

## **PA Climate Convergence Peoples Hearing**

Let me tell you what happens when the fossil fuel industry comes to your town. You don't know it, but they have been planning for the heavy industrial development of your community for years. You don't know that the two proposed well sites are going to turn into four sites, then seven, then twelve, then pipelines, compressor stations, pigging stations, and injection wells. You are told at a public meeting by the CEO of Huntley and Huntley (now known as Olympus Energy) that (and this is a direct quote) "We have no plans to drill in Penn Township." This is the first of many lies they will tell you, your municipality, and the regulators.

Your municipality is utterly unprepared. Your elected and appointed officials do not have the benefit of years of preparation and expert advice, but the gas industry does. Their engineer arrives at the municipal building with a dozen file boxes filled with technical documents that the municipality is required to review immediately. If the municipality fails to act at once, they will be sued. You have two weeks to look over those volumes of documents. And when your neighbor asks a pertinent question that obviously has a damning answer, the gas company will not answer or will avoid the question.

**There is a huge disparity between the preparation time and resources that the oil and gas industry has versus what you or your local elected officials have.**

"Don't worry," says the gas company: "this well would be regulated by the PA Department of Environmental Protection, so it MUST be lawful".

You find out that, in the past, the PA DEP allowed Apex Energy to contaminate and destroy a wetland for four years. Complaints were filed, harm was documented, pictures were taken. It wasn't until residents petitioned the DEP to finally DO SOMETHING that the company negotiated a small fine in a settlement with the state - the cost of doing business, and a line item they budget for. Apex failed multiple times to fix the problem, so the DEP has no choice but to declare that the wetland, destroyed forever, is magically fixed "*to the satisfaction of the Department.*" In the meantime, Apex got permit after permit after permit, because the DEP is granted wide discretion in its enforcement decisions, even when this comes into conflict with Article 1 Section 27 of the Pennsylvania Constitution, which guarantees all Pennsylvanians the right to clean air and water.

So, because the DEP will not protect you, you hire experts to look over the gas company's plans for erosion and sedimentation, air, water, and emergency preparedness. Legitimate experts in the respective fields testify about the risk to you and your neighbors. But the gas company claims that, because your experts advise reasonable, science-based precautions, they must be biased against the gas company and must be ignored.

If the municipality denies the gas company's application, then they are slapped with a lawsuit. Penn Township was sued for \$380 million immediately after denying Apex's application for 3

well pads. The gas company claims the municipality, by denying its application, is violating their property rights, but what about the residents' rights?

Then, the gas company, without input or oversight from anyone prepares its Emergency Response Plan. This plan is NEVER reviewed by anyone in the state government before issuing the permit. How will you and your elderly neighbors be evacuated? Where will you go? How will you tell your children that their home is not safe?

You think the fracking is bad enough on its own, but then you realize they never told you what they would do with the waste. It doesn't just vanish. A landfill accepting radioactive fracking waste sees it leach out during heavy rains. This time, the DEP concocts a plan to evaporate their radioactive leachate into the air, as if radioactivity in the air is less harmful than radioactivity in the water.

You now live in a reality where the reservoir that you, and 150,000 other people, get your water from is surrounded by seven fracking wells on its shores, with their horizontal drilling courses running directly underneath it.

Your experts predicted that air pollution from fracking would cause impacts like asthma, respiratory conditions, endocrine disruption, cancers and more. Now, these predictions are coming true. Your kids are being poisoned. You call the PA DEP and they do nothing. Your local municipality, though it has the legal power to enact setbacks, is too scared to try.

Your rights to breathe clean air or drink clean water are secondary to the right of the gas company to extract a profit from your backyard.

These are facts:

In this state, an operator with hundreds of recorded violations to health, safety and the environment is permitted to build 4 well pads less than a mile from an elementary school. Another operator has applied for permits to build a well pad 1,500 feet from a high school in Elizabeth Township, despite having over 700 health and safety violations. This is the equivalent of permitting a repeat convicted drunk driver to obtain a CDL driver's license.

In Pennsylvania, toxic, radioactive waste can be injected into a well that is sure to fail and is located only a few hundred feet from a tributary that feeds into the drinking water system for the entire Pittsburgh region.

The problem is: a regulatory agency that ignores the people, neglects the science, and is working FOR the industry that it is charged with regulating.

The problem is: setbacks are much too small. We need 2,500 feet for a residence, minimum, more for schools, hospitals, and nursing homes. NO exemptions. NO waivers.

The problem is: discretionary enforcement on matters where enforcement should be mandatory; setbacks, emissions, and disposal of radioactive, radioactive toxic waste.

The legislature and the governor can solve these problems. If they don't take action now, their legacy will be one of disease, destroyed landscapes, and impoverished communities.

The gas companies are here to take the money and run. We are here for the long run. Will you stand with us?