

Docket #L-2019-3010267

Public Comment

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I trust the Commission to note the chilling difference between the submissions of stakeholders.

On one hand, you have industry players, billion-dollar corporations, law firms, and the pipeline building trades. Often, their responses are pages long, clearly written by teams of paid professionals. They oppose regulation partially on principle, as most of these organizations are bound by fiduciary duty to do whatever they are able to in order to maximize their profits. They have raised many challenges to the proposed rulemaking, arguing that it is unfair, too complex, perhaps even unconstitutional; but when I read into their arguments, I read that it is costly. I read that it is expensive. I read threats and promises that if the Commission regulates this industry, consumers will suffer.

Then, I read the submissions of constituents. I read line after line from residents, school boards, and elected officials of the costs to their locals. I trust the commission to note the difference in appeal here. The Marcellus Shale Coalition and Energy Transfer write to the Commission in an attempt to preserve their bottom line, but residents are placing hands to keys to beg the Commission to protect their lives and families. I urge the Commission to consider with appropriate weight the difference in submission. It is here that I should disclose my own stake in the matter as a citizen that would directly benefit from increasing the safety of existing and future pipelines as the health and safety of myself and my community are imminently impacted by the dangers of one nearing its completion. This pipeline has contaminated water in my county and sickened my neighbors.

These operators, the pipeline layers, industry players, they must argue against measures that may impact their bottom line, however, my family and neighbors must be kept safe from them moving to reduce our ability to protect ourselves from their dangers. I, too, have a vocational duty to protect the health and welfare of my community. In these matters particularly I would counsel the Commission to weight far more heavily the words of stakeholders with actual skin in the game. The words of individuals and groups like Senator Carolyn Comita, Chester County and their Commissioners, the Downingtown Area School District, and residents such as Nancy Harkins, Virginia Kerslake, and Carrie Gross must be considered with greater weight than those merely filing comments out of obligation to a dollar. Please understand that these people file comments here out of obligation to preserve their very lives, and it is the constitutional obligation of this Commission and every resident of Pennsylvania to protect an environment that can sustain them and remain beautiful for generations (Article 1, sec 27).

Walter Tsao, former Public Health Commissioner for the city of Philadelphia, recently testified under oath that climate change was the largest public health crisis of our lifetimes. He said this with an N95 mask hanging from his neck that he was using moments earlier to protect himself from the COVID-19 virus, an agent of global pandemic. He said it without hesitation. What disturbs me then, are the pages of comments on these regulations that speak to the

increase of fossil fuel extraction, transport and emission as something that is good for Pennsylvania. Anthropogenic climate change has been inextricably linked to the activities of fossil fuel extraction, and “shale development” or the activity of fracked gas extraction, has been responsible in a large part for the acceleration of this process in the 21st century. It is then essential for the health and safety of Pennsylvanians that these activities be restricted in the extreme. I have read many lawyers complain that these regulations would make it difficult to do business as a shale gas transporter in PA. Good. In the coming months, years, and decades, it must become increasingly difficult to do so as our species moves to avert extinction level catastrophe. Indeed, we are currently living through a mass extinction, and bold steps must be taken to prevent that wave of death from overcoming humanity. This Commission then has the exciting opportunity to be a driver of change in the movement towards a just transition from fossil fuels to clean and renewable energy sources.

I have no doubts that these regulations could be amended to be more streamlined, more transparent, and more effective. Again, I would direct the attention of the Commission towards the comments of Sen. Carolyn Comitta, resident Virginia Kerslake, and others listed above for recommendations towards that effect. It is also my personal recommendation that a threshold of violation must be established not only where a company must remain liable for financial compensation in the billions of dollars of damages, but where the company loses its ability to operate in Pennsylvania.

One operator alone, Energy Transfer, has a net worth of over 90 billion dollars. Fines on the scale of even tens of millions have not been enough to deter this company’s unsafe practices and rampant disregard for the health of our state. Companies must have the risk of losing their ability to make money off of our disease and suffering when they initiate these conditions.

They will argue that attempts to regulate this industry may be unconstitutional. I will remind the Commission that failing to protect our environment most certainly is.

Thank you for your time,  
Connor Young, RN