



February 9, 2026

Ms. Elizabeth Clapp
MIPC, LLC
4101 Post Road
Trainer, PA 19061

Re: Letter of Deficiency for the Public Involvement Plan
MIPC Chelsea Facility
eFACTS PF No. 634737
eFACTS Activity No. 61956 and 61957
920 Cherry Tree Road
Bethel Township, Aston Township, and Upper Chichester Township
Delaware County

Dear Ms. Clapp:

The Department of Environmental Protection (DEP) has received and reviewed the January 16, 2026, document containing your proposed public involvement plan (PIP) for the MIPC Chelsea Pipeline Station and Tank Farm (Facility) aboveground storage tank (AST) release response. The PIP was submitted in accordance with DEP's December 23, 2025, administrative order (order).

Upon initial review, DEP finds the submission is deficient and offers the following comments:

1. MIPC, LLC (MIPC) proposes a 5-day public notice period for public meetings.
DEP response: This is insufficient notice. Public meetings should be noticed a minimum of 15 days before the meetings with 30 days preferred.
2. MIPC describes a public communications plan which includes various forms of outreach.
DEP response: Many residents and other interested parties will be most efficiently and quickly contacted by email. DEP asks that MIPC create an email distribution list that includes participants who signed in at the February 4, 2026 public meeting, representatives of each of the three municipalities, DEP, the office of each state representative and state senator whose district includes either the facility or the 1000-foot area of concern, and anyone who requests to be added to the list. This distribution list, in addition to the other methods described in the PIP, will be used for all notifications.
3. DEP recommends that the PIP include advance public notifications for disruptive activities, including, but not limited to, well drilling in or near public areas, work that could close or block streets, and noise that could affect residential or public areas. Such notifications should be made at least 1 week before the activity and describe the nature and duration of the activity.

4. MIPC's PIP does not propose any future public meetings following the February 4, 2026 meeting as required by paragraph 2.d.iii. of the order. DEP recommends that, at a minimum, public meetings should be held coincident with Act 2 milestones and upon the request of Aston, Bethel, or Upper Chichester Township or of DEP.
5. MIPC's PIP does not describe the public comment process as required by paragraph 2.d.v. of the order. MIPC must identify which reports are subject to public comment, how the public will be notified of comment opportunities, how reports will be made available for public review and comment, the duration of the comment periods (DEP recommends at least 30 days), how long MIPC will take to prepare responses to comments (e.g., 15 days), and submittal of comments/responses to DEP for consideration in reviewing the reports.
6. DEP requests that each report or plan submitted pursuant to the order and Act 2 include a plain language summary, consistent with Act 2 (35 P.S. Section 6026.901).

Under DEP's order, MIPC has 14 days to respond to the above deficiencies with a revised PIP. Recognizing the strong public interest in this incident, DEP suggests that we meet within the next 7 days to discuss these comments, any issues raised by the townships, and potential revisions so that you will submit an approvable PIP. If you have any questions, or to schedule the requested meeting, please contact me by email at cdbrown@pa.gov or by telephone at 484.250.5792.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://www.ehb.pa.gov> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

Sincerely,

C. David Brown, P.G.
Regional Manager
Environmental Cleanup and Brownfields

cc: Mr. Gattuso, MIPC
Mr. Howell, MIPC
Mr. Smith, P.G., Langan
Mr. Johnston, P.E., Langan
Aston Township
Bethel Township
Upper Chichester Township
Delaware County Health Department
Mr. Langan, Esq.
Mr. Devan, P.G.
Mr. Mullen, P.G.
Ms. Gallagher
Mr. Magge
Ms. Strobridge, P.G.