

CPLV News February 2016

CITIZENS TO PRESERVE LIGONIER VALLEY

P.O. BOX 914 • LIGONIER, PA • 15658



Dedicated to preserving the quality of life in the Ligonier Valley so that it remains a safe, healthy, and attractive place for living, working, recreation, and tourism, for now and for generations to come.

Donations to support our work can be sent to Citizens to Preserve Ligonier Valley at the above address.

<http://cplvweb.wix.com/preserveligioniertwp>

CPLV is now posting on the **Westmoreland Marcellus Citizen's Group Facebook** site. Much of the newsletter information is the same for both the Ligonier and the Westmoreland County groups.

Well Permits

Fairfield Municipality: Nelson Well

Authorization # **1105703** has been updated on 1/27/2016.

Authorization Search Details Search again

Authorization ID: 1105703
Permit number: ESX10-129-0017g
Site: XTO ENERGY INC NELSON LATERAL ESCGP-EXPEDITED
Client: XTO ENERGY INC
Authorization type: Expedited E&S Stormwater General Permit 1
Application type: Notification
Authorization is for: SITE
Date received: 01/25/2016
Status: Pending

Ligonier Twp Nelson Well

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Client: XTO ENERGY INC
Authorization type: Expedited E&S Stormwater General Permit 1
Application type: Notification
Authorization is for: SITE
Date received: 01/25/2016
Status: Pending

Donegal Twp

Gas permit issued on 2016-02-11 00:00:00 to WPX ENERGY APPALACHIA LLC for site BRADY 1-8H in Donegal Twp township, Westmoreland county

County: Westmoreland
Permit Type: New
Description: Drill & Operate Well Permit
Unconventional: Yes
Horizontal: Y
Total Depth:
Well API Number: 129-28920

Events

*****Penn Twp What: Educational Workshop on “Defending the Environmental Rights of Pennsylvania Communities from Shale Gas Development; Strategies for Residents and Local Officials”**

When: March 9th @ 6:30pm

Where: WCCC- Bushy Run Campus Classroom 9105 (6706 Mellon Rd, Export, PA 15632)

Why: In order to help meet the challenges of protecting the environmental rights of communities threatened by shale gas development, Delaware Riverkeeper Network has issued a guidebook to help municipalities and residents arm themselves with planning and zoning to protect them and their local environment from harm.

Speaker: Tracy Carluccio, Deputy Director Delaware Riverkeeper Network

*****Film-Triple Divide –Claridge PA** Free and open to the public, the screening is set for Saturday, March 5th, Doors will open at 6 PM with the screening to begin at 6:30 PM. 2016 at the Bushy Run American Legion, 3002 Main Street Claridge, PA 15623. Hosted by Protect PT

Legal Cases These cases will shed some light on how the new PA Supreme Court will view fracking cases.

*****Two important cases will be argued:**

1) Robinson Twp vs. the PUC, DEP, and AG (as previously announced)

March 9, 9 AM

City Hall - Room 456

Philadelphia, PA 19107

2) Pennsylvania Environmental Defense Foundation (PEDF) Attorney John E. Childe is scheduled to present Oral Argument in Philadelphia before Pennsylvania's Supreme Court in PEDF's landmark lawsuit to affirm meaning to Article I § 27 (the public trust amendment) and save our state forests and parks from the harmful effects of unconventional gas drilling.

“ From *FOREST Coalition*: Now is the time to support PEDF's case, because losing the right to clean air & water is for a lifetime. The PA Environmental Defense Foundation has taken on great debt to pay for this case. Now it the last step.

PEDF is in need of donations. If you wish to help the cause:

PEDF is a 501 (c)3 non-profit organization Donations are fully tax-deductible

You can donate by PayPal or pledge a monthly amount at

<http://www.pedf.org/please-help.html> or write a check today to:

PEDF, P.O. Box 371, Camp Hill PA 17001 - 0371

Please forward this message to your friends

Winning means:

· Every elected official, from the Governor on down, is responsible to protecting our right to clean

air and water.

· It will help DCNR to protect our State Parks and Forests from further destruction from gas leases.

DEP's work is made easier with the Court's backing. Think of the impaired Susquehanna River and air quality near gas operations.

Losing would mean:

· The words in Article I § 27 of our State Constitution will be interpreted by our State Assembly as they see fit.

We can't take that chance, because without clean air & water, we have nothing.”

*****Superior Court Says Range Resources Can't Hide Pollution Tests From Residents**

“Residents near Range Resource’s Yeager drill site in Washington Co. who are suing due to contamination, can seek records of air monitoring and other pollution tests that a consultant performed at gas facilities, the PA Superior Court ruled, shooting down the company's objections.

The plaintiffs are represented by John Smith and Kendra Smith of Smith Butz LLC. The case is Haney et al. v. Range Resources-Appalachia LLC et al., in the Superior Court of the State of Pennsylvania.” <https://www.law360.com/articles/752807/pa-fracker-can-t-keep-pollution-tests-from-residents>

*****Kretschmann Farm, New Sewickley**

Please note the denial of agricultural use designation for a mulching operation, yet townships argue fracking should be a permitted agricultural use.

The appeal is based on :

** The Commonwealth Court’s determination that the New Sewickley Twp Board of Supervisors was NOT OBLIGATED to review the Application in the context of Article I, Section 1 and Article I, Section 27 of the Pennsylvania Constitution during a conditional use review

** In regard to emissions and air quality concerns, Cardinal Midstream offered Ms. Christi Wilson as a witness. *Ms. Wilson readily admitted that harmful pollutants, such as Nitrogen Oxides, Carbon Monoxide, Formaldehyde, a known carcinogen, and Volatile Organic Compounds, including benzene, a known carcinogen, and toluene would, in fact, be emitted from the Compressor Station.* Ms. Wilson testified that the Compressor Station would have to comply with state and federal permitting requirements but acknowledged on cross-examination by the Kretschmanns’ counsel that these permitting requirements were not health-based standards based on exposure.

Ms. Wilson further **conceded that Cardinal had not performed any air modeling for its Compressor Station to determine how far and where its emissions would travel** in New Sewickley Township, what citizens would be affected and how they would be affected."

· **In a baffling rationalization, the Commonwealth Court reasoned that industrial compressor stations were compatible with farms and other agricultural uses because “no court has ever held that a compressor station cannot be compatible with other uses in an agricultural**

district.”

That the Commonwealth Court would now suggest that an industrial Compressor Station is compatible with an agricultural zoning district is at odds with not only the stated purpose of the zoning district, but with the fact that it previously found that a “mulching business” was not compatible with an agricultural zoning district.

If an enterprise where trees are cut into mulch is not “agricultural”, then a heavy industrial natural gas compressor station powered by a half-dozen internal combustion engines that emit known carcinogenic pollutants certainly cannot qualify as “agricultural,” and therefore is incompatible with the agricultural zoning district.

** The Commonwealth Court’s Opinion lacked any discussion of compatibility of the use and the defined purpose of the A-1 Agricultural zoning district that is designed to preserve environmentally sensitive areas and how industrial compressor stations properly fit into this scheme.

** The Commonwealth Court erred in allowing the Board to take action to approve an industrial use in an incompatible A-1 zoning district and, by doing so, violated Article I, Section 1 of the Pennsylvania Constitution.

Moreover, the Commonwealth Court’s holding that Cardinal had no obligation to satisfy Article I, Section 27 misses the mark.

*****Dimock Families Go to Federal Jury Trial Against Cabot Over Water Contamination**

“Dimock PA families with water contamination from drilling will be going to federal jury trial against Cabot Oil & Gas. Except for a two- year period when Cabot supplied the plaintiffs, Nolen Ely and his family, and Ray Hubert and his family, with water, since 2008, the Elys and Huberts have been living without reliable access to water and under rationing conditions. To survive day to day, these families haul water at their own expense every week for drinking, bathing and other daily basics.

Beginning in the fall of 2008, Dimock families noticed problems with their drinking water, and began to experience rashes, nausea, headaches and dizziness. A trigger point to the litigation was the explosion of Norma Fiorentino’s private water well on December 31, 2008 due to methane gas accumulation in the well head.

The case eventually included 22 families from Dimock and Springville Townships in Susquehanna County.”

PA News

*****Ligonier Twp** Citizens to Preserve Ligonier Valley continues to work to support a legal challenge to the zoning ordinance which opens up much of the township to fracking. The legal committee continues to meet with environmental groups willing to assist our challenge and the board devotes much time and effort to the business needs of the group as we work towards the goal of protecting our area from shale gas development.

*****Penn Twp. Approves Land Development**

The Penn Township Planning and Zoning Commission provided preliminary approval of the land development applications for all 7 recently proposed unconventional gas well pads in Penn Township’s

agricultural zone. In December, the same board found all 7 of the land development applications to be incomplete. "With state DEP permits and a decision from the Zoning Hearing Board still pending we are unsure about why they would choose to approve all seven of these land development applications, even preliminarily. They are once again putting the cart before the horse, said Gillian Graber, president of Protect PT.

"Penn-Franklin's front page article, "Residents speak out against Beattie gas well," is an excellent, thorough report on the recent Penn Twp zoning hearing board public meeting. Please get a copy for yourself (\$.35!) and support our local P-F. Apex has numerous leases in Murrysville and plans for a well pad less than 500 ft from the southwest Murrysville border along the PA Turnpike.

A few excerpts:

"I depend greatly on my (water) well," Gene Meyers, who lives on Davidson Lane in Penn Township, told members of the zoning hearing board. "God gave me that resource, now it is threatened - it is to be taken from me."

Meyers was one of the witnesses called by Oday Salim, an attorney with fair Shake Legal Services, representing Protect PT, a citizens group which has raised concerns and objections to the Marcellus gas wells.

During the hearing on the Beattie well, proposed for the Dutch Hollow section of Penn Township, Meyers told the board he moved to the area for the serenity, peace and quiet of the country. He said he is 1100 ft from the site of the proposed well.

Stating he has worked at various well sites before his retirement this year, Meyers said, "The noise will be devastating."

The Feb. 11 meeting was the second night of the hearing which began Jan. 14 on the well. After two hours of testimony from witnesses called by Apex Energy and Protect PT, approximately 15 residents from the area had the opportunity to speak before time ran out at 10:30 PM. With more residents expressing a desire to add their comments, the board decided to carry the hearing over to Feb 29 when a hearing on the Draftina well, which is located in the same area, is scheduled to begin.

...Testifying first was Gary Yoder, vice president of environmental services for Clime Corp. He told the board it is important to consider the contamination from normal operation in addition to accidents. He said the report says the chemicals on site will be kept to a minimum which would mean frequent transport of the chemicals onto the site. He also questioned the type of air modeling that was conducted. He stated, in his opinion, the Apex report is an incomplete assessment of the human health risks.

. When questioned by Wilhelm, Mason agreed the lights and noise are now gone, but repeatedly stated that from June until October she was unable to sleep.

Dr. James Lim voiced concern for the health of his family, stating the effects of the drilling process are not fully known. A doctor for UPMC, he said he is concerned for the health of his family, his neighbors and his patients. "I'm obligated to do everything in my power to minimize the health risks to my patients, and my family. The possible air, water, noise and contamination effects are not fully known by Apex. And the risks outweigh the benefits."

In closing, he asked the board, "Can we trust you to keep us safe?"

***Another Gas Plant Proposed on the Yough

Invenenergy has proposed a new 450-550 megawatt natural gas-fired power plant, called Allegheny Energy Center, along the Yough in Elizabeth Township, Allegheny County. Community members are formally objecting to the issuance of variances for this site.

***Wilkins Twp, Fracking Limited To Manufacturing District

"Wilkins Commissioners unanimously approved an ordinance that limits oil and gas drilling to the **manufacturing zoning district in the township.**

The ordinance calls for 1,500 foot setbacks from protected structures like homes and schools and. Additionally, the ordinance states that *applicants must complete a traffic study, submit a water withdrawal plan and emergency response plan as well as an air quality study among other requirements.*

Sylvia Martinelli, council president, said, "Wilkins Township is now a safer place to live,' she added."

*****Wilmington Twp-Conflict of Interest?** " Township supervisors, against tremendous opposition, approved the *Kingery Oil and Gas Ordinance*, aptly named since Planning Commissioner Fred Kingery has stated publicly on numerous occasions that he wrote the industry friendly oil and gas ordinance.

On January 19th, attorneys filed a *Procedural Validity Challenge* against the township for the December 21, 2015 meeting.

As a strategy, a Procedural Validity Challenge may only buy time since the same ordinance, or a similar revision, will no doubt be brought back for a vote in the coming months, but next time our township officials will be sure to follow the proper procedures. *We believe the rush to approve the industry friendly oil and gas ordinance is to allow for construction to begin before new regulations are implemented, because industry is often only required to adhere to regulations that are in place when construction commences. Several pending court cases could have significant impact on zoning rights in Pennsylvania.* Our attorneys estimate expenses for our challenge to range from \$5,000-10,000.

During the December 21, 2015 meeting, *landman Wayne Gill presented a petition in support of the Kingery ordinance on behalf of 61 township landowners.* Later during the meeting, an Amish man reported that he knew that at least two Amish who signed did not understand what the petition was about. I spoke with those landowners about the petition; apparently Wayne Gill told them that the November 2014 ordinance did not allow landowners to fully utilize their properties as they saw fit and *could lead to other ordinances that would prevent farmers from spreading manure on their land.* By preying on their fears, Wayne coerced Amish landowners into signing the Kingery petition. I was told previously by my Amish neighbors that **Fred Kingery first approached them with the petition**, just three days after the October 28, 2015 meeting. Most would agree **that it is a conflict of interest for Planning Commissioner, Fred Kingery, to circulate a petition in favor of an ordinance he wrote and could potentially benefit from**, there is no doubt that landman Wayne Gill would directly benefit as he holds a working royalty interest in any leases he helped sign here; the more drilling that is permitted within the township, the greater his financial gain.

In response to their petition, we have created our own petition and have begun circulating it

throughout the township. For nearly two years, concerned township residents have presented information and encouraged township officials to take the necessary steps to protect the rights of all residents and landowners, by increasing setbacks so that the industrial process of unconventional gas drilling would not adversely impact those who were not in favor of this development. Recently, some residents have pushed for a compromise between the November 2014 and the recently approved Kingery ordinance. However, if we are to come anywhere near the restrictions and requirements of the November 2014 ordinance, **I feel that we must raise the bar higher by suggesting that the industrial process of unconventional gas drilling only be permitted in industrial zones.** This request does not "ban" drilling from our township (*due to the limited size of the current industrial zones within the township*), *but insists that landowners who favor this development should be required to follow the established procedure for having their land rezoned as industrial.*

Carrie Hahn

***DuBois Fights Waste Injection Well-Letter to Editor, excerpt

“The push continues to threaten and contaminate our "residential" neighborhood ... Thousands of tanker trucks loaded with toxic, contaminated and some times radioactive waste will be hauled onto Highland Street to a proposed injection well. Their cargo is not "residual waste" as labeled, but far more toxic. (Halliburton loophole). Loss of air quality through benzene laced diesel fumes, toxic off gassing from frack waste tanks and the threat to many families fresh water resources from casing failures and well failures, accidents and spill's all face the residents of this area. Property value and quality of life are also going to be issues that will need to be addressed.” Randall R. Baird

Other Fracking News

***DEP-Discrepancy in Water Contamination Records

44% Complaint Record

“Thousands of complaints about drinking water have been discovered coming from communities near fracking. This casts doubt that on the claims by the EPA that fracking isn't causing widespread damage to drinking water. **DEP has received 2,309 water complaints from 17 of 40 counties where fracking took place.** Of those, 1,275 can now be viewed by the public, thanks to the investigations of Public Herald. The sheer number of complaints casts a shadow over EPA's claims, since Pennsylvania's official tally of water degradation is only 271 for all 40 fracking counties in the state.

In Pennsylvania, the reason for this discrepancy comes down to a singular issue: *mismanaged record-keeping and reporting by the DEP.*

That means that for about every two fracking well pads, one homeowner called in a water complaint, instead of one for every seven wells drilled. That's a 44 % fracking water complaint rate suggesting that water well issues are pervasive. Even if the water complaints are compared to the number of wells drilled in these 17 counties, it's a 17 % water complaint rate.

Not only is the sky-high complaint rate concerning, but why did the DEP dismiss and not report more than 1,000 water well complaints? Did 1,000+ homeowners call in bogus water well claims?"

In Pennsylvania, water degradation is defined as when a private water well located within 2,500 feet of a fracking well has been negatively impacted within six months of drilling.”

<https://www.rt.com/usa/331334-fracking-pennsylvania-worse-thought/>

*****Racetrack Owner Questions Affect of Fracking on Horses**

“Jeffrey Gural, filed an appeal questioning the results of water supply tests conducted by DEP for an equestrian facility he owns in Bradford County after the agency said it was not affected by fracking.

The Gurals said they notified the DEP of potential problems with their water in May, after noticing that a **high percentage of the foals born at the facility over the past several years were experiencing health problems.** They said the issue started shortly after a fracking operation commenced on an adjacent property.

The Gurals point to a well operated by a subsidiary of Chesapeake as a possible cause, and said the DEP may have missed something when it found their water was not contaminated by Chesapeake.”

<http://www.law360.com/articles/754844/racetrack-owner-wants-new-look-at-fracking-effects>

*****France-- Solar Road Will Provide Power to 5 Million People**

The French government plans to pave 621 miles of its roads with solar panels in the next five years, which will supply power to millions of people.

“The maximum effect of the program, if successful, could be to furnish 5 million people with electricity, or about 8% of the French population,” Ségolène Royal, France’s minister of ecology and energy, said.

The solar roads concept isn’t new. SolaRoad, the world’s first “solar road,” has been in operation in the Netherlands since November 2014, but it’s already generating more power than expected. Minister Royal said installation of the panels will begin this spring and proposes to pay for them *by raising taxes on fossil fuels.*”

<http://readersupportednews.org/news-section2/318-66/34939-this-solar-road-will-provide-power-to-5-million-people>

*****DEP Updates Rules** “PAs Environmental Quality Board EQB, approved major revisions to strengthen oil and gas regs. At a heated meeting, critics of the rules called elements of the package illegal or unnecessary.

The DEP defended the revisions and advised the board against adopting 16 amendments that would have changed the regulations’ meaning. The EQB eventually voted 15-4 to adopt the rules as DEP proposed them.

The updates to the rules focus on adding protections for public resources that might be disrupted by drilling, **ensuring that new wells don’t intersect with abandoned ones, setting stricter standards for waste handling and cleanup, and requiring that damaged drinking water supplies are restored to a safe quality or better.**” <http://www.post-gazette.com/powersource/policy-powersource/2016/02/03/Pennsylvania-board-approves-major-revisions-to-drilling-rules-DEP-Marcellus-Shale-conventional/stories/201602030207>

** **Wolf Calls on DEP To Reduce Methane-** “Gov. Tom Wolf called on the DEP to cut down on the

unnecessary release of the potent greenhouse gas from gas well sites, compressor stations, and pipelines.

Regulators are first tackling emissions from new gas well sites and compressor stations. Regulations for existing oil/ gas facilities, and suggestions for leak detection and control along pipelines will take longer to implement.

DEP said it is considering an array of new standards for well pads, among them: quarterly leak inspections with infrared cameras and monthly walk-through screenings; cleaner diesel engines on drilling rigs; quicker repairs once leaks are discovered; 95 percent control of emissions of associated pollutants from storage tanks; and reduced bleed-off from pumps.

Department officials said they are considering similar controls **for gas compression and processing sites— quicker leak repair, no-bleed or low-bleed controllers, no more venting during cleaning and maintenance.**

The new standards will be set out in general permits, which establish a baseline of behavior. Instead of applying for an individual permit for every new site it builds, a company agrees to comply with all of the terms of a general permit that have been set in advance for a whole class of similar sites. <http://powersource.post-gazette.com/powersource/policy-powersource/2016/02/16/Environmental-regulators-tackle-methane-leaks-at-oil-and-gas-well-sites-Pennsylvania/stories/201602120218>

*****Iowa Now Leads the Wind Power Generation**

Iowa wind power generates 32 % of state's electricity, leading the nation.

The American Wind Energy Association says more than 31% of the state's electricity came from wind turbines last year.

South Dakota was at 25.5% and Kansas at 23.9 %.

Gov. Terry Branstad says Iowa has the potential to jump above 40% in the next five years.

<https://bakken.com/news/id/252230/iowa-wind-power-generates-32-percent-of-states-electricity-leads-nation/>

*****Gas Wells Can Continue to Leak Methane Even When Plugged**

“Methane is the main component of natural gas. It's also a potent greenhouse gas that's potentially explosive when it accumulates in confined spaces. In Pennsylvania and California, Jackson and his colleagues have tested abandoned wells, both plugged and unplugged, for methane leaks. The results are surprising; in most cases, the wells were leaking extremely small quantities of methane, but a few wells were leaking several orders of magnitude more. It wasn't just the unplugged wells. *Some of those 'super emitters' had been plugged.*

Even those super leaky wells, from what we know, are emitting far less than, for example, the massive leak in southern California, but they do add up. In Pennsylvania, one of Jackson's colleagues estimated that abandoned wells account for 4 to 7% of the state's total man-made methane emissions. [file://localhost/” http://insideenergy.org/2016/02/09/living-on-top-of-forgotten-oil-and-gas-wells:](http://insideenergy.org/2016/02/09/living-on-top-of-forgotten-oil-and-gas-wells/)

***EPA VS FERC On Pipelines

“In regard to exporting liquefied natural gas (LNG) and building interstate gas pipelines, EPA is calling for the consideration of climate change and the full life-cycle emissions associated with using gas. EPA and FERC have a simmering disagreement over whether gas projects should be required to look at the upstream production impacts and downstream end-use effects associated with building infrastructure for the fuel. **EPA officials have urged FERC to consider not just the direct environmental effects of newly constructed facilities but also any indirect effects from new drilling activities to supply them and from the ultimate use of the fuel.**

In doing so, EPA has sided with a growing number of environmental activists calling for such expanded reviews, some of whom have staged protests at project hearings and at FERC's headquarters in Washington, D.C.” <http://www.eenews.net/energywire/2016/02/04/stories/1060031773>

***What If It's Overpiped?

“It's a concept rarely, if ever discussed in the Marcellus and Utica Shales region, but was heard uttered by no fewer than two speakers at the Marcellus-Utica Midstream Conference. “What if the Marcellus/Utica region is overpiped?” asked Mark Eisenhower, vice president of Strategic Planning and Development for midstreamer Aspire Energy of Ohio. “I'm not saying it is, but it's something that must be considered.” “Producers scaling back will mean excess pipeline capacity, and excess pipeline capacity will reduce the basis differential and thus reduce/eliminate the value of new pipeline projects,” www.kallanishenergy.com/2016/02/01/marcellus-utica-could-soon-be-overpiped/

***Pipeline Eminent Domain Protest by Michael Bagdes-Canning

Susquehanna Co. “I don't usually feel optimistic about our fights with the industry but this fight is unique, powerful, and has already had some stunning successes. What makes this unique? This goes way beyond the usual arguments - health of the planet, the community, nearby residents, protecting water and air. It's all of those things but it's also a fight for property rights. **These brave people fighting this pipeline going through their land didn't sign papers to give Williams access. The right-of-way was taken through eminent domain and these families haven't even been compensated. Further, this pipeline is going right through their sugar bush (a stand of maple trees used for making maple syrup).** They were making syrup when I was there. The pipeline will destroy trees these people depend on for income. Even more devastating - Williams hasn't gotten the necessary permitting to finish this project (Governor Cuomo in New York must approve the Constitution Pipeline for this to even make sense and he has not done so yet.). If they don't even know if they can complete the project **WHY THE HELL DO THEY HAVE TO DO IRREPARABLE HARM????**

<https://www.youtube.com/watch?v=KPoTOIDGIBM>

***Tenaska- Another source of pollution to come to Westmoreland County

Jan's Letter (I am printing my letter for the benefit of those who are unaware of the issues involved with the proposed plant.) Tenaska just received DEP approval of the air quality plan. See: *Tenaska gets DEP approval on revised air-quality plan for South Huntingdon power plant*
<http://triblive.com/news/westmoreland/9985550-74/plant-tenaska-power>

Attn: of Alexander Sandy

Department of Environmental Protection
Tenaska Plan Approval. PA-65-00990E
January 31, 2016

The Tenaska Plant, proposed to be built in South Huntingdon Township, Westmoreland County, and will annually emit several million pounds of serious pollutants including CO, VOC, NO_x, PM-2.5, PM-10, formaldehyde and 6 billion pounds of CO₂.

Many areas of Westmoreland County are already listed as EPA non-attainment areas for ozone and particulate matter 2.5, so the county does not have the capacity to handle additional emissions that will contribute to the burden of ozone in the area as well as health impacts. Westmoreland County has received a grade of D for ozone pollution and D for small particulate pollution from American Lung Association. The rate of asthma is very high and the plant's emissions will aggravate existing lung conditions, more asthma patients may be diagnosed, and children with developing lungs and seniors with respiratory disorders will be disproportionately at risk.

According to the American Lung Association, every county in the Pittsburgh region except for Westmoreland County had fewer bad air days for ozone and daily particle pollution compared with the previous report. Westmoreland County was the only county to score a failing grade for particulate matter.

Westmoreland County and the Laurel Highlands region regularly experience periods of air inversion where pollutants become trapped. This air inversion puts southwest Pennsylvanians at risk of ground level ozone exposure in addition to the many toxins emitted by the plant.

Westmoreland County has a higher incidence of disease than other counties in United States. And the pollution doesn't stop at the South Huntingdon Township border; it will travel to the surrounding townships and counties.

We request that the DEP observe the law and protect our health by considering renewable energy as opposed to an energy source that will add to the pollution of Westmoreland County.

25 PA Code 127.505(5) "... an analysis shall be conducted of alternative sites, sizes, production processes and environmental control techniques for the proposed facility, which demonstrates that the benefits of the proposed facility significantly outweigh the environmental and social costs imposed within this Commonwealth as a result of its location, construction and modification."

"Alternative Production Processes: Production processes to be considered include renewable energy technologies (e.g., solar, biomass, and wind power) and fossil fuels."

Jan and Jack Milburn

*****Lawrence County--If Gas Operations Are Sited On Agriculturally Zoned Property in Lawrence County, You Pay Industrial Taxes**

***** Recently Release Violation List From DEP**

Violations from Skytruth:

PA Permit Violation Issued to Range Resources Appalachia Llc in Morris Twp, Washington County

Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in Morris Twp, Washington county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

PA Permit Violation Issued to Range Resources Appalachia Llc in Morris Twp, Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in Cross Creek Twp, Washington County

Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in Cross Creek Twp, Washington county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

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Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in Cross Creek Twp, Washington county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

PA Permit Violation Issued to Range Resources Appalachia Llc in Robinson Twp, Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in West Finley Twp, Washington County

Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in West Finley Twp, Washington county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

PA Permit Violation Issued to Range Resources Appalachia Llc in Independence Twp, Washington County

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for production within 9 months from completion of drilling of well.

PA Permit Violation Issued to Range Resources Appalachia Llc in Findlay Twp, Allegheny County

Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in Findlay Twp, Allegheny county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

PA Permit Violation Issued to Range Resources Appalachia Llc in Morris Twp, Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in Jefferson Twp, Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in Buffalo Twp, Washington County

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Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in Mount Pleasant Twp, Washington County

Environmental Health & Safety violation issued on 2016-02-19 to Range Resources Appalachia Llc in Mount Pleasant Twp, Washington county. OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.

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PA Permit Violation Issued to Range Resources Appalachia Llc in Hopewell Twp, Washington County

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PA Permit Violation Issued to Range Resources Appalachia Llc in Donegal Twp, Washington County

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Tags: **PADEP, frack, violation, drilling**

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PA Permit Violation Issued to Range Resources Appalachia Llc in Fawn Twp, Allegheny County

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PA Permit Violation Issued to Hilcorp Energy Co in Pulaski Twp, Lawrence County

Environmental Health & Safety violation issued on 2016-02-18 to Hilcorp Energy Co in Pulaski Twp, Lawrence county. OGA 3220(A) - Failure to plug the well upon abandoning it.

PA Permit Violation Issued to Timberline Energy Inc in Porter Twp, Clarion County

Environmental Health & Safety violation issued on 2016-02-17 to Timberline Energy Inc in Porter Twp, Clarion county. 78.86 - CASING AND CEMENTING - DEFECTIVE CASING OR CEMENTING - Operator failed to report defect in a well that has defective, insufficient or improperly cemented casing to the Department within 24 hours of discovery. Operator failed to correct defect or failed to submit a plan to correct the defect for approval by the Department within 30 days.

For more information contact Jan Milburn westcg@gmail.com

"The world is a dangerous place, not because of those who do evil, but because of those who look on and do nothing." Albert Einstein