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October 15, 2015

The Honorable John Quigley
Secretary, Pennsylvania Department of
Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

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Dear Secretary Quigley:

I am writing on behalf of the Pittsburgh Airport Area Chamber of Commerce relative to the Revised Rulemaking Proposal for Environmental Protection Standards at Oil and Gas Well Sites, 25 Pa. Code Chapter 78a, Subchapter C ("Chapter 78a"). Specifically, my concern is the Pennsylvania Department of Environmental Protection's ("the Department") current edition of the proposed Chapter 78a rules requiring that well development pipelines used to move liquids between drill sites and storage sites be placed aboveground.¹ This mandate eliminates a potential best practice used by a number of operators in Pennsylvania, and requested by many landowners, to bury pipelines used to transport water and wastewater that is involved with Marcellus Shale development.

As a voice for our member businesses, I have talked with representatives of the affected companies that use buried pipelines, and heard very compelling reasons for why this practice should continue. First and foremost, buried pipelines are essentially out of harm's way. This is supported by the finding of the U.S. Department of Transportation that "installing pipelines underground protects them from damage and helps protect our communities..."² Additionally, below ground lines are sheltered by the earth, increasing resilience against the risk of leakage due to damage from weather (freezing and thawing). And, underground pipelines would not be targets of vandalism, and should be better protected against accidental damage from vehicles. Nearby communities are better protected against the dangers of rupture with the use of underground pipelines.

Buried pipelines also reduce the nuisance to landowners compared with a web of pipelines strung across their land, assuming a land-owner would even agree to allow the surface lines. If buried lines are banned, companies could be forced to utilize trucks in order not to violate their internal best management practices at a rate of 200 to 300 trucks per day or more per well pad for several months at a time. With increased trucks comes increased noise, air emissions, traffic and disturbance to the communities in our footprint. What will happen with the new regulations is that communities will be faced with the choice of either a mass of pipelines strung across their property or hundreds of trucks on their local roads. There are reasonable alternatives.

In order to avoid this unintended consequence, I am requesting that the Department reconsider this provision in Chapter 78a and instead work with the oil and natural gas industry to develop standards for integrity and maintenance of buried well development pipelines. Such standards could be based on the federal safety requirements for pipeline facilities which include procedures for new installation of buried lines, operator qualification, routine inspection along the surface above these lines, and annual integrity testing. This approach would provide the same environmental protection afforded by federally regulated pipelines for transporting oil and natural gas, while avoiding the negative impacts on surrounding communities and to the environment.

I greatly appreciate and respect the challenge of the Department's responsibility to establish regulations that protect the people and environment while preserving the economic benefit that this resource continues to bring to our state. On this

¹ Section 78a.68b, Chapter 78a Unconventional Wells Draft Final-Form Rulemaking (August 11, 2015).

² <https://primis.phmsa.dot.gov/comm/PipelineBasics.htm>

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issue of preserving the ability to bury well development pipelines, I believe this balance can be readily achieved. I urge you to consider these community concerns and work with the industry to develop language that will allow for the continued use of buried pipelines.

Thank you for your time and consideration of this request.

Sincerely,



Bernadette Puzzuole
CEO/President

cc: The Honorable John Maher, Chair, House Environmental Resources and Energy Committee
The Honorable Gene Yaw, Chair, Senate Environmental Resources and Energy Committee
The Honorable Mark Mustio, Pennsylvania House of Representatives
David Sumner, Executive Director, Independent Regulatory Review Commission
Fiona Wilmarth, Director of Regulatory Review, Independent Regulatory Review Commission
Fred Baldassare, Oil and Gas Technical Advisory Board
Robert Hendricks, Oil and Gas Technical Advisory Board
Brian McConnell, Oil and Gas Technical Advisory Board
Casey Saunders, Oil and Gas Technical Advisory Board
David Yoxthimer, Oil and Gas Technical Advisory Board
Steve Morgan, CONSOL Energy