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Independent Regulatory Review Commission (IRRC)

Re: Final Rulemaking, Amendments to 25 Pa. Code Chapters 78 and 78a, Environmental Protection Performance Standards at Oil and Gas Well Sites

Dear Commissioners:

This letter is intended to serve as a reiteration of Environmental Defense Fund's (EDF's) formal support for the Department of Environmental Protection's proposed final rulemaking, or Amendments to 25 Pa. Code Chapters 78 and 78a, Environmental Protection Performance Standards at Oil and Gas Well Sites. EDF is a national environmental advocacy organization with over 10,000 members in Pennsylvania.

EDF points out that natural gas and oil production is a heavy industrial activity, one inherent with risks, risks that cannot be reduced to zero. However, EDF acknowledges and supports the Department's efforts to minimize those risks by continuing to move the Amendments to Chapter 78 and Chapter 78a through the regulatory process. More detail is included in our formal comments to the final rulemaking.

In short, EDF believes that Pennsylvania, as the second largest natural gas producing state in the nation, has a duty to protect Keystone residents from the harmful impacts of natural gas drilling. EDF urges the IRRC to approve the final rulemaking without delay. In 2011, EDF was involved with Act 13, and will continue to engage with the department and different stakeholders throughout the remaining process. Four years is simply too long to wait – Pennsylvanians deserve the protections called for under Act 13 now.

The process has taken over four years and is one of the most prolonged and in-depth regulatory processes EDF has ever experienced. This rulemaking involved two Governors, three Secretaries of the Department, three sessions of the General Assembly, 12 public hearings, two public comment periods, thousands of public comments, and dozens of workgroup and advisory board meetings. These steps are fully identified in the Department's Executive Summary to the Final Rulemaking and are exhaustive.

On behalf of the Environmental Defense Fund, thank you for your consideration.

Respectfully,

Andrew T. Williams
Sr. State Legislative and Regulatory Affairs Manager