

# CLEAN AIR COUNCIL

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**\*\*\* FOR IMMEDIATE RELEASE \*\*\***

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## **Clean Air Council and Impacted Landowners to Win Appellate Challenge to Lawsuit Challenging Mariner East Pipelines**

*Philadelphia, PA* – A Pennsylvania appeals court today rejected Sunoco Pipeline L.P.’s second attempt to throw out a lawsuit challenging Sunoco’s Mariner East pipeline projects. The Commonwealth Court ruled that an immediate review of the Philadelphia Common Pleas Court’s February 5th Order and Opinion in favor of Clean Air Council and two impacted landowners was not warranted.

That earlier order ruling in favor of Clean Air Council and the landowners also put the case on hold while Sunoco sought to appeal the order. In the wake of today’s Commonwealth Court Order, Clean Air Council believes the suit will now move forward.

If built, the Mariner East 2 pipelines would transport natural gas liquids—primarily ethane, propane, and butane—from Ohio, West Virginia, and Western Pennsylvania to the Marcus Hook Industrial Complex near Philadelphia for export overseas. Clean Air Council and the Law Offices of Pinnola and Bomstein argue that Sunoco has no legal right to use eminent domain to build its pipelines, which would not serve a public need in Pennsylvania.

Since Sunoco first proposed the Mariner East projects, it has tried to convince landowners along the proposed route to sign right-of-way agreements for the project. Since many landowners have not agreed to sign over their land to Sunoco, the company is taking landowners to court to seize their land through eminent domain. Recently, Sunoco has told landholders that it will start building the pipelines this summer or fall.

“We are pleased to be moving ahead again with our challenge to Sunoco’s illegal use of eminent domain for private gain,” said Joseph Otis Minott, Esq., Executive Director and Chief Counsel of Clean Air Council. “This decision did not come a moment too soon for Pennsylvanians threatened by this project.”

“In recent months, Sunoco’s land agents have succeeded in persuading many property owners that resistance against Sunoco would be futile,” explained Michael Bomstein, attorney for the Delaware County landowners. “Many people report becoming discouraged and signing away their legal rights. Landowners do not have the time, the money, or the willingness to endure the

aggravation of fighting Sunoco in court. It is critical that the Philadelphia case go forward. Today's decision by Commonwealth Court will make that possible," said attorney Bomstein.

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*The Clean Air Council is a nonprofit environmental organization headquartered in Philadelphia, Pennsylvania. For nearly 50 years, the Council has fought to improve air quality across Pennsylvania and the Mid-Atlantic region. The Council has members throughout Pennsylvania who support its mission to protect everyone's right to breathe clean air.*