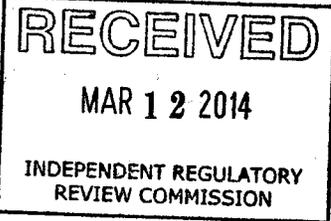


3042



**LEAGUE OF WOMEN VOTERS®  
OF PENNSYLVANIA**

226 Forster Street, Harrisburg, PA 17102-3220  
717.234.1576

*Making Democracy Work<sup>2</sup>  
Grassroots leadership since 1920*

League of Women Voters of Pennsylvania  
Public Comment to the  
Environmental Quality Board  
Regarding the  
Proposed Oil and Gas Regulations  
Warren, PA  
February 12, 2014

I am ~~Phyllis Wright~~ of the League of Women Voters of Warren County. I reside at 8-Stephen Road in Warren, PA. This evening I am speaking on behalf of the League of Women Voters of Pennsylvania. *Elizabeth Tipton, 15 W. Third St. Warren PA*

Our Constitutional rights to clean air, pure water, and the preservation of natural resources<sup>1</sup> are fundamental to League advocacy. Our members, based on our statewide position, support 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 natural gas operations.<sup>2</sup>

Tonight, we address the final sections of the proposed regulations beginning with Logs and Additional Data (78.123). We suggest the following:

- define recompletion of drilling to clarify it this includes restimulation or superfracking<sup>3</sup> [789.123 (a) and 789.123 (b)]
- change data to read "including" not "such as" representative drill cuttings . . . .
- eliminate the word "not" in the final sentence so the interpretation of data is required to be filed and add "including significant changes in radioactivity readings, chemical composition, pressure, etc." [789.123 (c)]
- shorten the filing period to six months after the completion of the well – not "no more than 3 years!" An extension of the deadline for up to five years should be no more than one year from the date of well completion [789.123 (d)]

<sup>1</sup> See Article 1, Section 27 of the Constitution of the Commonwealth of Pennsylvania.

<sup>2</sup> For details and resources see <http://www.palwv.org/Issues/Natural-Resources/Marcellus-Shale.asp> and <http://www.palwv.org/Issues/Natural-Resources/Pipelines.asp>

<sup>3</sup> See <http://www.bloomberg.com/news/2012-01-11/super-fracking-goes-deeper-to-pump-up-natural-gas-production.html>

Finally, all logs should be submitted in a standard format designed by the Department to promote enforcement and use for statistical purposes [78.123(e)]

To prevent taxpayers from paying the costs of natural gas development, adequate bonding requirements are essential (Subchapter G).<sup>4</sup> The following recommendations are provided:

- Increase bond amounts well beyond the 2500 per well or 25,000 for a blanket permit [78.303 (e) (1)] and [78.303 (e) (2)]. Adopt a scale consistent with Michigan that starts at \$10,000 per well and \$100,000 for a blanket permit. Incremental increases should correlate with increasing depth.<sup>5</sup> Provisions should be made for review of additional bonding costs at set time intervals as based on updated, projected costs, the number and length of horizontal bores, superfracking, and other technological advances.
- Require letters of credit from operators not exceed the fair market value of all their assets. Enforce this by shutting down operations if cash collateral is not forthcoming within 30 calendar days [78.306 (b)].
- Eliminate and/or limit phased deposits of collateral to small, private operators that are not subsidiaries of large corporations [78.309 (a)]. The amounts specified are inadequate and need to reflect the projected costs of potential consequences.
- Eliminate phased deposits of collateral for individuals as amounts of \$500 per well are insignificant and serve to prompt reckless development [78.309 (b)].
- And protect taxpayers by limiting replacement of existing bonds so that transfers and accrued liability do not obfuscate real risks and actual costs [78.310 (a)']

Updating citations in sections dealing with gas storage well integrity testing [78.403] and maximum storage pressure [78.404] is useful. However, the final statement regarding policy (78.902) is problematic. The League understands that *policies cannot create a duty or obligation to conduct a minimum or maximum number of inspections per year or during a certain period of time*. However, we press you to join with us in advocating for additional funding to provide adequate, trained staff and resources to monitor, implement, and enforce these regulations given the rapidly increasing impact of natural gas development in our Commonwealth. Our public health and environment deserve more than a regulatory document as an investment in our future.

Thank you

---

<sup>4</sup> See footnote 2. The League position supports *preventing a burden on Pennsylvania taxpayers by establishing a sufficient fee structure on natural gas extraction for permits, bonds, and surcharges for the funds to plug abandoned and orphan oil and gas wells, that reflects projected costs and unanticipated consequences.*

<sup>5</sup> See [http://www.michigan.gov/teq/0,4561,7-135-3317\\_4111\\_4231-44518--00.html](http://www.michigan.gov/teq/0,4561,7-135-3317_4111_4231-44518--00.html)