

3042 FORM LETTER H 1-32

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Form Letter: **Concerned Industry Employee**

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

I am writing this email in response to the proposed changes to Chapter 78 as a concerned oil and natural gas industry employee. There are hundreds of changes, deletions and additions of wording in the document and I stand by the thorough review that the Marcellus Shale Coalition will be providing as well as Cabot Oil & Gas Corporation's official statement on the proposed changes.

For the sake of brevity, here are just a few of the major flaws that make this legislation job-crushing and unnecessary:

- The regulations would create an overreach by the PA DEP into areas where it is not authorized to regulate, such as noise monitoring and placing restrictions around wildlife species. Both of these areas are within jurisdictions at levels different than the PA DEP.
- The regulations would require a total of 31 notifications which would require additional resources – both for companies and the PA DEP – to properly monitor and review with little environmental benefit.
- PA DEP has failed to conduct a cost-benefit analysis for the proposed changes and failed to conduct an analysis of the impact of these rules on small businesses – both of which are required by law.
- These proposed changes contain various poorly-defined terms, and in some cases no definition at all, in rulemaking that will have a major impact in future operations and perhaps retroactively as well. Without clearly defined regulations, much of the enforcement will be based on interpretation rather than rules.
- The proposed regulations are too prescribed and do not allow for natural innovation within the industry therefore allowing them to quickly become outdated in light of continuing advancements in technology.

The proposed regulations are selective and targeted with respect to the unconventional oil and gas industry and are not uniform, consistent or fair relative to other industrial sectors. As such, they are far-reaching and overly-burdensome, with little to no environmental benefit.

Thank you for your time.