

Thousands Ask for Stricter Drilling Rules

This April, the state Department of Environmental Protection (DEP) released changes to its 2014 proposed oil and gas regulation revisions. Though DEP's latest proposals follow tens of thousands of comments from the public, advocates, issue experts and industry and reflect some improvement, Clean Water Action believes further changes are still needed.

For example, DEP would continue to allow open pits for storing gas drilling wastes. While open pits on well sites would now be banned, industry would still be allowed to use huge off-site pits, each serving multiple wells — pits as large as two football fields and holding 15 million gallons of toxic wastewater.

The largest state fines ever levied against a driller in Pennsylvania — each for more than \$4 million, against Range Resources and XTO — were for water contamination due to leaking from these types of pits. Clean Water Action is calling on DEP to:

- Ban the use of all open pits.
- Close and clean up all existing pits, immediately.
- Mandate enclosed tank storage for fracking wastewater.

DEP also proposes the positive step of adding schools and playgrounds to the list of public resources requiring extra consideration during permitting and larger setbacks. But DEP's proposed 200-foot proximity to trigger these requirements is insufficient. To improve protection



Supporters hold up thousands of letters being delivered to DEP at Harrisburg rally.

against pollution and accidents, Clean Water Action supports requiring minimum setbacks of one mile separating oil and gas facilities from the property boundary of any public resources. This setback should also be applied to nursing homes, hospitals, day care centers and other locations with vulnerable populations.

Involvement by Clean Water Action members and staff continue to advance and strengthen DEP's proposed oil and gas regulations. Member comments helped push DEP to this point. Continued public involvement in the push for the strongest possible gas drilling protections will be critical.

Gov. Wolf Acts to Protect State Parks and Forests from Drilling

Pennsylvanians stood up for parks and forests, and, in one of Governor Tom Wolf's first acts following his inauguration he signed an executive order reinstating a moratorium on new oil and gas leases in state parks and forests. This was a victory for everyone who loves and utilizes these areas and for those who fought tirelessly to defend them. Further natural gas development could bring water contamination, noise, light and earth disturbances. *Thank you, Clean Water Action members*, volunteers, activists, allies and everyone else who helped to protect clean water, public health and the environment.

Legislature Guts Stream Buffer Protections

Last fall, state lawmakers gutted stream buffer requirements aimed at protecting Pennsylvania's 83,000 miles of rivers and streams. The conservation community fought and won these protections just five years ago. Now the legislature and former Governor Tom Corbett have placed some of the state's best rivers and streams in jeopardy.

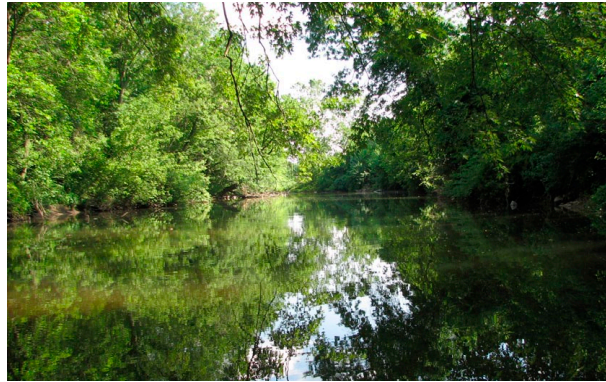
Stream buffers serve a multitude of benefits. Trees and shrubs act as a natural barrier between waterways and polluted stormwater runoff from development. Stream buffers also protect communities by reducing flooding and provide natural habitat for wildlife, fish, and game.

Unfortunately, 2014's Act 162 eliminates the requirement that High Quality (HQ) or Exceptional Value (EV) streams be protected by 150-foot buffers along their

banks. Now, the buffer protections are voluntary, favoring development interests over conservation. But the new law does require public input on its implementation, and Clean Water action is mobilizing members and the public, with more than 1,000 comments submitted to date on the importance of maintaining stream buffers.

Act 162 requires development along HQ and EV riverbanks to provide protections that reduce and capture pollution from entering streams, and developers must also provide new stream buffers elsewhere. Wherever developers choose to destroy buffers, Clean Water Action is demanding

that alternatives deliver the same exact protections as the buffers would have. Replacement buffers miles away are not an acceptable alternative.

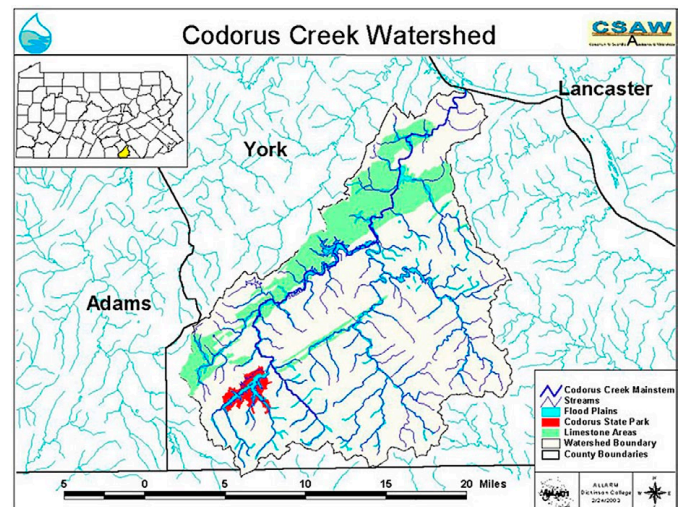


Trees along waterways provide a natural buffer from pollution and reduce downstream flooding.

"Greener Communities" Report Grades York County

A new Clean Water Action report in Central Pennsylvania evaluates stormwater management by nine municipalities in York County's Codorus Creek watershed. The "Greener Communities" study focuses on "low impact development" (LID) approaches that limit environmental impacts by reducing paved areas and increasing green spaces and natural systems in their place.

The report rates each municipality's land use rules on their alignment with LID best practices, using a Center for Watershed Protection tool. "The communities scored between 25 and 61 percent," says Clean Water Action's Nathan Sooy. "The York County Planning Department has been leading a discussion among township and municipal leaders that is moving significantly in the direction of low impact development goals."



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HISTORIC VICTORY TO PROTECT OUR WATER

AFTER TEN YEARS, the US EPA has restored protection under the Clean Water Act to 60% of our stream miles and millions of acres of wetlands. These are waterways that used to be protected from pollution, but those protections were called into question a decade ago, putting the sources of drinking water for 1 in 3 Americans at risk.

Thank you to EPA Administrator Gina McCarthy and President Obama for fixing this problem and protecting clean water.



Protecting Neighborhoods from Oil Train Dangers

A January 2014 oil train derailment on the Schuylkill Arsenal Bridge left a tank car with 30,000 gallons of highly explosive crude oil leaning towards the Schuylkill River for days before it was righted. Almost a year later, a hazardous materials unit responded to an eleven-car oil tank derailment in a CSX rail yard near the Philadelphia Sports Complex.

Philadelphia Energy Solutions (PES) is the nation's largest refiner of crude oil from North Dakota's Bakken shale formation, and is supplied by rail, placing communities at risk along the way. Booming development of Bakken shale oil has brought a 43-fold expansion in crude oil train shipments in just over five years. Oil trains

have derailed and exploded across North America in record numbers, causing loss of life, property and environmental contamination. In response to catastrophic derailments, the U.S. Department of Transportation (DOT) recently updated its regulations, but the rule does not go far enough to protect communities.

Clean Water Action is organizing and educating Philadelphia residents and their communities located along rail lines about oil train dangers and the need to protect and prepare neighborhoods. The local campaign

won unanimous passage of a Philadelphia City Council resolution to improve oil tank car standards, demand more accountability from the city's Office of Emergency Management (OEM), inform affected residents, and solicit feedback through neighborhood listening sessions.

Informing residents of oil train hazards has not

been an OEM priority, according to Clean Water Action's analysis. The agency has relied on "shelter-in-place" emergency strategies. Many residents remain unaware of the dangers or of emergency response procedures. Meanwhile 240,000 barrels of crude oil per day rumble into the PES refinery over poorly maintained rail infrastructure.

Mile-long oil trains endanger densely populated communities, business centers and the Schuylkill and Delaware Rivers, threatening the drinking water for millions in the region.

With more than 750,000 people living within a half-mile radius of a potential accident and 400,000 living in the potential blast zone, action is urgently needed. Yet new federal rules allow the industry years to improve safety measures.



Millions of gallons of crude oil rumble through Philadelphia neighborhoods on a daily basis.

Proposed Philly Bag Ban

Philadelphians are urging the City Council to **reduce single-use bags that litter the streets and waterways**. Councilman Mark Squilla has introduced a bill that would require stores to charge a five cent fee for each paper and plastic bag. The fee would reduce harmful bag litter and encourage shoppers to carry reusable bags. Three cents would go to the store and two cents would go to the City.

TAKE ACTION: Write & call your city council member and tell them to vote YES for a five cent fee on single-use bags in Philadelphia. Post your support for the bill on the City Council FaceBook page: <https://www.facebook.com/PhillyCityCouncil>



Left bank of Frankford Creek, looking upstream

PHOTO BY KELLY O'DAY

Wastewater Dumping Victory

Faced with years of state and federal inaction, Clean Water Action went to court in 2014 to protect the Allegheny River from daily discharges of more than 200,000 gallons of toxic gas drilling wastewater by Waste Treatment Corporation (WTC) in Warren, PA. The lawsuit yielded a major win in 2015, resulting in a settlement with the company that has stopped all of the company's Allegheny River wastewater discharges.

WTC at first considered building a new treatment facility that could remove the metals, salts, radioactivity and other toxic contaminants in gas drilling wastewater. In the end, company officials opted to become a zero-discharge facility to recycle drilling wastewater instead. This change will result in major improvements in water quality, protecting downstream drinking water supplies, along with many aquatic species, including endangered species in the Allegheny.

The U.S. Environmental Protection Agency recently issued a proposed federal rule to prohibit municipal sewage plants in any state from accepting gas drilling wastewater for discharge. The rule recognizes that most plants are unable to handle the highly toxic wastes.

When the Marcellus Shale drilling boom took off in Pennsylvania in 2007-2008, drillers paid many local sewage plants to discharge their waste, causing huge increases in contamination in both the Monongahela and Allegheny Rivers. The resulting drinking water violations affected several hundred thousand Pittsburgh area residents.

Learn more and take action, www.cleanwater.org/frackwastewater



Above: Truck delivers drilling wastewater to McKeesport, PA sewage plant. Right: Waste Treatment Corp. plant in Warren, PA.



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