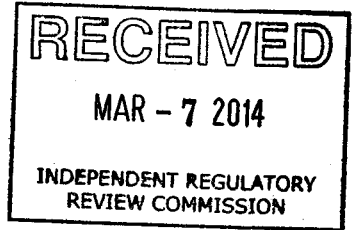




**LEAGUE OF WOMEN VOTERS®
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**League of Women Voters of Pennsylvania
Public Comment to the
Environmental Quality Board
Regarding the
Proposed Oil and Gas Regulations
Mechanicsburg, PA
January 16, 2014**

I am Ella Forsyth, a leader in the League of Women Voters of Pennsylvania on whose behalf I am speaking. We thank you for hearing our input on these proposed regulations that will impact our Commonwealth for generations yet to come.

As provided by our State Constitution, We have a right to clean air, pure water, and the preservation of our natural resources.¹ The League's statewide position, based on study and consensus, supports requiring the use of best practices, comprehensive regulation, and adequate staffing across government agencies to provide the maximum protection of public health and the environment in all natural gas operations.

Tonight, we speak on a portion of Section C Environmental Protection and Performance Standards. We begin with Reporting and Remediating Releases (78.66.) – a topic underscored by recent events in West Virginia and others within our own state. First, throughout this section and the entire document, the word “regulated” must be replaced by *pollutional* given that regulatory exceptions exist for substances involved in the oil and gas industry. Further, releases to the “pollution of water,” must be expanded to the pollution of water, *air, and land*. [78.66 (a)(A)(b)(1)(i)] Given that time is of the essence in combating releases, notification protocol throughout this section needs to be revised to be by telephone, e-mail, and/or text immediately after discovery - not within 2 hours or as practicable [78.66 (a)(A)(2)]. All such communication should be archived for future access. Because of the highly toxic nature of the substances used in natural gas operations, the 42 gallon limit should be reduced to 10 gallons so that more stringent remediation occur. [78.66 (c)(1)]

A borrow pit or an earth disturbance created by excavation for oil and gas construction activities needs to be defined by size (78.1) and regulated accordingly by permit. Based on size and location, these pits have consequences to our water and land. It is not enough to just register location [78.67 (b)]. Restoration should be accomplished without two-year extensions of timelines and according to best practices [78.67(c)(2)].

¹ See Article 1, Section 27 of the Constitution of the Commonwealth of Pennsylvania.

The League applauds inclusion of Oil and Gas Gathering Lines (78.68) in the proposed regulations. However, the definition needs to distinguish between production lines and gathering lines. Smaller gathering lines that feed into larger gathering lines also need to be included (78.1). Installation practices and environmental considerations for gathering lines must be consistent with current best practices for interstate transmission lines given their size and the pressure of natural gas transported [78.68 (b)(c)]. Because of the tendency for sink holes to form in carbonate geology present in our Commonwealth, permits for gathering lines must include this factor to prevent problems with pipeline integrity. The permitting process should also limit the number of gathering lines in a given area so that the footprint and risk of the infrastructure is minimized.² Without consolidation requirements, the cumulative impact of independent gathering lines from various operators in the same area is monumental.

Horizontal direct drilling is only one of many alternatives for pipeline installation in areas of wetlands and waters. [78.68a] A protocol should be established for the use of each method. Permits would be awarded only to the best available practice based on site-specific conditions, particularly local geology, as determined by the County Conservation Districts. More stringent conditions for permitting should exist in exceptional value and high quality streams. To protect our water, drilling fluid additives, other than bentonite and water, must be shown to be safe in water supplies by independent testing before use in pipeline installations [78.68a (f)] Further, in addition to notifying the Department prior to such drilling, operators should be required to notify water suppliers and treatment plants downstream.[78.68a (b)] Such notification would serve to promote closer monitoring and appropriate action in the event of accidental discharges or blowouts.

Thank you for your consideration.

² For details see *Pipelines in Pennsylvania: A Case Study of Lycoming County and its Technical Appendix* found at <http://www.palwv.org/Issues/Natural-Resources/Pipelines.asp>