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Cooper, Kathy

From: RegComments@pa.gov
Sent: Thursday, May 14, 2015 6:46 PM
To: Environment-Committee@pasenate.com; apankake@pasen.gov; IRRC; RegComments@pa.gov; eregop@pahousegop.com; environmentalcommittee@pahouse.net; gvitali@pahouse.net
Cc: ra-epmsdevelopment@pa.gov
Subject: Comment notice for - Advanced Notice of Final Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites (7-484)



Re: Advanced Notice of Final Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites (7-484)

The following comments have been received regarding the above-referenced advanced notice of final rulemaking.

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 IRRC
 2015 MAY 15 AM 8:58

Commentator Information:

William hwing
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Comments entered:

COMMENTS ON REVISED CHAPTER 78(and 78a) PROPOSED OIL & GAS RULEMAKING

My name is William Thwing. I'm pastor of the St Paul's United Church of Christ, Johnstown, PA and a member of Penn West (UCC) Creation Care Partners and Pennsylvania Interfaith Power and Light (paipl.org). I testified at the original hearings. All comments apply to both Chapter 78 and 78a rulemaking.

Like my native American predecessors, who lived off the bounty of the land, water and air in Pennsylvania for the past 10,000 years, we should not be thinking only of our own needs and comfort in the present generation (i.e. "jobs now at all costs") but we should be thinking of the welfare of humans and other creatures with whom we share this land in future generations. Benjamin Franklin, as US Ambassador to the Iroquois Nation, reported that Native American people thought ahead seven (7) generations and respected, preserved and protected the land which provided for all of their needs. In less than seven (7) generations of unregulated logging, coal mining, conventional oil & gas extraction, agriculture and development, our shortsighted American ancestors have already seriously impaired 39% of the streams in Cambria county and 43% of the streams in Westmoreland County (Chesapeake Bay Watershed report lists all counties in the watershed)and have added more CO2 and other greenhouse gasses(like methane) to the atmosphere than has existed in all of human history. Now, thru unconventional hydraulic fracturing, we are further endangering our aquifers as well as our land and water thru toxic spills and run-off and our air and climate thru methane and other pollutant emissions. It's difficult and very expensive to fix even one stream from AMD damages. It may be impossible to fix an aquifer that is 800 feet below the ground, like the Mauch Chunk aquifer which supplies

drinking water to tens of thousands of citizens in Windber and the communities along the Allegheny Front as well as to wildlife and farm animals and crops.

The U.S. Department of Energy (DOE) has recently evaluated all the unconventional gas plays in the USA and has reported that all but two (the Marcellus and the Bakken) are not performing as well as anticipated. A recent DOE report anticipates that U.S. natural gas production will peak around 2025 and will decline after that. Natural gas was originally presented as a "Bridge" fuel between fossil fuels and renewables. Unfortunately, now it appears to be presented as the solution to our national energy security problems. It's not! Like all fossil fuels, there is a limited supply that will run out before we know it. As a state and a nation, we should be preparing for that eventuality. That being said, Pennsylvania should not export ANY of its natural gas overseas. LNG terminals should not be built. Multibillion dollar infrastructures should not be built except to essential PA markets in near future. If the gas in the young Marcellus Shale Play is going to run out as it seems to be doing in the majority of the other US Gas plays, Pennsylvania's gas should be saved and used as needed primarily for Pennsylvanians (and for the immediate region as needed) while we devote the majority of our financial capital resources to developing renewables like wind, solar, hydro and geothermal, rather than build infrastructure that may never be used thereby diverting valuable capital which should be used for developing renewables.

In the long term, I favor a BAN on all hydrofracking that pumps climate warming methane into atmosphere, adds pollutants to our water and air, endangers the health of our citizens, costs billions of dollars in unnecessary healthcare costs and environmental clean-ups, is a contributing factor in the accelerating extinction rate of many species, and is undermining the democratic foundations of Pennsylvania under the misguidance of ACT 13. In the short term, I favor a moratorium on all hydrofracking until best practices can be established by law and strictly enforced by a well funded and adequately staffed DEP. However, until our lawmakers wake up and start behaving prudently on behalf of the people of Pennsylvania rather than serving the interests of a few greedy and unscrupulous multinational corporations, and until they finally enact either a moratorium or an outright ban as has been successfully implemented in neighboring New York State, these comments on Chapter 78 Rulemaking will have to suffice.

1. Concerning standards for fracking wastewater pits and impoundments (Sections 78.56, 78.57, 78.58 and 78.59): DEP should prohibit operators both unconventional and conventional from using any open air pits or tanks regardless of size and location, whether for storage or treatment of wastes, whether at individual well sites or multi-well collection sites. All storage tanks should have lids. Existing pits, especially those which have been buried with flow-back, tailings and brine in them, should be transferred to closed above ground tanks ASAP (within one year if possible). Contaminated water supplies should be restored to original condition or to U.S. safe drinking water standards.

2. Concerning definition of a Public Resource (section 78.15, 78.57): Setbacks from schools, playgrounds, parks, hospitals, nursing homes, day care centers, churches and other community gathering places, although improved in the proposed rule making, is still insufficient for protecting public health and welfare. Even 300 yards is insufficient. Setbacks ideally should be one mile from public use site boundaries to the boundary of well sites, storage facilities and infrastructure which can rupture, explode or leak.

3. Operators should be required to locate, map, document and plug all orphaned or abandoned wells within a one mile radius of a proposed well site prior to spudding new well.

4. Use of wastewater (brine) as a road de-icer or dust suppressant should be prohibited.

5. Water management plans that specify source and volume of water used in site construction, drilling, fracking, site restoration should be filed with DEP and updated regularly by all operators.

6. All waste that has been returned to the surface should be monitored, inspected and documented weekly. Treatment and transport to a waste disposal site must be documented electronically.

7. All Oil & gas Operators must be required to file permit applications and all reports electronically and made available to the public on the DEP's website on the same day that they are deemed complete by DEP. This is essential to insure operator accountability agency transparency and public trust.

Thank you for considering my comments. Governor Wolf, the PA Legislature, Secretary Quigley, and all the staff of DEP and DCNR are in my prayers that the Lord God, who created all this land, water and air for us and the rest of God's creatures to use daily to sustain our lives, will help us to treasure it, protect it and preserve it, for many generations to come. The Lord God, entrusted all this bounty into our care to "to till and to keep" (in biblical language). Let us be careful not to violate this trust, lest we lose the privilege of living here.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Patrick McDonnell

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