



Greetings!

Zoning can be a complicated and confusing topic, one that resides at the core of many a controversy over the placement of gas wells and industry infrastructure. What is the relationship between Pennsylvania's Oil and Gas Act, Municipal Planning Code, and Act 13? Are there laws that permit residents to deny gas companies permission to build wells and compressor stations near homes, schools and playgrounds? What happens when a proposed well pad is the proverbial pig in the parlor? Attorney and RDA Board of Directors member Mark Szybist sorts fact from fiction and helps make sense of the zoning laws in the second video in the RDA series, featured here. This video presentation is not only worth 7 minutes of your time, it's worth sharing with your township supervisors and planners. Please help RDA spread the word by forwarding this newsletter to your friends, family and elected officials, and drawing their attention to this crucial information. Consider posting a link to the newsletter on your Facebook page. In many cases, local government officials can do more to protect the health, safety and property values of the residents they were elected to serve.

In addition to the challenge of gas well location, the challenge of drilling waste disposal is even more daunting. The industry would like us to believe that this potentially harmful waste makes good fill for construction projects. In our second feature story, Drake Saxton fills us in on the sordid details of some questionable activities in Sunbury.

Our third story springs from an email sent by RDA founder Jon Bogle's daughter. The reference line read, "Sadness in Durango." Writing about the

In This Issue

[Recent Oil and Gas Law](#)
[Clean Earth's Dirty Truth](#)
[Gold King Mining Disaster](#)
[In Other News](#)
[Join RDA!](#)
[Newsletter Archive](#)

Events/ Action Points

[Submit a Comment to EPA](#)
[Gov. Wolf - Ban Fracking](#)
[Fight Methane Pollution](#)
[Stop Fracking in CA](#)
[No Fracking the Everglades](#)

In Other News

Environmental Health & Safety Violation

The violation was issued to PA General Energy, LLC, for activity in McHenry Township, Lycoming County. The incident was reported as a release of triethylene glycol from a dehydration unit on

environmental disaster caused by a mine waste spill in Colorado, Adrea Bogle went on to say, "Everyone here is incredibly heartbroken by this disaster. It could mean a huge change for this area." Those of us who love the Loyalsock, Pine, Lycoming and other creeks and streams here in Lycoming County can relate to the horror these folks are experiencing. Our third story provides photos and details.

Speaking of beloved creeks, we offer one last reminder that the deadline for comments on Chief Energy's proposed water withdrawal from the Loyalsock Creek at Forksville is this Sunday, August 16th at midnight. Let the SRBC know how much you love the Loyalsock, and what a 24/7 industrial site would mean to this quaint little village that serves as the gateway to World's End State Park. [Click here to submit your comment.](#)

"In Other News" begins with an environmental health and safety violation issued to PA General Energy, LLC for activity in McHenry Township, Lycoming County. This company also has gas wells at the top of Jacoby Falls in the Loyalsock State Forest. This is followed by the Encyclical Letter by the environmentally conscious Pope Francis. Be sure to read this truly inspiring testimony. The final article is the second part in a series on the gas industry's wooing of PA's former governor.

A number of "Action Points" are also included for your participation.

Thank you for caring and staying informed,

Barb Jarmoska
RDA Board of Directors

Visit our website at: www.rdapa.org

Recent Oil & Gas Law

This is the second in a three-part series of informative zoning videos brought to you by RDA.

Zoning is one very important and effective way to manage where natural gas development occurs within your municipality. Whether you live in a Borough, Township or City, your elected municipal officials may already have some effective zoning in place, and they also have the power to create new zoning laws. Our first video was an informative introduction to basic zoning principles. [Click here to view the first video, Zoning 101.](#)

This second video covers a little more ground in discussing recent changes to state regulations, and emphasizing what municipalities can and should do to prevent the "*pig in the parlor*" scenario. Do you want to keep gas drilling away from nursing homes, daycare centers and schools? Proper zoning can help to fulfill those goals.

Special thanks to Mark Szybist, John Nicholson and Oz Gerard for making these videos possible.

July 20, 2015.

This company is the current operator of multiple wells at the top of Jacoby Falls in the Loyalsock State Forest in Gamble Township.

[Click here to read more.](#)

Encyclical Letter Laudato Si' of the Holy Father Francis on Care of Our Common Home

The following is a mere snippet of the Pope's message:

"The earth's resources are being plundered because of short-sighted approaches to the economy, commerce and production. The loss of forests and woodlands entails the loss of species which may constitute extremely important resources in the future, not only for food but also for curing disease and other uses. Different species contain genes which could be key resources in years ahead for meeting human needs and regulating environmental problems.

Patriarch Bartholomew has spoken in particular of the need for each of us to repent of the ways we have harmed the planet, for "inasmuch as we all generate small ecological damage", we are called to acknowledge "our contribution, smaller or greater, to the disfigurement and destruction of creation". He has repeatedly stated this firmly and persuasively, challenging us to acknowledge our sins against creation: "For human beings... to destroy the biological diversity of God's creation; for human beings to degrade the integrity of the earth by causing changes in its climate, by stripping the earth of its natural forests or destroying its wetlands; for human beings to contaminate the earth's waters, its land, its air, and its life - these are sins". For "to commit a crime against the natural world is a sin against ourselves and a sin against God".

[Click here to read more.](#)

How PA Gas Industry



Recent Oil & Gas Law

Clean Earth's Dirty Truth

by Drake Saxton, RDA Member

While wise residents of Tioga County attempt to stop [the placement of 400,000 tons of Clean Earth's \(a temporarily permitted research & development company\) drill cuttings near the Pine Creek Gorge](#), residents of Sunbury PA have already unknowingly received a significant quantity of Clean Earth's drill cuttings inside the boundaries of their city. This info is according to a Phase 1 Environmental Site Assessment of the site located at [1400 Susquehanna Ave, Sunbury, PA](#).

After repeated failed attempts to certify the origin and content of the fill that was being hauled onto the former Celotex site (owned by Moran Industries), Sunbury Councilman Joseph Bartello, in a letter of May 15, 2013, ordered the site closed. Sunbury Mayor David Persing then prevented the site closure in direct violation of city zoning. Sunbury Mayor David Persing, Moran Industries and the Northumberland County Planning Department, as well as Northumberland County, which has just purchased the site to build a new county prison), were all asked for the composition and origin of the fill. In correspondence with councilman Bartello dated May 29, 2013, Northumberland County's answer was, "The County is not in possession of any such document." No one else provided an explanation of the content or origin of the fill in question.

Northumberland County's desire to construct a new county prison is in direct conflict with environmental covenants placed in the property deed to prevent residential use of the site because of site contamination. Clean Earth of Williamsport PA proposed testing and monitoring of the site in conjunction with using their product for fill on the site. Many of those proposals of monitoring and testing were never completed, according to the Environmental Site Assessment by Apex Companies LLC, Malvern, PA.

Gained Corbett Influence

Second of two parts. [First Part: Tom Corbett, even before winning his party's 2010 nomination, began wooing the gas industry](#). Second Part: Post-nomination, the money rolled in, buying a seat at the administration's table.

The briefing memo from a Pittsburgh-based fundraiser recounted the star-studded first encounter between Pennsylvania's gubernatorial front-runner and a leader of its growing gas extraction industry.

[Click here to read more.](#)

Submit Your Comment to the EPA - Fracking Contaminates Drinking Water

The EPA released a long-awaited study about fracking impacts on drinking water. The oil and gas industry cheered the results because of its skewed methodology and the pro-industry spin that accompanied its release.

While the study did acknowledge what existing scientific data and countless personal experiences have already shown – that fracking does indeed contaminate groundwater resources – its headline and conclusion misleadingly assert that we shouldn't be worried about fracking impacting drinking water.

The study falls far short of the level of scrutiny and government oversight needed to protect the health and safety of the many millions of Americans living in watersheds impacted by fracking – nearly 10 million within one mile of a fracked well, according to the study.

[Click here to submit a comment through Food & Water Watch.](#)

Governor Wolf, Respond to DOH Documents by Stopping Fracking

We, the undersigned, urge you to respond to recent news



Storm-water runs off the Celotex site, where it can flow into the adjoining neighborhood as well as the Susquehanna River.

The Celotex site does not have a storm-water management plan or a storm-water management plan maintenance agreement as is required by Sunbury city zoning. Some adjoining properties to the Celotex site have 12" or more of standing water after each heavy rainfall. Storm-water runoff from the Celotex property leaches through the Clean Earth drill cuttings and this, along with other contaminants, can be carried to adjoining properties. Clean Earth claims to have remediated their drill cuttings to legal limits, and in many measured parameters, that is all that has been accomplished. However, soil sampling results of the "clean earth" cover material identified arsenic concentrations above the PA DEP limits and Clean Fill standards.

Clean Earth is a research & development company operating on a temporary DEP permit. DEP is still evaluating information at this time according to Steve Socash, who said "we haven't completed our review of Clean Earth's conclusions."

Many of us would term this type of R&D an "experiment" but do we really want to be the human lab rats that are used for such experimentation? Many drill cuttings are radioactive; no known procedure exists to remove radiation.



A child floats in the storm-water of flood-prone Sunbury.

of negligence and inadequate response on the part of the Pennsylvania Department of Health by placing a moratorium on fracking in Pennsylvania immediately.

We have serious concerns following the release of documents showing that the Pennsylvania Department of Health consistently provided inadequate responses to fracking-related health complaints. Please act immediately to stop the issuance of new fracking permits, and put forward a plan to help those who have been impacted by fracking.

[Click here to sign this petition prepared through MoveOn.org.](#)

Tell Governor Wolf That Trusting the Industry to Voluntarily Clean Up Isn't Working - PA Needs Real Rules Now

Since the shale boom began in Pennsylvania, gas companies have only been required to voluntarily look for and fix air pollution leaks. As one of the world's largest natural gas fields and now the second largest shale gas producer in the country, we need to do better than trust the industry to do the right thing.

By adopting strong rules to fight methane pollution, the Pennsylvania Department of Environmental Protection (DEP) can save lives, improve health, and help curb climate change. DEP must live up to its mission to ensure the health and safety of Pennsylvania's citizens by enacting best-in-the-nation regulations to stop air pollution leaks from shale gas operations.

Please add your name to this petition from the Clean Air Council to tell Gov. Wolf that we need strong rules to fight methane pollution.

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

Stop Fracking in CA

A petition created by stopfrackinginca.org is

The residents of Tioga County need to continue to question the use of drill cuttings in the manner proposed for the Wellsboro Johnston airport. Any time municipalities, government agencies and companies won't answer questions from the public, we need to be very suspect of the proposals at hand.

Gold King Mining Disaster

The following information was gathered from the EPA's website, regarding the Spill on August 5, 2015:

An EPA team working to investigate and address contamination at the Gold King Mine in San Juan County, Colorado, unexpectedly triggered a large release of mine waste water into the upper portions of Cement Creek. Initial estimates are that the release contained approximately one million gallons of water that was held behind unconsolidated debris near an abandoned mine portal. Later estimates of increased flows projected the release at more than 3 million gallons. There were several workers at the site at the time of the breach, all were unharmed.



The latest updates and information on the response are available on [EPA's Gold King Mine Website](#).

The following is from the [8/10/2015 Update to EPA's Response to 2015 Release from Gold King Mine](#):

EPA Region 8 has deployed a large response team to Durango and Silverton, Colorado and to several locations in New Mexico, Utah and the Navajo Reservation to coordinate with affected states, tribes and communities on various response activities and to address impacts associated with the Gold King mine wastewater release.

EPA's primary objectives include working with federal, state, tribal and local authorities to make sure that people continue to have access to safe drinking water, ensure appropriate precautions are in place for recreational use and contact with river water, evaluate impacts to aquatic life and fish populations, and stop the flow of contaminated water into the watershed at the Gold King Mine site.

Aerial and ground reconnaissance indicates that the plume associated with the Gold King Mine release has dissipated downstream, and there is no leading edge of contamination visible in downstream sections of the San Juan River or Lake Powell.

EPA has also taken steps to capture and treat the discharge at the Gold King

intended to put an end to fracking and extreme oil extraction in California.

Scandal after scandal has given Californians concrete proof that Big Oil is poisoning their state.

First, state regulators discovered oil waste water being pumped into their dwindling water supply. Then, scientists found oil companies selling oil waste water laden with cancer-causing chemicals to farmers for irrigation.

This summer, while California is experiencing one of its worst droughts in history, oil and gas companies are selling contaminated waste water to farmers to use for irrigation. Big Oil not only gets away with poisoning the most important resource to sustain life, but they also earn an extra profit by selling back the poison as a farming tool. It also means all of us are at risk, since California grows 90 percent of the grapes, 95 percent of the broccoli and more than half the bell peppers Americans eat every year - just to name a few of the biggest crops. This is beyond fracked up, and that's why we need to take action.

[Click here watch a short video and sign the petition.](#)

Say No to Fracking in Big Cypress National Preserve

Big Cypress National Preserve is home to the iconic Florida panther, provides critical habitat for eight other endangered species and plays a crucial role in keeping clean water flowing into the Everglades. But more than 70,000 acres of this fragile ecosystem are at risk if Big Oil convinces the National Park Service to throw open the doors to fracking. Tell the National Park Service to stop Big Oil's advance immediately and assess the full risks of fracking in Big Cypress.

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

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mine, addressing the risk of additional downstream impacts. We have constructed four ponds at the mine site and which are treating water to remove as much metal loading as possible in this situation. Over the next several days, EPA will make upgrades to the system to ensure its continued operation.

EPA is collecting and assessing water quality from the Animas and San Juan Rivers daily. Over the next several days, we will be jointly evaluating data and information with partners to determine when access to the Animas River will be restored for activities and uses such as rafting, fishing, irrigation, and drinking water. EPA, tribal, state and local officials are coordinating these decisions based on sampling data, risk screening levels, and other related factors. We do not anticipate any reopening decisions until at least August 17. The timing of these decisions could vary among local, state and tribal governments based on local conditions and by uses. Until notified otherwise, people should continue to abide by existing closures.

The assessment of impacts to wildlife and fish populations is ongoing. To date we have seen no indication of widespread fish mortality in the Animas or San Juan. Fish cages placed directly in the Animas River by the State of Colorado Division of Parks and Wildlife for two days indicate one mortality out of 108 fish tested. The State will be evaluating those and other ecological impacts with partners as we move forward. EPA is also working with the New Mexico Department of Game Fish and the U.S. Fish and Wildlife Service to investigate reports of impacts to wildlife.



[Click here for more information from the EPA.](#)

[Back to Top](#)

RDA Newsletter

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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.

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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.

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