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From: RegComments@pa.gov
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Cc: ra-epmsdevelopment@pa.gov
Subject: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites



Re: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites

The Environmental Quality Board (EQB) has received the following comments regarding the above-referenced proposed rulemaking.

Commentor Information:

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Comments entered:

League of Women Voters of Pennsylvania
 Public Comment to the
 Environmental Quality Board
 Regarding the
 Proposed Oil and Gas Regulations
 Tunkhannock, PA
 January 7, 2014

Good evening. I am Julanne Skinner a member of the League of Women Voters of Susquehanna County and the League of Women Voters of Pennsylvania for whom I am speaking. The League applauds the Environmental Quality Board for its willingness to seek input on public hearings such as this throughout the Commonwealth. This is consistent with our on-going commitment to informed citizen participation in government decision-making.

Tonight we focus on key provisions of the Proposed Oil and Gas Regulations that deal with the Protection of Public Resources. Under Natural Resources positions adopted by LWVUS, we believe government policies should promote an environment beneficial to life through the protection and wise management of natural resources in the public interest. In concert with the Pennsylvania Constitution, Article 1, Section 27, we believe:

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the

common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Based on our state-wide study, consensus and position , we support the

encouragement of employment opportunities at the local level and economic development related to natural gas extraction that will result in new streams of revenue for state and local government agencies but not at the expense of tourism related to natural recreation areas.

In regard to section 78.15 Application Requirements, the mandatory notification by those seeking well permits within close proximity of public resources to the appropriate agency is an important first step. Given the nature of subcontracting in the industry, the identification of parent/subsidiary business entities is a key second step. However, the League suggests the following:

- Simultaneous electronic posting of the entire text of all well permit applications grouped by watersheds and political subdivisions. This should be in an easily accessible and user-friendly format on a website for public review. [78.15 (a)]
- Proof of consultation with the Pennsylvania Natural Heritage Program (PNHP) for State and Federal threatened or endangered species extended to all ecologically significant species and communities. Given rapidly increasing rate of environmental degradation and evolving issues related to climate change, the broader the purview, the greater protection of our Constitutional rights. [78.15 (d)]
- Avoiding duplication via a permit under 25PA.Code 102.5 but trigger the initiation of the 78.15 process when modifications or renewals of permits occur. [78.15 (e)]
- Expanding distances around proposed surface locations. The proposed 200-foot distance from these sites is inadequate as degradation from noise, light, and air pollutants that extend beyond such a boundary.. The 1000-foot distance from a drinking water source is inappropriate. Penn State University notes that homeowners receive notification by certified mail of unconventional wells within 3000 feet of their water wells or springs. Should not those agencies that protect our rights as citizens receive and comment on permits within these same parameters? As taxpayers, public lands belong to us. To safeguard the public health, the distance should be one kilometer or more as evidenced by the Duke study. [78.15 (f) (1)]
- Extending the fifteen-day period for the public resource agency recommendations to the department. This is an inadequate timeframe for a comprehensive review, analysis, and response. The national park review should be the minimum standard used to protect Pennsylvania's public sites. [78.15 (f) (2)]
- Allowing the public - not the applicant -to determine a description of the function and uses of the public resource required by the permit application. [17.15 (f) (3) (ii)] and
- Including conditions in the permit for cumulative as well as site specific modifications to avoid and mitigate impacts to public resources. The Constitutional rights of Pennsylvanians should take precedence over the optimal development of oil and gas resources. It should not be the Department's burden of proving that the conditions were necessary to protect against a probably harmful impact of the public resource. It should be the industry's responsibility to prove their actions will not be harmful and their executives should be held them financial and criminally responsible for damages to public resources. 78.15 (g)

In regard to 78.17, the League recommends that permit renewals be electronically posted for public access consistent with the recommendation for all permit applications.

Finally, we support the addition of 78.18 Disposal and enhanced recover well permits to the proposed regulations. However, we suggest these relatively new hazards be examined with greater scrutiny consistent with environmental impact studies of the National Environmental Policy Act (NEPA).

The League appreciates your consideration of our comments this evening.

These links provide access to the attachments provided as part of this comment. You are advised to save the attachments to your local computer or a network share when prompted by your browser.

Comments Attachment: [Rev Oil and Gas Comment 1-7.docx](#)

Please contact me if you have any questions.

Sincerely,
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