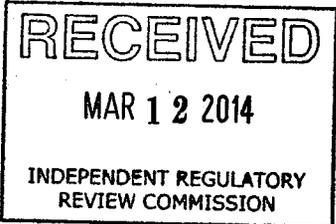


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**League of Women Voters of Pennsylvania
Public Comment to the
Environmental Quality Board
Regarding the
Proposed Oil and Gas Regulations
Indiana County, PA
January 23, 2014**

I am Sherene Hess of 234 Geesey Road, Indiana, PA. As President of the Indiana League of Women Voters, I am proud that, as a result of our work and consensus by members throughout the Commonwealth, we have a position from which I speak this evening on behalf of the League of Women Voters of Pennsylvania.¹

The League is a staunch supporter of our Constitutional rights to clean air, pure water, and the preservation of natural resources.² We further advocate for 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 aspects of the operations associated with the development and distribution of oil and natural gas.

Tonight we address water management plans (78.69). We advocate that the implementation requirements adopted by the more stringent regulations of the Delaware River Basin be imposed on the Susquehanna and Ohio basins and the Great Lakes Consortium. [78.69 (b)]. In addition to serving as aquatic habitats and tourist attractions, all of these rivers and lakes are sources of drinking water for millions. Withdrawal and reuse plans need to be addressed both individually and cumulatively to determine environmental impacts on our waters [78.69 (b) (c)]. Because of recent weather extremes and the large volumes of water withdrawn by unconventional natural gas drilling, the expiration date of such plans should be reduced from 5 to 2 years. [78.69(e)] To underscore water protection, suspending and revoking a water management plan should be triggered by any violation – without warning and chances to comply [79.69 (g)]. Reason for denials by the Department should also include cumulative impact of withdrawals within the basin. Further, the industry should bear the burden of proof that a plan will not adversely impact water quality within the basin [78.69 (i)]. Operators must be site-specific in their plans and be held accountable for their actions.

¹For details and resources see <http://www.palwv.org/Issues/Natural-Resources/Marcellus-Shale.asp> and <http://www.palwv.org/Issues/Natural-Resources/Pipelines.asp>

² See Article 1, Section 27 of the Constitution of the Commonwealth of Pennsylvania.

The League believes that the road spreading of brine for dust control, road stabilization (78.70) and the pre-wetting, anti-icing and de-icing (78.70a) should be prohibited. While using natural brine may be more appealing than adding rock salt to fresh water, it comes with significant liabilities.

- First, its salt content is variable. As defined, brine content can range from 3.5% to 26% sodium chloride.³
- Secondly, salt stays in the soil for years until leached out by water. Soils with high salinity dehydrate roots and prevent absorption of necessary nutrients. Salt can act as an herbicide.
- Thirdly, brine from conventional wells may contain other chemicals like corrosion inhibitors whose safety may be untested.⁴ The regulations only require that free oil be separated from the brine before spreading [(78.70 (g)(1) and 70]. Without comprehensive testing and treating of brine to meet established safety standards, the risk of poisoning is too high.
- Fourthly, because of increasing needs and costs to dispose of brine, there is a natural tendency to overuse brine on road surfaces that may not need treatment. This creates unnecessary hazards. While such brine has been limited to conventional wells, this may be difficult to monitor and enforce based solely on required paperwork [78.70(c) and 78.70a (c)(l)(n)(p)(r)(s)] or notice [(78.70 (k) and 78.70a (q)].
- Fifthly, specific to de-icing, the brine should not be mixed with coal ash (78.70a (f) that creates additional hazards and those that use brine for such purposes should not be deemed to have a residual waste permit by rule. [78.70a (u)].
- Finally, annual plan approval, rate and frequency of application and other requirements are not adequate to allow this practice [[78.70 (d)(e)(f)(g)(h)(i)(j)(k)(l)(m)(n)(o) and 78.70 (e)(f)(g)(h)(i)(j)(k)(l)(m)(n)(o) (p) it seems highly probable, given the magnitude and cumulative impact of such brine spreading that it will enter bodies of water or watercourses or eventually infiltrate our groundwater – the life source of future generations.

We urge you to err on the side of caution. Thank you for your consideration.

³ See <http://en.wikipedia.org/wiki/Brine>

⁴ See [http://www.ohio.gov/gas & oil/2014/01/03/well-s-brine-water-can-fight-icy-roads](http://www.ohio.gov/gas&oil/2014/01/03/well-s-brine-water-can-fight-icy-roads)