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From: RegComments@pa.gov
Sent: Thursday, May 21, 2015 3:03 PM
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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.

Commentator Information:

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Comments entered:

Though I can't remember the source for this statistic, I read the other day that over 440 studies have now provided evidence that oil and gas drilling sites pollute air and water with dangerous toxins. Within the last three years, I have read studies linking fracking to increases in birth defects, cancer, and endocrine disruption; to radon in our homes; and to elevated radiation levels in river sediment downstream of treated wastewater. It is no longer possible to deny arguments for strong regulations by ignoring the concerns of Pennsylvania residents about water contamination and reduced air quality from drilling. Last year, DEP released information about the contamination, over the past seven years, of 240 private water sources in Pennsylvania. Drilling wastewater, which includes BETX chemicals and radiation, has been dumped into the Mahoning River Watershed that feeds one PA community's water supply. This kind of threat to drinking water supplies is one of many reasons other states have begun refusing to accept Pennsylvania's drilling waste.

DEP has been given a mandate by Article 1, Section 27 of the Pennsylvania constitution to protect the people's right to clean air and pure water. As the department revises Chapter 78, and especially 78a, I urge it to honor its mandate by adopting the strongest possible regulations for oil and gas drilling.

Specifically, I recommend that DEP ban open-air pits and tanks for storage and treatment of regulated substances and require all waste storage tanks to be completely enclosed. Currently, neither environmental regulators nor the public has reliable information about the location of drilling waste impoundments in Pennsylvania, which makes it nearly impossible to track or hold drillers accountable for air and water pollution from these sites. Therefore, DEP must require all waste impoundments to be immediately and properly disclosed.

Additionally, DEP must require all oil and gas operators to develop water management plans, and prohibit the road-spreading of brine.

Today, there are an estimated 300,000 abandoned wells across Pennsylvania, leaking untold amounts of toxins into our air, and a study from 2014 suggested that these wells are a significant source of greenhouse gas pollution in Pennsylvania. In the revised rules, DEP must require the identification of existing wells through onsite inspection before site and well construction and drilling, and plug and seal or otherwise appropriately address abandoned and orphaned wells.

While I am glad that DEP has added schools to the list of public resources that require additional consideration when permitting oil and gas wells, this notification requirement alone is completely inadequate because this industry has demonstrated virtually no ability to police itself or to engage in ethical practices. To improve protection from pollution, noise, and light and safety from traffic, accidents, and explosions, DEP should require, at minimum, a one-mile setback of oil and gas wells, waste storage facilities, and any other infrastructure from the boundary of any school property. This setback should also be applied to locations where other vulnerable populations reside, including nursing homes, hospitals, day care centers, and environmental justice communities.

However, while the revision of the Chapter 78 regulations are an important step, DEP must not ignore the myriad air quality hazards associated with oil and gas drilling infrastructure besides drilling wells. These sites have dangerously high levels of cancer-causing pollutants such as formaldehyde and benzene, and people who live near oil and gas infrastructure in Pennsylvania have reported that they are experiencing adverse health impacts such as increases in headaches, asthma, nausea, birth defects, and more. Methane, a greenhouse gas as many as 86 times more potent than carbon dioxide over 20 years, also leaks from these sites, often at alarming rates. In the words of Penn Future, 'As the fastest growing gas producing state in the nation, the rate of methane emissions and leaks being generated by [Pennsylvania's] natural gas industry could quickly put us into climate disaster territory.' Until methane emissions are directly regulated in Pennsylvania, the reign of fossil fuels will continue unchecked, thereby greatly diminishing any hope for a sorely-needed—and sharp—turn to renewables in U.S. energy policy. No wonder The International Energy Agency says we are headed for irreversible climate change within 5 years—not 20 years, but 5 years. Should we reach that point of no return, a DEP that fails to regulate this industry will have contributed to a not-too-distant humanitarian crisis the likes of which the world has never seen, by which our children and grandchildren will acutely suffer, and one which our species may very well not survive. DEP must adopt comprehensive, best-in-the-nation methane regulations for Pennsylvania's shale gas infrastructure.

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Patrick McDonnell
