

Dear Senator,

Please see the letter imbedded below and attached. Groups across Pennsylvania are asking you, in the strongest possible terms, to vote NO or support that SB875 is not vited on. This bill is fraught with legal problems and is a slap in the face to coal mine impacted communities, will spread pollution and harms PA residents throughout the state.

Thank you for the many groups who have signed this letter.

Dear Senator,

We, the undersigned organizations, oppose Senate Bill 875 – “An Act providing for the use of treated mine water for oil and gas development” - and urge you in the strongest terms not to support the bill.

SB875 is unjust for communities that are bearing the burden of coal mining activity. Unjust harm will result to streams and rivers by the removal of treated mine water without giving it back. The depletion of flow, even if only marginally higher in quality, will prevent the stream from achieving restored quality and habitats and can diminish water supplies for those who rely on these watersheds for drinking water. Communities are struggling to bring these damaged streams back to life but this bill will incentivize a “water raid” (making free from liability those who provide, take and use the mine water in gas and oil development) that can make it impossible for these streams to be restored to a healthy condition.

Peer-reviewed science does not support the General Assembly’s claims that treated coal mine water is “an acceptable source of water” and can be “effectively substituted for fresh water” for use in oil and gas well development. In fact, very little research is available on how mine water reacts with fracking chemicals and information that is available exposes several problems that can result from the use of mine water – problems that responsible parties could be shielded from if this bill is enacted.

Mine water treated to effluent standards, as required by the bill, still contains contaminants and will introduce pollution in watersheds where it does not now exist, spreading degraded water to wherever a driller wants to use it. The provision in the bill that the treated mine water will not be considered solid waste under the Solid Waste Management Act removes the regulatory floor from its handling, exposing the public to environmental and public health risks when there are spills or releases. This intentionally adds opportunities for pollution and harm to the public and the environment and is totally unacceptable.

The General Assembly, like every other branch of state government, is bound by Article I of the Pennsylvania Constitution to respect the inherent rights of Pennsylvania citizens. Among those inherent rights are the right to a healthy community in which to live – the right to “clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.” Government officials, including legislators, are required to support Article I, Section 27 of the Pennsylvania Constitution in carrying out duties such as writing and adopting laws. It is essential that the proper investigation and study be done BEFORE passing legislation so that actions are consistent with reliable

scientific information. But SB875 has not provided any facts or scientific evidence to support its key assumptions, freeing from liability those who provide, take and use the treated mine water at the expense of people's needs and rights.

Most importantly, the bill shifts the impacts of water withdrawal for oil and gas development onto watersheds and communities already extensively stressed by past and present industrial development (coal mining and, in some cases, fracking as well), making this bill inhumane and a violation of community members' inherent rights under Article I, Section 27 of the Pennsylvania Constitution. The mine water that is being treated is a way for these communities to at least partly recover from legacy coal impacts, even if the treated water is not fully cleaned of pollutants. SB875 robs these communities of a valuable resource simply to benefit locations that have not been impacted as significantly by past mining activities.

SB875 claims that the industry needs reliable sources of water but what about the people in coalfield communities who need reliable sources of water to live, to water their livestock and crops, to run their businesses, and to sustain life in streams which they use and enjoy? Without comprehensive hydrologic study of any watershed where interbasin transfers of water are proposed, the specific impact of taking water out of a particular watershed will be unknown, jeopardizing source watersheds and those who live there. We note that 37 counties in Pennsylvania are currently in drought watch and that our water sources have limits.

SB875 is riddled with problems and contains unfair and dangerous provisions that must be addressed to protect the public and the environment. We ask you, as a Pennsylvania Senator who is bound to safeguard the public natural resources for our benefit and the benefit of future generations and who is bound to insure that all Pennsylvanians are treated fairly and equally, not disproportionately burdening some for the benefit of others, that you not move ahead with SB875.

We urge you to VOTE NO on SB875 and stand with coalfield communities and the people of Pennsylvania.

Sincerely,

Berks Gas Truth, Karen Feridun, Founder

Center for Coalfield Justice, Patrick Greuter, Esq., Executive Director

Clean Water Action - Pennsylvania, Steve Hvozdoch, PA Campaigns Director

Damascus Citizens for Sustainability, Barbara Arrindell, Director

Delaware Riverkeeper Network, Maya van Rossum, the Delaware Riverkeeper and Tracy Carluccio, Deputy Director

Friends of the Harmed, Dana Dolney

Green Party of Pennsylvania, Jay Sweeney, Chair

League of Women Voters of PA, Susan Carty, President and Betty Tatham, Vice President, Issues and Action

Local Authority Western PA, Debbie Borowiec, co-coordinator

Mountain Watershed Association, Beverly Braverman, Executive Director

Paradise Gardens and Farm, J. Stephen Cleghorn, PhD.

Peach Bottom Concerned Citizens Group, Maria Payan, Executive Director, York County, PA

PennEnvironment, David Masur, Executive Director

Pennsylvania Council of Churches, the Rev. Sandra L. Strauss, Director of Public Advocacy

Shale Justice Coalition, John Trallo, Vice Chair

Sierra Club Pennsylvania Chapter, Joanne Kilgour, Chapter Director

Upper Burrell Citizens Against Marcellus Pollution, Ron Slabe, Co-founder

The Wellness Connection, Celeen Miller

Youghiogheny Riverkeeper, Krissy Kasserman