



Truck Exhaust - Air pollution released by the gas industry is not currently reported in the Toxic Release Inventory. RDA has joined a lawsuit to change that. Photo credit: FrackCity Blog

Greetings!

RDA and 8 other organizations are suing the EPA to include oil and natural gas emissions in the federal Toxic Release Inventory. This information would provide the public with annual figures on the type and amount of toxic chemicals released, and in turn assist in diagnosing potential contamination or health-related issues. RDA's Barb Jarmoska reports on the lawsuit in this week's feature story. RDA's chemical adviser Ted Stroter then describes how arrogance and denial dominates the drilling debate, and this issue concludes with an update on the PEDF lawsuit against the Commonwealth of PA.

In Other News highlights the Hepburn Twp Hannan well site decision, a brief history of the NY fracking ban, and a newly released study that links earthquakes and fracking (featuring input from RDA board member Mark Szybist.) There are also plenty of action points for you to take part in.

If you signed the "Protect Our Public Lands from Fracking" petition, you no doubt received this response from Congressman Tom Marino:

Thank you for contacting me about your concern of natural gas fracking on public land. I appreciate hearing your views...As you may know, natural gas is extracted from the ground by the process of "fracking" which uses water and sand pumped into the ground under high pressure to crack the formation where natural gas deposits are trapped. Water used for fracking is typically made up of 99.5% water, with a small amount of chemicals used to help the process move along smoothly. These wells are designed to ensure that groundwater is not affected and research shows that a properly designed and constructed natural gas well presents low environmental risk to groundwater.

In This Issue

[RDA joins Lawsuit Arrogance and Denial PEDF Update](#)
[Events/Action Points](#)
[In Other News](#)
[Join RDA!](#)
[Newsletter Archive](#)

Events/ Action Points

[Audobon Society Meeting](#)
[Protect our Public Lands](#)
[Wdf-Agree to Interview](#)
[Wdf-Follow NY's Lead](#)
[CAC's Shale Gas Mapping](#)
[Say No to the Atlantic Sunrise](#)

In Other News

Hannan well site - Written Decision of Hepburn Township Supervisors

The Hepburn Township Supervisors approved Inflection's conditional use application for the Hannan

This 0.5% fraction may sound almost acceptable until you consider the fact that one well can use an average of 5,000,000 gallons of water per frack job, which means 25,000 gallons of chemicals would be delivered to the site for that operation. Then when you consider most sites have at least 4 wells on them, the total chemicals being delivered is now 100,000 gallons. Maybe Mr. Marino can explain better what he considers "a small amount of chemicals used to help the process move along smoothly." Since Lycoming County has 929 gas wells which have 868 violations now in DEP's records, it sounds quite a bit more disturbing, especially in light of what RDA adviser, chemical and environmental safety engineer Ted Stroter, mentions about the cement casing in his article below. Most disturbing is that our congressman plays it off as nothing to be concerned about & then writes:

I believe that the federal government should remove any unnecessary burdens and regulations to developing alternative energy while allowing states the freedom to choose to engage in drilling on public land.

The "regulations and burdens" are currently the only thing we have to protect and preserve our health and communities, so why on earth would we want to throw them out the window in the name of corporate profits?!

And now for some good news: the EPA's new rule on gas well flaring went into effect this month. As stated in the regulations, "Beginning January 1, 2015, operators must capture the gas and make it available for use or sale, which they can do through the use of green completions." From now on, if you see a well flare, you are looking at a violation that should be reported to the EPA. In an emergency, call the EPA hotline at 800-424-8802. Non-emergency flaring violations can be reported using the form at: www.epa.gov/tips. Take a photo that includes the camera's date stamp.



Gas well flaring, shown here in Upper Fairfield Twp, is no longer permitted by the EPA. Photo courtesy: Richard Karp

[Click here to see the Final Rule.](#)

[Click here to read the EPA's Fact Sheet.](#)

Have a wonderful weekend!

Sincerely,

Brooke Woodside
Managing Editor

well site. They added 29 additional restrictions although many of them were already listed in their zoning ordinance.

A few of the highlights follow:

- enacting dust control measures & watering the dirt access road twice daily
- paving the first 100 ft of the access road
- no trucks on the road during school bus hours
- noise restrictions in the zoning ordinance will be followed (no exceptions)
- no flowback pits or compressor stations
- a new access route is included thanks to the work of the Hepburn Township residents who spoke at the December 13th hearing.

[Click to read the full decision.](#)

A Brief History of the NY Frack Ban Movement

We can summarize why fracking was prohibited in New York with a simple construct - the cost/benefit ratio - what the environmental risks and economic costs would be to the state and its citizens versus the benefits of shale gas industrialization.

Initially, this ratio appeared to tilt very much in favor of fracking - at least in the popular press and in the corridors of power - because the gas industry had grossly overstated the benefits of shale gas development while categorically denying the risks and collateral damage associated with it.

[Click to read the full story.](#)

Miami University study links earthquakes and drilling, suggests partnership to detect fault lines

Increased monitoring of seismic activity could help prevent earthquakes near hydraulic fracturing sites, which can upset unknown fault lines underground, say the authors of a study that finds a link between earthquakes and drilling.

The results of the study link fracking along an unknown fault line to a rare 3.0 magnitude earthquake in

RDA joins lawsuit against the EPA

by Barb Jarmoska, RDA Board of Directors

If Gina McCarthy, administrator of the Environmental Protection Agency (EPA), had not heard of RDA before, she has now. RDA is pleased to be named as one of nine plaintiffs in a lawsuit filed last week in the U.S. District Court, Washington, DC.

The suit was filed because of EPA's failure to act on a petition calling for the inclusion of oil and gas industry emissions in the federal Toxic Release Inventory (TRI). The TRI began in 1986 as a way to make annually updated information about industrial management of toxic chemicals available to the public. For nearly two decades, all other major polluters have been required to disclose the type and amount of toxic chemicals used and/or disposed of. This exemption exists for oil and gas companies in spite of EPA reports claiming these operations release more toxic pollution to the air than any industry except power plants.

According to Adam Kron, lead attorney in the lawsuit, the EPA failed to act on a 2012 petition requesting the inclusion of oil and gas industry data in the TRI. That petition stated, "EPA estimates that the oil and gas extraction industry emits at least 127,000 tons of hazardous air pollutants every year, all of which are TRI-listed toxic chemicals. These include benzene (a carcinogen), xylenes (which can cause headaches, fatigue, and cardiovascular problems), and hydrogen sulfide (which can cause nausea, coughing, and in high concentrations - rapid death)."

The Environmental Integrity Project, which filed the suit on behalf of RDA and eight other plaintiffs, released a report in January of 2014 revealing that there are hundreds if not thousands of large oil and gas facilities that already exceed the TRI's chemical thresholds. Air emissions data gathered from six major drilling states (including Pennsylvania) showed a combined 8.5 million tons of TRI-listed toxic chemicals released from these facilities annually. The types of high-polluting sites listed in the report can be found throughout Lycoming County. These include: drilling and fracking operations, compressor stations, and wastewater processing facilities.

According to the National Resource Defense Council (NRDC), another plaintiff in the suit, "Those living or working closest to wells are at the highest risk... They can also be exposed to diesel particulate matter and other toxics, including carcinogens. As a result, they are also at risk for eye, nose and throat irritation, brain and nervous system problems including headaches, lightheadedness and disorientation, blood and bone marrow damage leading to anemia and immunological problems, reproductive system effects, birth defects and harm to the developing fetus, and cancer."

RDA joins with the other plaintiffs in hopes that the EPA will take action and require the industry to make basic information about chemical releases available to us all.

[For more information, read the Bloomberg News report.](#)

[Click here to see a complete copy of the petition filed in DC court.](#)

[Click here for Barb Jarmoska's written testimony as declarant for RDA.](#)

Arrogance and denial dominates the

Poland Township, Ohio, and highlight the pitfalls of unseen faults within such operations.

Not seeing where there could be a fault line is the problem, said Mark Szybist, a staff attorney with Penn Future, a PA-based environmental group that monitors fracking's effects on the environment.

"This looks like yet another example of fracking first and understanding fracking later," he said. "This study underscores the importance not only of knowing where the faults are, but also understanding how they work."

[Click to read the full article.](#)

Audobon Society Meeting: Marcellus Shale-Gas Drilling and Forest Fragmentation

Wednesday, Feb 25 - 6 pm

James V. Brown Library
Lowery Room - 3rd Floor

Effects of Marcellus Shale-Gas Development on Forest Fragmentation and the Forest Bird Community in North-Central Pennsylvania

will Lillie Langlois, PhD
Candidate, Wildlife and Fisheries Science at Penn State

Pennsylvania, aka Penn's Woods, is roughly 60 percent forest, with the largest unbroken block of trees spanning the state's north central region. The rapid expansion of Marcellus Shale drilling has been breaking up the block, and this is the basis for Lillie's research, and her presentation to LAS.

[Click here to see what forest fragmentation looks like.](#)

Protect Our Public Lands from Fracking

Representative Mark Pocan (WI-2) recently introduced a bill to ban fracking on all public lands - the strongest piece of federal legislation against fracking to date.

drilling debate

by Ted Stroter, Williamsport, PA

Retired Chemical & Environmental Safety Engineer, RDA Adviser

The gas industry claims that unconventional drilling is a safe technology. The environmentalists claim that it pollutes the air and water. During my career as a chemical and environmental safety engineer, I studied the toxicity and hazards of industrial chemicals, and how to best mitigate these hazards. Based on my experience, I believe both sides need to face the facts and accept the truth.

I'll start with the gas industry. I recently sat through an 8-hour zoning board hearing on a permit for a well pad in Hepburn Township. Throughout the procedure, Inflection Energy continued the industry's perversion of truth about fracking and water pollution. Anyone familiar with the gas industry understands that the industry has been responsible for contamination caused by spills and faulty well construction (usually cementing). [Several state environmental agencies have released 200+ documented cases of water contamination from gas drilling operations, including PA DEP.](#)

It is troubling that most of the contamination issues are related to well cementing failures, a continuing problem for the industry. Dr. Claude E. Cooke, who was honored by petroleum engineers as a "legend of hydraulic fracturing" is quoted by Russell Gold in his book, *The Boom*. Cooke states, "Worry about the wells, not fracking. If something goes wrong with a fracked well, the likely problem is faulty cement". Tony Ingraffea, PhD, of Cornell University agrees, and points out that PA DEP statistics document the immediate failure of 6% of all well casings, reinforcing the worries of the gas industry's own Dr. Cooke.

Inflection also stated that their activities at the proposed Hepburn Township pad would only be a "small impact to the residents living nearby." Those same residents testified to the contrary. Their sense of place is about to be sacrificed as the landscape is permanently altered: traffic, noise, lights, dust and particulates will affect their life in significant ways, especially their family's enjoyment of all outdoor activities; quality of life will diminish. Residents also expressed concerns about air emissions from the industry, but these were readily dismissed by Inflection's lawyers. The determination of the actual level of harm from gas operation emissions is a very complicated subject, and the industry is not admitting to the full picture, as evidenced by EPA investigations and proposed rule making. [If the gas industry is not responsible for harmful emissions, why does the EPA need to update their regulations on such emissions?](#) Furthermore, why is the EPA being sued for its failure to include oil and gas activities in the Toxic Release Inventory. (See featured article above)

When it comes to oversights by environmentalists, the most glaring is the challenge presented by the enormity of the present scope of natural gas uses in American life. About 62 million American homes, approximately 50%, currently use natural gas. Many common household items are made from natural gas (mostly methane) and natural gas liquids (mostly ethane, propane & butane): shrink wrap, food and drink containers, grocery bags, toys, pipes, carpets, upholstery, cleaning products, propellants (in items like hair spray and spray paint), tires and antifreeze. Then there's polyester and fleece, the clothing fibers made partially from natural gas liquids.

How do we solve this complicated problem? I certainly don't pretend to have the answer, but I am certain that the gas industry's refusal to admit to the negative side of their operations while continuing the build-out of well pads and infrastructure in areas where people are passionately opposed to such development, including residential neighborhoods and state forests and parks, is not helping the debate.

Fracking on public lands means clear-cutting forests for well pads, air pollution, potential water contamination and thousands of trucks carrying water, toxic chemicals and waste.

Our US parks and national forests are irreplaceable. Not only do they provide beautiful recreational areas and essential wildlife habitat, they also protect critical drinking water sources.

[Click here to sign a petition asking your Representative to support a ban on fracking on public lands.](#) We'll deliver your signature and additional message directly to your elected official.

Wolf - Agree to Public Herald Interview

Journalist and documentary filmmaker Melissa Troutman is on a mission to sit down with Pennsylvania Governor-elect Tom Wolf to discuss issues with fracking uncovered by investigative news nonprofit Public Herald.

Public Herald reached out to Wolf several times during his campaign and post-election win, with no reply. Troutman and her partner Joshua Pribanic have investigated the impacts from fracking in Pennsylvania since 2011 and have released over 30 reports about water contamination, health issues, property rights, community rights, and government-industry corroboration at [PublicHerald.org](#). Their documentary [Triple Divide](#), released in 2013, details the experience of fracking's impacts in Pennsylvania and the lack of accountability.

Troutman wants to sit down with Wolf to talk about new Public Herald reports about fracking in Pennsylvania, justice for those who've already been harmed, constitutional rights, and whether the governor-elect supports the study of health impacts in the state.

[Click here for more information & to sign the petition.](#)

The gas industry arrives at our local neighborhoods and special places armed with arrogance, lawyers, and fistfuls of money. They meet with elected officials behind closed doors, working to create laws and regulations that are in their own best interest. Local residents are denied access to official emails and meeting notes, and deprived from offering testimony at hearings because industry attorneys declare that only their "expert witnesses" are permitted to speak.

As the two sides of the debate rage on, it is increasingly evident that a national energy policy which takes into account both sides of this issue, as well as the serious threat of climate change, is sorely lacking. The energy policy put in place under the George W. Bush administration in 2001 was ripe with conflict of interest regarding the development of fossil fuels, as most of the input for the policy came from energy CEOs and lobbyists, while environmentalists were finally brought into the discussion for a token meeting after the draft of the policy was essentially complete. This was a missed opportunity to begin the serious work of transitioning away from America's fossil-fuel based economy.

Creation and implementation of such a comprehensive energy plan, with a place at the table for all sides, and without the undue influence of multinational fossil fuel moguls, is a daunting task indeed, but one that is increasingly necessary for our way of life and continued existence.

PA Environmental Rights Amendment - Back to Payne v. Kassab?

The following is an update of the PEDF lawsuit - reprinted with permission from The National Law Review's blog:

by David Mandelbaum, Greenburg Traurig, LLP - 1/8/2015

We have a new opinion today under the Environmental Rights Amendment to the Pennsylvania Constitution. [Pennsylvania Environmental Defense Foundation v. Commonwealth](#), No. 228 M.D. 2012 (Pa. Commw. Ct. Jan. 7, 2015). Maybe the state constitution mandates some sort of environmental impact study before the commonwealth acts. Maybe it means nothing more than that one must comply with environmental statutes. The courts do not seem to be on the way to clarifying that confusion soon.

The Pennsylvania Commonwealth Court today issued its opinion in an environmental group's challenge to appropriations legislation that (a) induced the Pennsylvania Department of Conservation and Natural Resources to lease state forest land for natural gas development and (b) transferred large sums from the Lease Fund - used to maintain the parks and DCNR generally - to the General Fund. That practice began under Governor Rendell in 2008 and continued through last year under Governor Corbett. The intermediate appellate court found no constitutional infirmity in any of this.

The constitutional challenge arose under the Environmental Rights Amendment, Article I, section 27, of the Pennsylvania Constitution. The courts and commentators, including this blog, have been struggling with what the Environmental Rights Amendment requires in the wake of the decision a year ago in *Robinson Twp. v. Pub. Util. Comm'n*, 83 A.3d 901 (Pa. 2013). The Supreme Court plurality in *Robinson Township* seemed to announce that any part of the commonwealth's government has to engage in some sort of (vaguely described) balancing - perhaps like an environmental impact study, perhaps not - before acting. The Supreme Court plurality specifically criticized the pre-existing test for constitutionality under the Environmental Rights Amendment expressed by the Commonwealth Court in *Payne v. Kassab*, 312 A.2d 86, 94 (Pa. Commw. Ct. 1973) (en banc), aff'd, 361 A.2d 263 (Pa. 1976), as too narrow, too dependent on statutory compliance, and too detached from the constitutional text. The *Payne* test was:

Governor-elect Wolf: Follow NY's Lead & Ban Fracking Now

Huge victory - the state of New York banned fracking!

This victory came after years of education, mobilization and advocacy work done by Food & Water Watch as a co-founding member of New Yorkers Against Fracking, and the strong network of allies and grassroots activists in New York.

This hard-won victory shows that we win when we bring people together to build political power.

After activists demanded that New York study the health effects of fracking, a two-year investigation by the state's own commission confirmed what the movement has been saying all along, that fracking cannot be done safely.

New York has set an example that the rest of the country should follow to make sure that families in every state are protected from fracking.

[Click here to send a message to your governor to ban fracking now.](#)

Clean Air Council's Map of Shale Gas Infrastructure

The Clean Air Council's new shale gas infrastructure map will make it easy for residents who live near shale gas infrastructure in Pennsylvania to view nearby facilities as well as report pollution problems directly to state and federal environmental agencies. [The map is now available online.](#)

Say No to the Atlantic Sunrise Pipeline

The proposed Atlantic Sunrise pipeline would span 178 miles through eight counties in PA. If approved, it would directly impact the lives of thousands of people living in these communities.

Help protect PA from the construction of this damaging

(1) Was there compliance with all applicable statutes and regulations relevant to the protection of the Commonwealth's public natural resources? (2) Does the record demonstrate a reasonable effort to reduce the environmental incursion to a minimum? (3) Does the environmental harm which will result from the challenged decision or action so clearly outweigh the benefits to be derived therefrom that to proceed further would be an abuse of discretion?

The Commonwealth Court today considered Robinson Township, but decided that as a plurality opinion, it is not binding. Therefore, said the Commonwealth Court, *Payne v. Kassab* is still the operative test.

Read *Pennsylvania Environmental Defense Foundation v. Commonwealth*, No. 228 M.D. 2012 (Pa. Commw. Ct. Jan. 7, 2015), by [clicking here](#).

©2015 Greenberg Traurig, LLP. All rights reserved. [Click here to view the source of this article, posted on The National Law Review website.](#)

The Pennsylvania Environmental Defense Foundation is planning to appeal this decision, and is seeking financial assistance in that endeavor. The PA Forest Coalition has agreed to match the first \$4,000 in donations to PEDF to assure that we have the right to clean air and water as stated in our Constitution. [Click here to make a donation to PEDF and help with this cause.](#)

[Back to Top](#)

pipeline. By signing this petition, you are urging the Federal Energy Regulatory Commission and PA elected officials to deny the Atlantic Sunrise Pipeline and to instead protect PA homes, farms & natural areas.

[Click here to sign the petition.](#)

Join RDA!

Sign Up/Make a Donation

We welcome your active participation and are in need of help for special events, publicity, research and other projects.

It costs nothing to sign up for our e-newsletter, but tax-free donations are accepted & greatly appreciated.

As a 501(c)(3) non-profit organization, RDA relies on donations for the important work we do. In order for RDA to continue its valuable education and advocacy outreach in 2015, please consider a tax-free contribution to our efforts.

You can send a donation to the address listed at the bottom of this email, [click here to donate via PayPal](#), or [click here to download our current membership form](#) to fill out and send in along with your donation.

Membership levels:

Adventurer.....\$10
Explorer.....\$20
Woodlander.....\$50
Guardian.....\$100
Naturalist.....\$500
Preservationist.....\$1,000

www.RDAPA.org

Past Newsletters

[Click here to access our newsletter archive.](#)

[Join Our Mailing List](#)

Brooke Woodside, RDA Working Group, Managing Editor
Barb Jarmoska, Treasurer - RDA Board of Directors, Editor
Ralph Kisberg, RDA Working Group, Contributing Editor
Ted Stroter, RDA Working Group, Chemical Advisor & Contributing Editor
Jim Slotterback, President - RDA Board of Directors
Robbie Cross, Vice President - RDA Board of Directors
Jenni Slotterback, Secretary - RDA Board of Directors
Mark Szybist - RDA Board of Directors
Roscoe McCloskey - RDA Board of Directors
Dianne Peeling - RDA Board of Directors



This biweekly e-newsletter is written and designed by the RDA consultants and Board of Directors and sent to RDA members/subscribers. Every effort is made to assure complete accuracy in each issue. This publication and the information contained herein is copyrighted by RDA and may not be reproduced without permission. All rights reserved. Readers are invited to forward this newsletter in its entirety to broaden the scope of its outreach. There is a forward link below. Readers are also invited to submit articles to be considered for publication in a future issue.

Please note: The RDA newsletter includes reporting on a variety of events and activities, which do not necessarily reflect the philosophy of the organization. RDA practices only non-violent action in voicing the organization's beliefs and concerns.

Responsible Drilling Alliance | responsibledrillingalliance@gmail.com

<http://www.rdapa.org>

Phone: 888.332.1244 (toll free)

Please mail donations to:
RDA, PO Box 502, Williamsport, PA 17703



Copyright © 2014. All Rights Reserved.