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Groups Urge Gov. Corbett to Reverse Policy That Delays Warning Public of Fracking Water Pollution

New policy puts public at risk, adds unnecessary red-tape

Harrisburg, PA-- A coalition of regional, state, and local groups is calling on Pennsylvania Governor Tom Corbett to reverse a new policy that would delay warning the public of water pollution from oil and gas development. Until now, regional Department of Environmental Protection offices had issued warnings, or “notices of contamination,” directly to the public based on the analysis of water samples by DEP geologists and water quality specialists. Under the new policy, the public is not warned until after senior Department of Environmental Protection (DEP) management in Harrisburg is notified.

“When water supplies are polluted, the public should be warned immediately so affected residents can take steps to protect themselves. They should not have to wait until after the news has passed through several layers of bureaucracy and political interference,” said Deborah Goldberg, managing attorney at the environmental law organization Earthjustice.

The coalition demanded the policy be reversed, in a letter sent via Federal Express yesterday by Earthjustice on behalf of 13 groups: Berks Gas Truth, Clean Water Action, Damascus Citizens For Sustainability, Delaware Riverkeeper Network, Gas Drilling Awareness Coalition of Luzerne County, PA, Lehigh Valley Gas Truth, Lower Susquehanna Riverkeeper, Marcellus Outreach Butler, Mountain Watershed Association, PA Forest Coalition, Protecting Our Waters, Sierra Club - Pennsylvania Chapter, and Three Rivers Waterkeeper.

The new policy seems designed specifically to accommodate the controversial oil and gas extraction process known as hydraulic fracturing or fracking – in which drillers blast millions of gallons of water mixed with secret chemicals deep into the earth to extract the gas.

“This change in procedure is unnecessary and, more than that, it’s a dangerous policy,” said Karen Feridun, Founder of Berks Gas Truth. “Requiring approval from Harrisburg will needlessly delay providing Pennsylvanians with vital information about the safety of their water. Considering that the chemicals used in fracking have been linked to nausea, lung irritation, skin rashes, vomiting, dizziness, and even cancer, citizens should not be forced to wait an additional minute while political decisions are made to notify the public about possible exposure to these chemicals.”

The new policy was announced in an internal departmental memorandum, without public notice or an opportunity to comment. “With this secretive change in policy, DEP has violated fundamental democratic values of transparency and public participation,” said Thomas Au, conservation chair of the Sierra Club - Pennsylvania chapter. “Changing processes that have serious health implications, without

public input goes directly against DEP's stated mission to 'work as partners with individuals..... to prevent pollution and restore our natural resources.'"

The oil and gas industry in Pennsylvania already enjoys considerable leeway. A study by Clean Water Action found that in 2011 there were more than one thousand violations by gas drilling companies cited by DEP, yet 9 out of 10 of these polluters were not fined. And under the new policy, water contamination is likely to go under-reported, leading to even looser enforcement of water protections.

"The DEP geologists and water quality specialists who are uniquely qualified to make water contamination decisions cannot help but be chilled by the knowledge that their superiors will be second-guessing their scientific determinations," said Maya van Rossum, Delaware Riverkeeper, Delaware Riverkeeper Network. "The message is clear that the fewer notifications sent to DEP headquarters, the better. And with fewer notifications comes the likelihood that incidents affecting water quality may not be addressed."

Pennsylvania is in the midst of an unprecedented gas drilling rush brought on by fracking in the region's Marcellus Shale deposit. Along with this fracking-enabled gas rush have come troubling reports of poisoned drinking water, polluted rivers, lakes and streams, mysterious animal deaths, industrial disasters and explosions. More than one million people still get their water from private sources and many public water supplies draw from rivers and streams in the Marcellus Shale region.

"Pennsylvania is being held up nationwide as a poster child for gas development gone wrong. And this new policy certainly won't do anything to change its reputation," said Steve Hvozdoch, Marcellus Shale Policy Associate for Clean Water Action. "It's high time that state leaders stop granting favors to the oil and gas industry at the expense of public health."

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