROPERTIES REZONING

UNDERGROUND HAZARDOUS PIPELINE



Woodlawn Trustees, Inc., The McKee Group, Eastern States Construction Services, Inc. and Wolfson Group, Incorporated propose to rezone three parcels of land of approximately 325 acres in Concord Township. The developers plan to build a big box store, plus 500 homes, of which 400 would be built immediately, of various types on the rezoned Woodlawn properties.

The Woodlawn properties are currently bisected by an underground pipeline that carries jet fuel, diesel fuel and home heating oil. See Annex A for a depiction of the pipeline in relation to the proposed development. It is proposed that a big box store and parking lot be erected next to the pipeline right of way (“ROW”). To implement this plan, the developers or the pipeline company would have to relocate the pipeline closer to a stream that runs through the property – in effect, to put a jog in the pipeline.

It is also proposed that approximately 50 single family homes and townhouses would line each side of the pipeline with hundreds more residences, including an over 55 development, in very close proximity to the pipeline.

Underground gas and oil pipelines are part of America’s aging infrastructure. Among other things, they are subject to failure because of corrosion, cracks, damage from nearby development and construction and other causes. Leaks and ruptures of pipelines may cause, among other things, explosions and fires, ground contamination, waterway contamination, and economic impact to businesses and residents of the area.

There have been a number of spectacular underground pipeline accidents in the United States over the past 13 years ...at least 332.¹ Many of these accidents have destroyed and damaged peoples’ homes and killed scores of people. For example, in 1999, a pipeline carrying gasoline in Bellingham, Washington exploded and killed three and caused \$45 million in property damage. In 2004, a construction backhoe struck and ruptured a gasoline pipeline causing a massive spill that resulted in five deaths and severely injuring five other people. In 2005, a gasoline pipeline in Allentown, Pennsylvania caught fire and forced the evacuation of 43 families. In 2007, a propane pipeline exploded in Mississippi killing two people and injuring five others. “Inadequate education of residents near the pipeline about the existence of a nearby pipeline and how to respond to a pipeline accident were...cited as factors in the deaths.”

¹ Source for this statement and other accident information in this piece is the U.S. Department of Transportation – Pipeline and Hazardous Materials Administration: Wikipedia and the Pipeline Safety Trust.

The pipeline on the Woodlawn properties was laid in or about 1963. People who frequent and/or live on or near the property have observed numerous repairs being made to the pipeline in recent years. The owner of the pipeline that bisects the Woodlawn properties has experienced seven failures of its U.S. pipelines and was fined \$34 million by the Environmental Protection Agency in 2003 in connection with these failures and resulting property and environmental damage.²

As a result of numerous pipeline accidents over the past decade or so, members of the pipeline industry and other stakeholders joined in a group called PIPA (Pipelines and Informed Planning Alliance) to, among other things, develop recommended practices to best protect people, property and pipelines from encroaching development on existing transmission pipeline ROWs. The PIPA report acknowledges that all of the following construction activities have the potential to negatively affect the integrity of a pipeline and safety of the public: blasting, contouring or terracing, clear cutting, retention ponds, drainage, walls and fences, excavation for roads, drilling, boring and landscaping. The recommended practices include those that local governments should consider adopting. The attached chart compares some of these recommended practices against the proposed Woodlawn development.

The Woodlawn developers' proposal for the commercial space reflects a lack of common sense. Relocating the pipeline – with a jog in it – closer to a waterway is unwise because it subjects that waterway to an increased risk of contamination in the event of a pipeline rupture or leak.

Similarly, the Woodlawn developers' plan to co-locate hundreds of residents close to the pipeline is ill advised and not consistent with pipeline best practices. The plan puts those residents at risk in the event of a serious pipeline event.

Finally, pipeline best practices call for municipalities that have pipelines to consider adopting ordinances requiring planning and consultation zones around pipeline in which, among other things, developers, pipeline operators and municipal officials would meet and determine appropriate risk mitigation measures with respect to pipeline safety involving construction near pipelines. Concord Township has not adopted any of these model ordinances and the Woodlawn developers' plans do not provide for any consideration of these risk mitigation measures.

² Source is http://en.wikipedia.org/wiki/Colonial_Pipeline.

COMPARISON OF PIPELINE RECOMMENDED PRACTICES AND WOODLAWN DEVELOPMENT

PIPA Recommended Practices	Woodlawn Developers
1. No heavy vehicular encroachment over the pipeline ROW, including construction equipment.	1. The Woodlawn developers proposed to put approximately 50 homes on one side of the pipeline requiring heavy construction equipment to travel back and forth over the pipeline ROW.
2. Permanent structures, significant grade changes, and large landscaping are not acceptable over the pipeline ROW.	2. The Woodlawn developers have submitted no plans to the Township in this regard.
3. Public escape routes need to be designed to prevent residents from being trapped behind a pipeline explosion and fire with no means of egress.	3. Approximately 50 homes and hundreds of residents will have no means of egress from behind the pipeline in the event of a pipeline accident, except by a single road over the pipeline. There is no emergency access. These residents could potentially be trapped and emergency vehicles would not be able to reach them.
4. Parking areas near or over pipelines should be designed to limit loading, provide for pipeline leak detection, funnel water away from pipelines, etc.	4. The Woodlawn developers have provided no specific designs in terms of drainage or parking lot design. Their plans show one small driveway in the commercial area crossing the relocated pipeline ROW near Route 202 and a major signalized entrance road crossing the ROW.
5. Roadway intersections should not coincide with pipeline ROWs; Roads should be designed to be perpendicular to the pipeline; if a road or cul-de-sac crosses a transmission line and is the only means of emergency access or egress, then local emergency plans should identify alternate emergency access and egress.	5. The Woodlawn developers' plans do not comply with any of these requirements. A residential street crosses the ROW at a right angle in effect creating a cul de sac; a commercial entrance road and driveway also crosses the ROW. Residents are potentially trapped in the event of a pipeline accident. No emergency plans have been put forward.
6. Emergency responders should be trained and have appropriate equipment for handling pipeline accidents; public works personnel should be trained to handle spills	6. We know of no training that has been provided to emergency responders and public works personnel. We believe that a pipeline spill or fire would tax or overwhelm

PIPA Recommended Practices	Woodlawn Developers
<p>flowing into residences, businesses and downhill from the development into lower watersheds.</p>	<p>local resources and taxpayers. The hazard to the public of a major pipeline accident is increased by putting commercial and densely populated residential areas so close to a pipeline.</p>
<p>7. Property developers should show hazardous liquid pipeline corridors and applicable setbacks on site plans and subdivision plots for proposed development. Recommended setbacks vary depending on the size of the pipeline, pipeline pressure and pipeline contents.</p>	<p>7. None of the Woodlawn developers' plans show any of these markings or setbacks.</p>
<p>8. Local governments should adopt planning and consultation areas of an appropriate amount (660-1000 feet is recommended from the pipeline center point in the case of this pipeline) to allow for risk mitigation measures to protect the community from pipeline leaks and eruptions. Model ordinances have been proposed that are available for municipalities to use.</p>	<p>8. Concord Township has not adopted any of the model ordinances and has no planning on consultation zones. The Township should adopt the model ordinance and enforce it before any development near the pipeline is approved.</p>
<p>9. Buildings near pipelines should be constructed to be blast-proof and fire-proof.</p>	<p>9. The Woodlawn developers have not proposed any special construction requirements for buildings near the pipeline.</p>