

CPLV NEWS June 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.

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

Facebook Site- Please see the Westmoreland Marcellus Citizen's Group county site for more articles and photos.

<https://www.facebook.com/groups/1510469912594025/>

Citizens to Preserve Ligonier Valley a 501c3 charitable organization. CPLV continues its work to protect the Ligonier Valley area. We have several new board members and appreciate the continued input of community members. PennFuture continues to evaluate the legal challenge to the Ligonier Twp. Zoning Ordinance.

CPLV Board Meetings are the Third Tuesday of each month at 7:30 PM at the Unitarian Church on Rt. 30. All are welcome to attend. The next meeting is on July 19.

Calendar/Events

If anyone wants your events listed, please email them to me by the middle of the month. jan

*****Marcellus Shale Documentary Project-In Shadyside, Through July 31**

" The dangers of fracking are around us everywhere in Western Pennsylvania — from water contamination, air contamination, land contamination and food chain contamination. We need to do more to spread the word of dangers associated with fracking, and I feel this project is a good vehicle to do that."

For "Marcellus Shale Documentary Project: An Expanded View," Martha Rial of Edgewood focused on trains moving through Pittsburgh.' Through July 31 from 10 a.m.-5 p.m. Tuesdays-Fridays; 10 a.m.-3 p.m. Saturdays; noon-4 p.m., Sundays. Admission: \$5 suggested donation Where: Pittsburgh Center for the Arts, 6300 Fifth Ave., Shadyside Details: 412-361-0873 or pittsburgharts.org

Comment from Sam Hoza "There is a very powerful photo exhibit called the Marcellus Shale Documentary Project at the Pittsburgh Center for the Arts in Mellon Park on Fifth Avenue in Shadyside. I just went down to see it on Thursday, and it is very striking, featuring photos taken by people who have been published in National Geographic, Time, the New York Times, and many other publications. Many of the pictures were taken right here in Western Pennsylvania, and there were many familiar faces in the photos, including Ron Gulla, Terry Greenwood, Janet & Fred McIntyre of the Woodlands here in Butler County, and Carrie Hahn. It's definitely worth checking out. Here's some more info on the project: <http://www.thedocumentaryworks.org/msdp/>

There is a small admission fee, but it's only \$5 for adults, \$4 for seniors (62+), and \$3 for students with ID (any school).

*****March for a Clean Energy Revolution**

Sunday, July 24, 2016 Philadelphia, PA

With the eyes of the world on Philadelphia during the Democratic National Convention in July, thousands will march and present these demands directly to our current and future national leaders:
BAN FRACKING NOW
KEEP FOSSIL FUELS IN THE GROUND
STOP DIRTY ENERGY
JUSTLY TRANSITION TO 100% RENEWABLE ENERGY
TEXT 'REVOLUTION' TO 69866 FOR UPDATES
<http://www.cleanenergymarch.org>

Videos

***Video of Murrysville Meeting

Dr. McCawley and Dr. Haley on Fracking: Health Effects, and Setbacks

<https://l.facebook.com/l.php?u=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DTSUmVcjLd2k&h=6AQHyRjw1>

***Wilma Subra on Cracker Plants and Shale

<https://pitt.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=3438fed4-64bd-4ddc-91fd-cdcff5476bd3>

Zoning/Challenges /Court Cases

***PennFuture Challenges Fracking/Ordinance Mt Pleasant, Washington Co.

(June 2, 2016) – PennFuture has filed a **legal challenge to the zoning ordinance** in Mount Pleasant Township, Washington County arguing that it is constitutionally invalid because **it allows industrial gas drilling across all zoned districts.**

“Our members have twice fought applications for well pads to be located within a mile of the Fort Cherry K-12 school complex,” said George Jugovic Jr., chief counsel for PennFuture. “The state Supreme Court has made clear that townships have a duty and responsibility to protect the public health of its residents, particularly its most vulnerable populations, and allowing industrial activities throughout the township fails to fulfill that duty.”

The ordinance in question provides for the following with no differentiation in conditions to account for the varying purposes, population density, and other uses allowed in each district:

Oil and gas wells as a conditional use in all zoned districts;

Compressor stations as conditional use in agriculture, rural and suburban residential, highway commercial, and light industrial districts;

Oil and gas processing facilities as conditional use in agricultural and light industrial districts; and

Oil and gas metering stations as permitted uses in agriculture, rural, neighborhood and suburban residential, and highway commercial districts.

“Citizens, who moved to the area for its rural and agricultural setting, want the township to uphold the character of their community,” said Jugovic. “The past eight years of gas development has shown how the industrialization of the township has had a disparate impact on area residents.”

PennFuture’s challenge seeks to have the zoning hearing board declare the ordinance invalid and put a halt to the issuance of drilling permits until a new zoning ordinance can be enacted.

*****Delaware Riverkeepers, Amy Nassif --Congratulations to Amy Nassif , Delaware Riverkeepers, and other defendants. Thank you for your courage.**

Amy Nassif and Delaware Riverkeepers Right to Speak Freely and Petition Upheld!!

The Slapp Suit against Amy Nassif, Delaware Riverkeepers, Clean Air Council and others was lost before Judge Yeager. The lawsuit brought by a developer, Dewey Homes & Investment Properties, and its co-plaintiffs claimed tortious interference with gas drilling contracts. The plaintiffs had sought to make local residents and the nonprofit organizations Delaware Riverkeeper Network and Clean Air Council pay them more than \$500,000 for pursuing a legal action challenging the ordinance that allowed gas drilling and fracking near the town's schools and residential neighborhoods. *The ACLU, Delaware Riverkeeper Network, and Clean Air Council characterized the lawsuit as a SLAPP suit (strategic lawsuit against public participation), which is a dangerous legal tactic designed to stifle dissent and punish core First Amendment-protected activities, such as speaking at public meetings and filing appropriate legal challenges to the proposed commercial activity.*

From the decision in the Butler Court of Common Pleas: "It this case, it is clear to this Court that the Defendants engaged in protected activity.**Both she (Amy Nassif) and Riverkeeper Defendants engaged in their basic and fundamental right to petition the government as is provided by the First Amendment as outlined above....** It is clearly found that the Riverkeeper Defendants "made a strong showing" that their challenges to Ordinance 127 and the permit would succeed on the merits. It is clear to the Court that the Riverkeeper Defendants did and still do, believe in their cause as they have continued on with the appeal process to the Commonwealth Court of Pennsylvania.....Complaint is dismissed in its entirety with prejudice. (cannot be refiled, jan)

****Elizabeth Twp. Denies Variances to Invenergy!**

"The Elizabeth Township Zoning Hearing Board voted 4-1 to deny Invenergy's request for variances to build a gas-fired power plant along the Yough in a residential area. This is a huge victory for township residents and for the river!" (From Mt Watershed)

And on June 20, they were able to secure a 7-0 vote from their Board of Commissioners to be party to any appeal filed by Invenergy to uphold the decision of our zoning board."

****South Strabane Proposed Ordinance**

From a resident:

"1500' Setbacks from protected structures

2500' Setbacks from schools and parks

The ordinance is also requiring Environmental Impact studies from the industry. (The term "Environmental Impact" appeared 13 times in 5 different sections.) This verbiage should be required in all future (O&G) ordinances. (and for ALL industrial uses!)"

****Braddock Hills**

From a local resident:

"In 2014, someone bought the area Golf Course in Braddock Hills for the express purpose of leasing it to a gas company which he promptly did..... Many homeowners have leased their land as well. I suppose this means that, unless things change, as soon as the prices go up, drilling will begin in Braddock Hills."

*****Range Omits Contaminants in Water Tests Submitted to DEP**

“Had the Voyles gotten the full results back in 2011, they would have learned that their water had concentrations of nitrate exceeding recommended levels that could result in severe health effects. The test results sent to DEP by **Range** also left out the presence of **semi-volatile compounds such as butyl benzyl phthalate, di-n-octyl phthalate, and pyrene**. The EPA tests found naphthalene, phenanthrene, 2-methylnaphthalene, flouranthene, silicon, as well as uranium.

....Alan Eichler, the former head of DEP’s oil and gas division, says he did not know that the tests were altered.

The incident that resulted in the contaminated water dates back to 2010, **when fracking waste leaked from six impoundment tanks, penetrating soil and groundwater**. The DEP ended up fining Range Resources \$4.1 million in 2014 for the incident, but said at the time that drinking water supplies were not impacted. Since then, the federal Agency for Toxic Substances and Disease Registry, in conjunction with the EPA, have told the residents the water is not safe to drink.

The software used by TestAmerica, which they call Total Access, provides clients access to the *test results in a database, which can then be altered as their customer sees fit*. In an email sent by TestAmerica employee Barbara Hall to a colleague, which is part of the court record, Hall is effusive about the **reaction of Range Resources’ employees, describing them as “wild about it,” and the software a “great selling point” to oil and gas producers**.

TestAmerica argues that it did not participate in any fraud because it was Range Resources, not the testing company, that altered the data in the printouts sent to DEP. And it was the DEP, not Range Resources or TestAmerica, that sent the results to the residents.”

<https://stateimpact.npr.org/pennsylvania/2016/06/15/lawsuit-accuses-range-resources-and-lab-of-doctoring-water-test-results/>

Local Permits of Interest

Salem Twp Township

Gas permit issued on 2016-05-26 00:00:00 to APEX ENERGY (PA) LLC for site MCILVAINE CENTRAL PAD 15 8H in Salem Twp township, Westmoreland county

PA Gas Drilling Permit Issued in Salem Twp Township

Gas permit issued on 2016-06-09 00:00:00 to APEX ENERGY (PA) LLC for site MCILVAINE CENTRAL PAD-15 7H in Salem Twp township, Westmoreland county

PA Gas Drilling Permit Issued in Salem Twp Township

Gas permit issued on 2016-06-09 00:00:00 to APEX ENERGY (PA) LLC for site MCILVAINE CENTRAL PAD-15 6H in Salem Twp township, Westmoreland county

PA Gas Drilling Permit Issued in Salem Twp Township

Gas permit issued on 2016-06-09 00:00:00 to APEX ENERGY (PA) LLC for site MCILVAINE CENTRAL PAD-15 5H in Salem Twp township, Westmoreland county

The following Permit Applications have changed as of Saturday, June 04, 2016.

Cook Municipality:

Authorization # 1139520 has been overdue as of 6/2/2016.

Authorization # 1139520 has been updated on 6/2/2016.

http://www.ahs.dep.pa.gov/eFACTSWeb/searchResults_singleAuth.aspx?AuthID=1139520

Fracking News

***Mass. Senate Passes 10 Year Moratorium

"The Massachusetts Senate approved a bill to place a ten-year moratorium on

fracking and the disposal of fracking wastewater.

"The harm caused by fracking has no place in Massachusetts," said Senate President Pro Tempore Marc R. Pacheco. "*Fracking releases harmful chemicals into our air while contaminating fresh groundwater, causing seismic events, flaring methane and severely harming public health.*"

More than 1,000 health professionals called on state and federal officials to protect the public from the harms posed by fracking."

<http://www.commondreams.org/newswire/2016/06/10/mass-senate-passes-10-year-fracking-moratorium>

*****Quigley Forced Out- Range's \$8.9 Million Fine Rescinded**

Thank you DEP and Gov Wolf. The Gas industry again reigns supreme in PA

"Last month, Quigley was forced out of his job amid complaints about his hard-charging style, On his very first day of unemployment. Quigley picked up a Harrisburg newspaper and was shocked by a story that he read. the \$8.9 million fine against Range Resources, and thus the penalty itself, had been killed -- "rescinded," "The last I knew, the investigation was ongoing," Quigley said. "The only person at DEP who can approve walking away from a fine was me -- and I didn't."

." <http://www.philly.com/philly/blogs/attytood/Mystery-in-Harrisburg-Who-killed-states-largest-environmental-fine.html#wCvdPqrfObt5yoic.99>

*****Federal Report on Dimock Says 27 Wells Contaminated**

"The new report says the water wells had high levels of contamination in 2012 that could have affected peoples health, created a physical hazard or otherwise been made unfit to drink in its raw form. Methane buildup could have created a hazard at 17 wells. Cabot has been barred from drilling new gas wells until water quality returns to pre- drilling conditions at 18 wells." (AP, Latrobe Bulletin , 5-26-16)

*****Bad News For Air and Health-- Shell Will Build Petrochemical Plant in Beaver Co.**

A major polluter affirms its site in Beaver but all news is about construction jobs. "Shell Chemical Appalachia says it is definitely building a petrochemical plant in Beaver County. The plant will be one of the largest of its kind in North America." <http://pittsburgh.cbslocal.com/2016/06/07/shell-announces-plans-to-build-cracker-plant-in-monaca/>

*****Release from Clean Water Action: EPA Bans Discharge of Fracking Wastewater from Sewage Plants**

"Myron Arnowitt, Pennsylvania Director for Clean Water Action stated, "We are pleased to see EPA set clear rules to stop this practice. Pennsylvania residents have learned the hard way that when the oil and gas industry is allowed to use sewage plants as their dumping sites our water becomes undrinkable."

*****Watchdog Accuses EPA Of Cover-up of Emissions**

"An environmental watchdog alleges a years-long, systematic cover-up of the true data surrounding toxic emissions from fracking. That cover-up was at the hands of at least one EPA researcher who accepted payments from the oil and gas industry.

Indeed, a graphic included in the complaint demonstrates that **malfunctioning equipment is relied upon to measure methane emissions at nearly every point in the fracked gas production process:The EPA's failure to order feasible reductions of methane leaks and venting** has robbed humanity of crucial years to slow the climate

crisis." <https://www.washingtonpost.com/news/energy-environment/wp/2016/06/09/this-heated-fight-over-methane-emissions-is-almost-as-hot-as-the-gas/>
<http://www.commondreams.org/news/2016/06/09/whistleblower-epa-officials-covered-toxic-fracking-emissions-years>

***LNG Has No Climate Benefit

"An explosive new report from the U.S. Department of Energy makes clear that Liquefied Natural Gas (LNG) is likely a **climate-destroying misallocation of resources** if one uses estimates for methane leakage based on actual observations.

But despite multiple studies to the contrary, the DOE is asserting that the leakage rate is very low in the U.S. (but not in Russia, of course) — **so low that U.S. LNG just happens to be better for Europe than its own coal.** For DOE, 1.6 percent leakage is the highest leakage rate they considered!! And 1.4% is what they expect for shale gas.

In fact, leakage rates are almost certainly at least double that! Yes, **the EPA has lowered its estimate to about 1.5 percent — based solely on industry-provided numbers. But multiple studies in the last two years based on actual observations have made clear the EPA was simply wrong.**

A comprehensive Stanford study found "... this generates a high-end estimate of 7.1% gas leakage."

If one were to use 3 percent as the leakage rate, LNG-fueled power plants would be worse than coal from a climate perspective for decades."

"<http://thinkprogress.org/climate/2014/06/04/3443211/energy-department-lng-no-climate-benefits/>

***Toxic Chemicals Found in Blood of Residents Living Near Oil/Gas

"If your drinking water is contaminated with toxic chemicals you might be able to make do with another source, but if your air is toxic you can't choose to breathe somewhere else..."

"No matter which way the wind blows, gas development involves so many emissions sources that people can't help but to be exposed to toxic chemicals from their operations."

"Our family has experienced phantom odors, rashes, hair loss, respiratory conditions, neurological problems, epileptic seizures, cancer and huge hits to how we think and reason," said John Fenton, a Pavillion resident and farmer.

<http://ecowatch.com/2016/06/16/toxic-chemicals-pavillion-wyoming/>

***Radioactive Ranchers? Elements Found Downwind of Intensive Fracking

"Songbirds disappeared from the Lochend area, where the Hawkwoods live, while the chemistry of groundwater started to show changes in the amount of sodium, chloride, barium, strontium, and uranium.

"Then came reports from nearly a dozen nearby residents about hair loss, respiratory problems, skin rashes, and rare cancers. Many families later moved from the region.

"When my own hair loss became extreme, I Googled hair loss and fracking and realized it was a frequent symptom," recalled Nielle.

After losing an unprecedented number of cattle in 2013, **the Hawkwoods tested soil where the cattle had urinated and found high levels of radioactive materials. Not even seeds would germinate in the soil.** That discovery convinced the couple to test themselves for radioactive elements and to purchase a Geiger counter."

http://theyee.ca/News/2016/06/11/Radioactive-Elements-Downwind-Fracking/?utm_source=twitter&utm_medium=social&utm_content=061116-1&utm_campaign=editorial-0616

http://theyee.ca/News/2016/06/11/Radioactive-Elements-Downwind-Fracking/?utm_source=twitter&utm_medium=social&utm_content=061116-1&utm_campaign=editorial-0616

****Presbyterian Church Proposal To Stop Investing in Fossil Fuels**

“A recommendation that all agencies of the Presbyterian Church (U.S.A.) stop investing directly in fossil-fuel companies was approved by the Immigration and Environmental Issues Committee of the 222nd General Assembly (2016). However, as with all other GA committee action, the recommendation does not become final until the committee submits its report.”

*****A Map of Populations Threatened from Oil and Gas Exposure**

<http://oilandgasthreatmap.com/threat-map/>

“The Oil & Gas Threat Map shows health risk from oil and gas air pollution in two different ways:

On individual state maps, it **plots the location of all active oil & gas wells** in the United States, then counts the people, schools, and hospitals that live within ½ mile of these facilities.

Using EPA data & models, it shows which counties have health risks because of oil & gas toxic air pollution.”

*****Radioactive Waste –Little Oversight**

“A report from the Center for Public Integrity calls the radioactive waste stream from horizontal oil/gas operations “orphan waste” because no single government agency is fully managing it. Each state is left to figure out its own plan. Ohio, for example, hasn’t formalized waste rules, while New York, which banned fracking, still allows waste disposal “with little oversight,”.

The trucks that arrived in Irvine, Kentucky last summer left more than 400 tons of low-level radioactive waste in a facility that was not engineered or permitted to accept that sort of material. That has left the community, the parents of schoolchildren, and especially the Smiths with a lot of questions and concerns.

...Antero is building a wastewater facility in WVA. A filtering system would recover about two-thirds of the water, which could be reused in drilling. *But that filtration system leaves behind thousands of tons of salt and hundreds of tons of sludge from the sediment, which concentrates the radioactive materials.* Baston said that sludge — as much as 180 tons a day — will be disposed of elsewhere.”

wvpublic.org

*****Report: gas industry spent \$8 million lobbying Pa. legislature in 2015**

“The natural gas industry spent \$8 million lobbying Pennsylvania politicians last year, according to a new analysis from the nonpartisan government reform group, Common Cause/PA, and the Conservation Voters of PA.

The project, called MarcellusMoney, is an ongoing effort to track the political influence of Pennsylvania’s gas drillers, who have spent \$55.9 million on lobbying since 2007.” stateimpact.npr.org

Research/Studies

*****Cancer Risk Increases in 8 PA Counties Due to Gas/Oil Operations**

“Based on EPA’s projection of 2017 emissions, eight counties in Pennsylvania will face a high cancer risk due to toxic emissions from oil and gas operations—Armstrong, Clarion, Fayette, Forest, Greene, Indiana, Jefferson, and Washington counties.” This new

analysis finds that toxic pollution from oil and gas development threatens 12.4 million Americans in 1459 counties.”

<http://www.catf.us/resources/publications/files/FossilFumes.pdf>

*****Chemicals in Blood of Residents Pavillion Wy, 2016** Environmental health groups and community members from Pavillion, Wyoming released the first study of its kind linking chemicals released from gas and oil production sites to those in bodies of residents living near the wells. **the report found that residents who live near the gas sites have a higher amount of the chemicals in their urine than the general population.** Scientists focused on how oil and gas fields can pollute the air and how that pollution ends up in humans living nearby., For instance, the median level of ttMA — **a benzene chemical, in the residents of Pavillion was 10 times higher** than the general population. For hippuric acid — **a toluene chemical — the median level was 80 percent higher than the general population.** Benzene is highly carcinogenic and linked to gene mutation, reproductive toxicity, and developmental toxicity. Toulene is linked to reproductive and developmental toxicity.

<http://thinkprogress.org/climate/2016/06/16/3788812/chemicals-fracking-health-wyoming/>

And: “Eight chemicals that were detected both in the air near Pavillion and in the bodies of project participants are linked to chronic diseases such as cancer or other illnesses including reproductive or developmental disorders and to health problems such as respiratory difficulties, headaches, nosebleeds, skin rashes, and depression.”

When the Wind Blows: Tracking Toxic Chemicals in Gas Fields and Impacted Communities is a report documenting Coming Clean’s collaborative, community-based research project to monitor toxic volatile organic compounds (VOCs) in gas fields in rural Pavillion, Wyoming a - See more at:

<http://comingcleaninc.org/wind-blows#sthash.pSuNfAoo.dpuf>

Frack Links

*****Link to Shalefield Stories-Personal stories of those affected by fracking**

<http://www.friendsoftheharmed.com/>

*****To sign up for Skytruth notifications of activity and violations for your area:**



<http://alerts.skytruth.org/>

***** List of the Harmed--There are now over 1400 residents of Pennsylvania who have placed their names on the list of the harmed when they became sick after fracking began in their area.** <http://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list/>

***** To See Water Test Results of the Beaver Run Reservoir**

IUP students test for TDS, pH, metals- arsenic, chromium, and strontium.

We have not seen results for other frack chemicals including the organics BTEX group, or cesium for example. Here is a link to the IUP site:

<http://www.iup.edu/page.aspx?id=120005>

*****Oil and Gas Map Shows Wells and Populations at Risk**

“On individual state maps, the map **plots the location of all active oil & gas wells** in the United States , then counts the people, schools, and hospitals that live within ½ mile of these facilities.

Using EPA data & models, it shows which counties have health risks because of oil & gas toxic air pollution.”

<http://oilandgasthreatmap.com/threat-map/>

For more information contact Jan Milburn



A Cracker Plant.