

` 10/3/2024

Members of the Pennsylvania General Assembly

Dear Members,

Since we sent you our brief, [*Too Infrequently Asked Questions About Carbon Capture and Storage*](#), two weeks ago, another CO2 leak 5,000 feet below Archer Daniels Midland's (ADM) operation in Illinois has forced a halt to carbon injections. Our brief discussed the earlier ADM leak that had just been shared with the public, although it had occurred in March.

That leak of 8,000 metric tons of CO2 into an unauthorized zone 500 feet above where sequestration is allowed was caused by corrosion in a monitoring well. The EPA became aware of the leak in July and issued a violation notice in August, but did not inform the public until mid-September. Even worse, the company was not just aware of the leak months earlier, it was aware of the corrosion last October.

Two years ago, Chris Cuddy, President, Carbohydrate Solutions for ADM, proclaimed that his company had "demonstrated CO2 can be safely injected a mile and a half under the earth, setting a new milestone for the world's understanding and ability to implement industrial CCS systems."

The failures of ADM's CCS operation provide a cautionary tale that should not be ignored as you consider opening the state to Carbon Capture and Storage. The legislation you passed in July was amended in such a way that longterm liability for things gone wrong could be shifted to the state at any point. Could a similar failure in Pennsylvania result in the public picking up the tab for damages done? Illinois does not have hundreds of thousands of abandoned wells that makes siting of CO2 injection wells particularly challenging. What would be the effect of leaks like those in Illinois at an injection well placed too close to abandoned wells? Pennsylvania would like to be given primacy over the regulation of CO2 injection wells even though it is one of a handful of states, territories, and tribes that have never had primacy over any class of injection well. If the EPA, with all of its experience and resources, was unable to protect the public from ADM's operations, what are the chances that Pennsylvania's inexperienced, understaffed, and underfunded Department of Environmental Protection will be able to do better?

Act 87's subsurface eminent domain provisions pertaining to pore space are especially concerning. One important footnote in the timeline of the earlier leak is that Decatur's city council and ADM had been hammering out a pore space agreement for months before the

leak was detected in March. However, the city was not informed of the leak and signed the agreement in May. The city was not told of the leak until August.

The example of ADM's failures provides more evidence that there are no Carbon Capture and Storage success stories. We urge you to reject plans to open our state to this failed, dangerous, and expensive technology and choose instead to support the truly clean renewable energy solutions we need to address the climate crisis.

Respectfully,

Karen Elias, Co-Founder

No False Solutions PA Coalition

cc: Governor Josh Shapiro