

January 21, 2020

Members of the Pennsylvania Senate

Dear Senators,

The House Environmental Resources and Energy Committee amended SB 790 to remove the provision that would have allowed for the spreading of drilling waste on unpaved roads as a dust suppressant. The move improves the bill, but not substantially enough to warrant its passage. It is still a very bad bill in many respects. We, the undersigned, are calling on you to vote no on the bill when it returns to you in its amended form.

The bill is the latest attempt to establish a set of rules for conventional drilling separate from those for unconventional drilling. However, what differentiates the two categories is not at all clear in state law or in practice. The Pennsylvania Independent Oil and Gas Association's website puts it this way:

"Pennsylvania law defines an unconventional gas well as a well drilled into a shale formation below the base of the Elk Sandstone or its geologic equivalent where natural gas cannot be produced by horizontal or vertical well bores except when stimulated by hydraulic fracturing. Essentially, these wells are drilled into a shale that is so dense that the gas trapped inside cannot be released except by cracking the rock by means of hydraulic fracturing.

A traditional, conventional well is usually drilled into a sandstone formation that can range from as shallow as 1,500 feet to as much as 21,000 feet deep. Oil and gas are able to pass through these formations without hydraulic fracturing, but nearly all wells are stimulated through fracturing to improve production. Conventional wells have been drilled vertically, although a few operators are experimenting with horizontal drilling techniques in conventional formations."

Conventional drilling is not a simpler, less impactful form of drilling. In fact, conventional drillers have racked up three times more violations than unconventional drillers have. There is no justification for loosening the rules for conventional drillers, yet that is what SB790 seeks to do.

Among the more troubling provisions of the bill are the following:

Prior to the amendment approved by the House ER&E committee, the bill sought to allow spills of up to 15 barrels, or 630 gallons, of brine to go unreported. The amendment lowered the threshold to 5 barrels, or 210 gallons.. However, the Pennsylvania Department of Environmental Protection's current reporting requirement is 5 gallons, or roughly 0.12 barrels.

Under SB790, drillers can use water that doesn't meet Pennsylvania's Safe Drinking Water Act standards to replace the private water supplies they damage.

The bill also stops local governments that want to impose tougher rules. The section called Local Ordinances states, "The Commonwealth, by this section, preempts and supersedes the regulation of conventional oil and gas wells."

Our more fundamental concern with SB790 is that it will enable more oil and gas drilling in Pennsylvania when it is clear that we are nearly out of time to address the climate crisis. Our legislature should be looking for ways to speed the transition away from the production of fossil fuels and petrochemicals. As we have heard so often, our house is on fire. Stop fanning the flames.

Sincerely,

Karen Feridun, Berks Gas Truth, Kutztown, 19530, on behalf of the undersigned

350 Philadelphia
350BucksCounty
Action Together
Allegheny County Clean Air Now
Alliance for Sustainable Communities
Better Path Coalition
Body Synergy
Breathe Easy Susquehanna County
Breathe Project
Bucks County Concerned Citizens Against the Pipelines
Bucks County Sierra Club
Bucks Environmental Action
Camp White Pine
Citizens for Equality Action
Columbus Community Bill of Rights
Delaware Riverkeeper Network
EcoJustice Working Group Thomas Merton Center
FracTracker Alliance
Gas Drilling Awareness Coalition
Green Party of Allegheny County
Green Party of Butler and Venango Counties
Janvier Ott Inc
Kettle Creek Adventures Lodge and B & B
Lancaster County Green Party
Lebanon Pipeline Awareness
Marcellus Outreach Butler
North American Climate, Conservation and Environment(NACCE)
NVEC Nittany Valley Environmental Coalition (Board Member)
Pennsylvania Alliance for Clean Water and Air
Physicians for Social Responsibility PA
Pittsburgh 350 PetroChemical Action Team (PCAT)
Pneuma Institute LLC
Pottstown Dems
Principles NOT Parties
Project CoffeeHouse
Protect Elizabeth Township
Responsible Drilling Alliance (RDA)
Sandy Holm Farm LLC
Schuylkill Pipeline Awareness
Stop Fracking PA
Tioga County Indivisible

Upper Northumberland County Democracy in Action
Upper Uwchlan Residents for Safety
Uwchlan Safety Coalition
Westmoreland Marcellus Citizens Group
Williams Twp. CCAP

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