

January 9, 2014

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Environmental Quality Board Hearing/ West Chester University of Pennsylvania

PROPOSED RULEMAKING: Environmental Protection Performance Standards at Oil and Gas Well Sites

I originally thought of coming here today with lots of scientific data to illustrate my concerns over this reckless worldwide folly called , "Fracking", but instead I'm here to remind the DEP to not be afraid to live up to it's full namesake, The Department of Environmental Protection. Be firm in your resolve to make it a priority to enact a strong and enforceable Environmental Protection Performance Standards at Oil and Gas Well Sites, here in Pennsylvania.

Please don't be blinded by Dollar Signs in your decision making and don't give into pressures to sacrifice the environment for short term monetary gain.

I am not new to environmental awareness, for 50 of my 63 years I have emmersed myself into it.

Growing up in California I became very aware of what happened during the Gold Rush, especially the 30 year period beginning in the 1850's, when Hydraulic Minning spread through out the Sierra Mountains. On a grand scale, high powered water was used to wash away whole mountain sides to get to the gold, filling the rivers with sediment all the way to the Pacific Ocean, causing massive floods.

Today, 150 years later, thousands of square miles of of the devastation is still there. I've spent a lot of time walking thru these wastelands and around polluted catch basins. The mercury used to separate the gold still posions many parts of the state

For all those who have any doubt of human impact on the ecology of the Planet need only look at history and the years of accumulated scientific evidence. The truth is there, all you have to do is look.

Of course many will say this is a different situation , and a different time, people then were naive and didn't know what they were doing and that we have learned from those mistakes. Have we?, or will future generations a couple of hundred years from now be dealing with the mess we put upon them.

You know the truth is we really should be going the opposite direction and working to create clean energy, but so be it, sadly that's not what this hearing is about today.

Finally, listening to all the ideas about "Fracking" I'm reminded of a few Quotes I learned as a kid, they seem appropriate and are worth remembering, and have stuck in my mind, becoming part of my everyday conciousness, helping me stay focused. The first is from John Muir the others attributed to Chief Seattle.

"When one tugs at a single thing in nature, he finds it attached to the rest of the world."

"The Earth does not belong to man, man belongs to the Earth."

And finally, the bottom line to me.

"We do not inherit the Earth from our ancestors, we borrow it from our children."

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We Can't Afford It

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In 1980, Congress passed the superfund law, CERCLA, which sought to clean up America's most toxic, most contaminated sites. Since its inception, tens of billions of dollars have been spent and tens of billions of future dollars will need to be spent to fund continued clean up operations around the country. More than 1,500 superfund sites have been declared since the law's inception though tens of thousands of sites could technically qualify for inclusion. Pennsylvania has about 300 sites. And as more superfund sites continue to be added each year, the costs of future remediation will skyrocket, diverting scarce resources from schools, transportation infrastructure, park creation and maintenance, public health, and so much more. In what has become a familiar pattern, most of the corporations which polluted these sites have since gone out of business, leaving the enormous costs of cleanup to be borne by the taxpayer. One would think that pollution on this kind of scale would make us vigilant and very opposed to any industry that could contribute to this ongoing disaster. However, recent history suggests that we have not learned much from our own history.

Given the millions of gallons of toxic fluids that are pumped into the ground or stored on site at each of Pennsylvania's 6,400 fracking wells, it is fair to suggest that each of these wells is a potential superfund site. And the industry, which was exempted from the Superfund Law provisions, the clean water act, as well as meaningful taxes would like to drill hundreds of thousands of wells in our state. Consider that Bradford County in northern PA currently has 1,150 hydraulically fractured wells. That is, just one of Pennsylvania's 67 counties has nearly 4 times the number of fracking wells as there are superfund sites in the entire state. Chester County where we are now has 11 superfund sites. Imagine the impact on our health if it had a thousand. That's what every northern county in the state is facing. If experts like Tony Ingraffea are correct and just 5-8% of wells fail immediately and 50% of wells fail as they age, we can expect the number of superfund sites in Pennsylvania to increase astronomically, and when the clean up becomes unavoidable, the corporations who caused the mess will be long gone. Pennsylvania will be riddled with possibly thousands of superfund sites with little or no funding to remediate them, if it is even possible to remove deadly toxins from an aquifer. Consider also that tourism is Pennsylvania's second largest industry. Thousands of visitors come to Pennsylvania's forests and parks every year to camp, to hike, to fish. This is a billion dollar industry. Will they still come if every northern Pennsylvania stream is polluted and all the fish are dead? I urge you to make all DEP regulations for fracking as stringent as you possibly can. Future Pennsylvanians are depending on you.

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To: Environmental Quality Board

1/9/14

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From: Roberta Winters, citizen
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RE: Public Comment on Proposed Oil and Gas Regulations
Hearing at West Chester University, West Chester, PA

Good evening, I am Roberta Winters and wish to express my appreciation to you for this opportunity to provide input in this important process. I served on the Citizens Marcellus Shale Commission¹ and am a member of the League of Women Voters of Radnor Township. I am speaking this evening as an interested individual.

As a retired elementary school teacher, I would like to leave you with three general lessons I learned. I believe are essential for you to consider as you review, reflect, and modify the proposed regulations.

First, it's important that rules are followed. Existing rules and proposed rules need to direct behavior. Those who fail to do so, regardless of age and stage, must pay real, immediate and meaningful consequences. Making exceptions to the rules, caving to special interests, or ignoring bad behavior result in risks to health and safety not only in the classroom but also in our natural world. Responsibility and accountability should guide your implementation – not encouraged compliance.

Second, history teaches important lessons. Given the legacy of the timber and coal industries in the Commonwealth, taxpayers can ill-afford to pay for the damage and real costs of industrial development. Natural gas operations are extracting a huge toll on our well-being in terms of our environment, finances, and public health. This boom and bust process will leave us with poisoned air, land and water, a general fund that cannot support our schools and public services, and many sick children and adults. It is imperative that regulations be modified so that the burden of planned and unanticipated consequences falls on those responsible.

Third, ^{you lead by example.} ~~modeling is the best teacher.~~ If you do what you expect from others, you serve to instill ~~as~~ a positive role. As you review these regulations for the Department of Environmental Protection, consider its mission and the expectation placed on you *to protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment.* Do not be swayed by efforts to optimize the ability of the industry to develop the oil and gas resources of Pennsylvania. Do your job and, in doing so, you will set the standard and inspire others to do the same.

Thank you.

¹ Please look at the final report to guide your modifications in the proposed regulations. It can be found at <http://pennbpc.org/sites/pennbpc.org/files/CMSC-Final-Report.pdf>

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Statement to the Environmental Quality Board (EQB) On Proposed Oil and Gas Regulations

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The overall issue here is who is responsible for the cost of doing business?

What irresponsible business is seeking is to socialize their cost of doing business by encouraging republicans and conservatives to pass weak environmental laws and weaken those environmental and endangered species laws that already exist, and pass those costs of doing their business onto the people of the Commonwealth Of Pennsylvania.

This is the same old adage of irresponsible businesses and crony capitalist of "Privatize the Profits, and Socialize the Losses."

The people of Pennsylvania reject this socialism because we believe that our business community is stronger, competitive, and more responsible than this when it bears the costs of its business. Those socialist legislators and executives who say environmental and endangered species laws hurt business do not have the documentation on their side. The professional and educational documentation states that investment in infrastructure, education and job training, and laws ensuring a greater quality of life are what attract employees and employers. That also, capitalism does not just provide wealth and income for the owners, but with responsible regulation and taxation provides for an expanding and sustainable civilization.

My greatest fear is that socialist legislators and executives who aid irresponsible businesses to socialize their cost of doing business are doing damage to our capitalistic principles and threatening our democracy. It is damaging our capitalistic principles because it is flattening the risk reward ratio. It encourages irresponsible businesses to take risks it would normally not, weakening the rewards for other businesses and putting the tax payer on the line for the cost of that business risk, and the municipality in jeopardy of default. This socialism of the cost of doing business is a threat to our democracy because the profits go to the owners and the burden of debt is placed on the tax payer and the municipality, creating a disparity in income and wealth that makes the rungs of the ladder of mobility a greater distance.

This is a recipe for civil disobedience or worse!

It is my wish and all Pennsylvanians, that this board support regulations for all businesses to make them responsible for all their costs of doing business to protect all people and life with a greater quality of life, to be free of the burden of businesses socializing their cost of doing business, and maintain the strength and competitiveness of those businesses.

Lawrence M. Berardi