



# FRACTRACKER

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A L L I A N C E



April 27, 2022

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

Proposed Rulemaking: Safe Drinking Water PFAS MCL Rule (#7-569)

Thank you for the opportunity to comment on the proposed rulemaking and taking a step towards setting a Maximum Contaminant Level in drinking water for perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA), which FracTracker Alliance supports.

We are writing with concern to the potential presence of PFOS and PFOA as well as other PFAS chemicals in fracking fluid. While the extent of this risk is unknown due to inadequate monitoring, there is evidence to suggest that fracking could lead to PFAS chemicals entering drinking water systems. Many of the people who live in heavily fracked regions rely on well water. For that reason, the proposed rulemaking should be amended to include private water wells in PFAS testing.

In July 2021, Physicians for Social Responsibility released the report, "Fracking with Forever Chemicals," with contributions by FracTracker Alliance. The report found that oil and gas companies, including ExxonMobil, Chevron Corp., and Anadarko Petroleum Corp., have used PFAS or precursors to PFAS in their fracking operations. Specifically, the report looked at chemicals likely to be associated with the chemical fluorinated acrylic alkylamino copolymer, including nonionic fluorosurfactant. It's unknown how these chemicals are used in Pennsylvania, since the state's fracking disclosure law prevents the public from knowing the identities of chemicals used in the state. However, companies that drill in Pennsylvania have used potential PFAS chemicals in their operations in other states. Also, research by the Philadelphia Inquirer editorial board validated our concern over PFAS use in Pennsylvania fracking operations. As such, the presence of PFAS chemicals in fracking fluid is a concern in Pennsylvania, the country's second largest gas producing state.

The chemicals in fracking fluid have the potential to contaminate drinking water sources throughout the lifespan of a well. This reality is evidenced by the DEP's list of cases where the agency found impacts to private water supplies from industry activity. Pathways created by casing failures in fracked wells and injection wells and cracks in rock layers allow fracking fluid to migrate. Surface spills and handling and transport of fracking waste at disposal sites are additional ways contamination enters waterways.

Furthermore, we encourage the Bureau to consider the growing risk of PFAS entering the environment through the expansion of the petrochemical industry. There are many industrial sites “downstream” of fracking that are potential users of PFAS, according to the Environmental Working Group. These include petroleum terminals and manufacturing and petrochemical manufacturing, as well as plastics, resin, paint, and coating manufacturing. These industries have a large footprint in Pennsylvania and farther south throughout the Ohio River Valley. Additionally, the petrochemical industry has plans to expand in this region. While likely over-ambitious, certain projects are being developed such as the Shell ethane cracker in Beaver County, Pennsylvania. A report by Earthworks made in collaboration with FracTracker Alliance reviewed National Pollutant Discharge and Elimination System (NPDES) permits for petrochemical - related facilities. The report identified approximately 250 facilities within the Ohio River Basin in Pennsylvania, Ohio, and West Virginia. Ninety-one of these facilities were in Pennsylvania (again, just the portion that is within the Ohio River Basin). These facilities included in the study are authorized to discharge over 500,000 pounds of toxic chemicals, adding to the contaminant load in the Ohio River and its tributaries, which provide drinking water to millions of people.

Once again, with regard to the proposed rulemaking, FracTracker Alliance advises that private water wells be included to address these threats.

There are other steps the Pennsylvania Department of Environmental Protection’s Bureau of Safe Drinking Water must take in collaboration with the Office of Oil and Gas Management, as well as other state and federal agencies, to address the threat of PFAS chemicals in fracking. This begins with the Pennsylvania government requiring full disclosure of the chemicals used in fracking operations.

The following recommendations from “Fracking with Forever Chemicals” can mitigate potential harm caused by PFAS exposure:

“EPA and/or states should evaluate through quantitative analysis whether PFAS and/ or PFAS breakdown products associated with oil and gas operations have the capacity to harm human health. All potential pathways of exposure should be examined, including inhalation, ingestion, and dermal contact.

“EPA and/or states should determine where PFAS and chemicals that may be PFAS have been used in oil and gas operations and where related wastes have been deposited. They should test nearby water, soil, flora, and fauna for PFAS.”

Finally, “Until testing and investigation are complete, EPA and states should not allow PFAS or chemicals that could break down into PFAS to be manufactured, imported, or used for oil and gas drilling or fracking.”

Additional protections that we request, as outlined by [Move Past Plastic](#), include:

1. Monitor and publicly report for the 18 PFAS chemicals listed in the test 537.1 during all four quarters.
2. Set the MCLs at less than 6 ppt for the 18 PFAS in the 537.1 test as advised by the Delaware Riverkeepers Network (DRN).
3. Set stricter standards for the harmful chemicals PFOA (1ppt or no greater than 6ppt) and PFOS (5ppt) and no greater than 13 ppt for the two compounds combined to provide greater protection for the fetus and young children, based on the recommendations of an independent scientist report commissioned by Delaware River Keepers Network.
4. If MCL's (Maximum Contamination Level) for the 18 PFAS are found to be above 6 ppt in two consecutive quarters, the DEP should begin implementing methods to decrease contamination (i.e. filtration systems, finding source & stopping it there)
5. Hold chemical manufacturers of PFAS and the products that use them accountable for their environmental and health impacts and cleaning up contaminants by implementing producer responsibility regulations.

Thank you for your time,



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