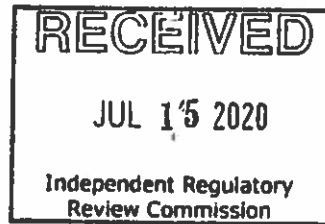


3256



3344 Route 130, PO Box 137
Harrison City, PA 15636
(724) 392-7023



July 15, 2020

Submitted Electronically to: <https://www.ahs.dep.pa.gov/eComment>

Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

Re: Testimony for Control of VOC Emissions from Oil and Natural Gas Sources

I am writing on behalf of our over 300 members in Westmoreland and Allegheny County. Thank you for the opportunity to comment on this rulemaking. Protect PT (Penn-Trafford) is a nonprofit dedicated to ensuring residents' safety, security, and quality of life by engaging in education and advocacy to protect the economic, environmental, and legal rights of the people in Westmoreland and Allegheny counties.

I appreciate all the Department efforts during this difficult time, but I want to acknowledge the most vulnerable Pennsylvanians in our communities, who are voiceless today due to limited access to the internet and phone. I urge the Department to swiftly move forward with strict standards to protect all Pennsylvanians. Under the conditions of COVID-19 our most vulnerable community members: pregnant women, children, the elderly, the economically disadvantaged, people of color, and those with chronic medical conditions will be especially impacted by the decisions you make regarding oil and natural gas regulations.

Pennsylvania is the second-largest producer of natural gas in the United States, and the third-largest greenhouse gas polluting state. Methane is the most prominent greenhouse gas, responsible for 25% of climate change. It is invisible, odorless, and it can be 86 times more potent than carbon dioxide over a 20 year period. The climate change caused by methane and other greenhouse gases leads to increased cases of heat stress, asthma, worsened allergies, cardiovascular disease, infectious diseases, injuries, water scarcity, malnutrition, and mental health issues; these conditions would only be heightened by COVID-19's deadly effects.

[Handwritten signature]

The combination of atmospheric emissions including volatile organic compounds (VOCs), carbon dioxide, carbon monoxide, particulate matter, radon, and fracking materials, can yield ground-level ozone; an extremely reactive gas that causes detrimental effects on human health and the environment. Ozone is responsible for many health conditions, from respiratory issues, such as chest pains, coughing, and trouble breathing; to heart disease, nausea, emphysema, and bronchitis. Asthma specifically has become a threat in our Commonwealth. Additionally, ozone threatens our agricultural economy by damaging our important food crops, wildlife, and resources.

Citizens in the Commonwealth of Pennsylvania are protected from ground-level ozone under Section 109 of the Clean Air Act that established two types of National Ambient Air Quality Standards: primary standards and secondary standards. The former sets to protect public health, and the latter protects public welfare and the environment. We believe that the new proposed additions from December 17, 2019, to the Commonwealth's *State Implementation Plan* are crucial to adopt reasonably available control technology (RACT). It is vital to reduce VOC emissions from all five sources: storage vessels, natural gas-driven pneumatic controllers, natural gas-driven diaphragm pumps, reciprocating and centrifugal compressors, and fugitive emissions components.

On behalf of our residents, we demand stronger regulation. The Environmental Defense Fund (EDF) estimates operators emit over 1.1 million short tones of methane annually in Pennsylvania from both conventional and unconventional wells, which is 15x greater than what operators report to the DEP. The DEP only requires reporting from unconventional wells, ignoring conventional sources that are contributing to the methane problem; reporting must be required from these wells. In this new ruling, it was written that owners and operators are required to conduct monthly Audio, Visual and Olfactory (AVO) inspections, and quarterly Leak Detections And Repair (LDAR) inspections. Research has shown that large, uncontrolled leaks are random and can only be detected with frequent regular inspections; therefore, this must be put in regulation.

We are calling to eliminate §§129.127 Fugitive Emissions Components subsection (b), as a result of its ability to *reduce* quarterly LDAR inspections to semi-annual inspections if there are no significant methane leaks. We disagree with this because leaks are unpredictable and testing should not be reduced under any circumstances. Additionally, in §§129.123 (i), §§129.124 (c), §§129.125 (f), and §§129.126 (e), we suggest that a third party verification must show the same pattern of results as the original company when they calculate their VOC emissions to ensure there is no bias or

forging of data. This will assist in achieving VOC emission reductions to maintain levels of the 8-hour ozone National Ambient Air Quality Standards for Ozone (NAAQS), meeting as mentioned sections 172(c)(1), 182(b)(2), and 184(b)(1)(B) of the Clean Air Act. In addition to the rulemaking reducing VOC emissions, it will also provide consistency among all oil and natural gas sources and Governor Tom Wolf's strategy to reduce the harmful effects from the oil and natural gas industry.

To further support our request that stronger oversight is added to the rulemaking we refer you to the recommendations of the Grand Jury tasked by Attorney General Josh Shapiro to investigate the actions of the PA DEP in overseeing the unconventional gas industry. The following press statement dated June 25, 2020, supports the findings from Report 1 of the Forty-Third Statewide Investigating Grand Jury:

The Grand Jury's two-year investigation uncovered systematic failure by government agencies in overseeing the fracking industry and fulfilling their responsibility to protect Pennsylvanians from the inherent risks of industry operations . . .

In response to the failures of government oversight and in order to ensure that the regulators have the tools necessary to hold this industry accountable, the Grand Jury's report details eight recommendations. These recommendations would better protect Pennsylvanians from the risk posed by fracking operations and confront the culture of inadequate oversight in the unconventional gas industry and government agencies that oversee their activities:

We particularly recommend these three points for consideration to the Environmental Quality Board regarding VOCs:

- Requiring fracking companies to publicly disclose all chemicals used in drilling and hydraulic fracturing before they are used on-site;
- Adding up all sources of air pollution in a given area to accurately assess air quality; and
- Conducting a comprehensive health response to the effects of living near unconventional drilling sites.

Many additional benefits would arise from these changes beyond the reduced risk from VOC's. The Environmental Quality Board proposes that measures could potentially save the oil and gas industry about \$9.9 million per year due to a lower natural gas loss rate during production. We are pleased that these new proposals will not result in any

significant adverse impacts on small oil and natural gas operators. Instead these new proposals will save them money and help them comply with the laws of the Commonwealth of Pennsylvania. Otherwise this money would have been lost and can now be used to improve old equipment, maintain inspections, and purchase LDAR technologies that can help detect leaks earlier. §§129.127 subsection (k) establishes requirements to repair leaks and resurvey the emissions within thirty days of the leak repair. Methane, a potent greenhouse gas, from oil and natural gas will be minimized due to required LDAR inspections that detect leaks, therefore minimizing effects on public health and safety. The reduction of VOCs, therefore ground-level ozone, will benefit the welfare of approximately 12.8 million residents, vegetation, and animals. While public health is a primary concern, so is our environment. As a result of methane and oil leaks our environment can be susceptible to disease, experience changes to water and nutrient cycles, lose species, endure environmental stresses, and fail crop yields.

While we generally support the Environmental Quality Board's proposal, we have several recommendations. Under §§129.127, it is stated if the owner or operator cannot meet the provisions of rulemaking, then they can apply for a case-by-case RACT permit. We believe these businesses must have a follow up inspection after 6 months to ensure it is following the RACT requirements. The board must also include inspections and repairs of wells producing lower amounts of oil and natural gas because they are responsible for more than half of the methane pollution from the oil and natural gas industry in Pennsylvania.

We support and encourage the Department's decision to propose additional monitoring and limits of VOC emissions at oil and natural gas sites by adding §129.121—129.130 to the Commonwealth's *State Implementation Plan*. Protections like these are essential in light of new studies that point to increased health risk for people in areas with greater pollution and COVID-19. We are especially concerned for our community as 50 new wells have been proposed and 10 new well pads.

Protect PT encourages you to implement our recommendations to strengthen the rulemaking. The choices we make today affect generations yet to come. As rule-makers for our Commonwealth, it is your duty to put the health and wellbeing of all Pennsylvanians before the desires of the industry.

Sincerely,



Gillian Graber
Executive Director
Protect Penn-Trafford
3344 Route 130, PO Box 137
Harrison City, PA 15636
gillian@protectpt.org
www.protectpt.org