Pennsylvania DEP Refuses to Release Water Testing Results

One of the biggest fears for people living near gas drilling is the possibility of their drinking water being polluted. People expect the Pennsylvania Department of Environmental Protection (DEP) to look out for them and to provide alerts when drinking water is threatened. Unfortunately, that trust has been shaken by a recently uncovered and controversial DEP policy.

Last fall, it was revealed that DEP is not reporting all the contaminants discovered when it tests drinking water suspected to have been contaminated by fracking (hydraulic fracturing at natural gas wells). Instead, DEP’s coded reporting system only provides residents with findings for 8 of 24 contaminants included in DEP tests. Many of the contaminants not reported are carcinogenic and known to pose health hazards.

Clean Water Action and a coalition of environmental groups sent a letter to Governor Corbett and Secretary Krancer criticizing DEP’s policies as lacking transparency and inadequate to protect residents and drinking water. The groups called for immediate reforms, including disclosure of all data collected through DEP water tests.

When Secretary Krancer suggested a meeting to discuss these issues, chances seemed good for getting answers. Instead, DEP abruptly cancelled the meeting, leaving Clean Water Action and others disappointed and in the dark. Clean Water Action and allies continue to push DEP to reschedule the meeting and address the questions and concerns surrounding these procedures.

Clean Water Action also testified at a recent House Democratic Policy Committee hearing about DEP’s lack of response on how water problems from fracking are investigated. Others also testified about their concerns and DEP’s poor performance. Secretary Krancer often says he does not know of any case in which fracking caused water contamination. People are starting to suspect these statements reflect DEP’s failure to fully investigate the problems many members of the public have brought to the agency’s attention.


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In many ways, 2012 was a difficult year for the environment in Pennsylvania. Last year, our state legislature passed the industry friendly gas drilling law, Act 13, which gave gas companies the right to drill wells or build pipelines right next to our homes and schools. It also exempted gas companies from common-sense local zoning ordinances. As violations and contamination problems from gas drilling mounted, we knew that giving industry a freer hand was not the direction state policy should be taking.

But despite having a Governor and state legislature that have chosen not to look at environmental problems, Clean Water Action is proud to have made real progress. Our efforts to improve water quality, air quality, and rules on fracking, all took major steps forward (see page 3). One of the most crucial victories in 2012 was getting some new pro-environmental representatives into our state government. Our elected leaders need to know that if we don’t like how they’re voting in Harrisburg, we’ll cast our own votes for some new leaders!

While we sometimes feel like we are swimming against the tide, Clean Water Action continues to make a real difference for Pennsylvania, and I’m proud to see the great work that members like you and our organization are achieving together. Thanks for doing your part. With your continued support and participation, we look forward to telling you about some new victories in 2013.

Yours for Clean Water,
Myron Arnowitt
Pennsylvania State Director

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2012 VICTORIES

Fracking
Clean Water Action continued the highly successful campaign to stop the dumping of toxic gas drilling wastewater into rivers and streams. Clean Water Action reached a legal settlement with the McKeesport municipal sewage plant (south of Pittsburgh), getting an agreement to stop accepting all oil and gas wastewater at the plant. This is the third agreement reached with sewage plants in southwest Pennsylvania. At this point, sewage plants in Pennsylvania have stopped taking drilling wastewater. However, there are several industrial plants that appear to still be discharging wastewater from oil and gas operations. Clean Water Action will continue organizing in 2013 to stop all oil and gas wastewater from being dumped into Pennsylvania's rivers.

In Central Pennsylvania, Clean Water Action helped launch a grassroots effort to protect the Susquehanna River from the harmful effects of fracking that has been conducted throughout the watershed. The campaign reached out to dozens of community groups and got hundreds of area residents to sign and send postcards to the Susquehanna River Basin Commission (SRBC). The cards asked SRBC to conduct a comprehensive study of fracking's impacts on the Susquehanna River. The commission has indicated that it will start a study. Now Clean Water Action and allies must ensure the study is truly comprehensive.

Air Quality
Clean Water Action won a years’ long battle when the Allegheny County Board of Health passed new Air Toxics Guidelines limiting toxic chemical releases from local plants. Partially authored by Clean Water Action, these guidelines broke new ground by requiring that new permits consider both existing pollution levels in the area and cumulative impacts from multiple chemical exposures.

Reducing Stormwater Pollution
For years Clean Water Action has urged ALCOSAN, the Pittsburgh area sewer authority, to agree to a plan that uses green techniques to keep stormwater out of its sewer system, where it causes raw sewage overflows into local rivers. ALCOSAN has finally agreed to study how to keep stormwater out of the sewers as part of its plan to end sewage overflows.

Clean Water Action has been grading Philadelphia area municipalities on their green stormwater management efforts. So far, out of 45 Chester County townships covered in two reports, only a handful of municipalities have scored well. Clean Water Action is now engaging with multiple towns in the region and showing how low-impact green development and neighborhood retrofits can improve protections for local rivers. These approaches reduce the pollution washed off of paved surfaces and lawns during rain and storm events.

2012 Clean Water Election Wins
Clean Water Action members turned out in force for both state and federal elections in 2012, electing new pro-environment representatives and returning lawmakers with strong clean water records to office. Clean Water Action supported Matt Cartwright's successful challenge to incumbent U.S. Rep. Tim Holden (Dist. 17), a frequent sponsor of bills to weaken the Clean Water Act. At the state level, Eugene DePasquale, elected State Auditor General with Clean Water Action's support, has promised to conduct a much needed performance audit of Pennsylvania's DEP. Clean Water voters also elected two new State Senators, Rob Teplitz (central Pennsylvania) and Matt Smith (southwest) and helped re-elect pro-environment State House members Steve Santarsiero (Bucks County) and Rick Mirabito (Lycoming County). These victories involved one-on-one conversations with tens of thousands of voters around the state: 55,000 doors knocked on, and 75,000 phone calls by staff and volunteers.

Above, top to bottom: State Auditor General DePasquale, and State Representatives Santarsiero and Mirabito.
CAN YOUR TOWN BECOME GREENER?

Clean Water Action’s “Greener Communities” report, released in January, evaluates green stormwater management by 25 municipalities in Chester County’s Brandywine Creek watershed. The report’s focus is “low-impact development” (LID), an approach that uses less pavement and more natural systems and green spaces to reduce environmental impacts.

Using a tool developed by the Center for Watershed Protection, the report rated each municipality on how well their land use rules align with LID best practices. All the towns surveyed showed significant room for improvement. Communities that have adopted LID techniques have realized multiple benefits, not just water quality improvements. One National Home Builders Association study in Maryland found that developers could realize significant savings — almost $1 million per development — by using LID approaches.

It is not just Clean Water Action that wants these municipalities to incorporate LID into their local ordinances. The Pennsylvania Department of Environmental Protection is requiring municipalities, as part of the new stormwater permit process, to demonstrate movement towards LID. These improvements will have a large impact on the future health of the waterways in southeast Pennsylvania.

The “Greener Communities” report is available at www.cleanwateraction.org/pa. If you are interested in getting your township to adopt greener practices, contact Clean Water Action’s Joe Nye at jnye@cleanwater.org

TELL GOVERNOR CORBETT: IT’S TIME TO SAVE THE SUSQUEHANNA!

The beautiful and powerful Susquehanna River stretches 400 miles, provides drinking water to millions of people, supports wildlife and unique environments, and is the largest river feeding the Chesapeake Bay. Natural gas development is expanding throughout the watershed at a rapid rate. Governments responsible for protecting the watershed do not yet have much understanding of how fracking affects the watershed, let alone how to protect human or aquatic life from the negative impacts of fracking.

The Susquehanna River Basin Commission (SRBC), which is responsible for Susquehanna watershed stewardship on behalf of Maryland, New York, Pennsylvania and the federal government, has decided to study impacts from gas development and other activities. This study, part of its Comprehensive Plan for water resources, is potentially good news — depending on how “comprehensive” it ends up being.

What the study considers and shows is important because, while the effects of gas development can seem small in one place, they can become very intense over time and across the Basin as a whole. A cumulative impacts study could help determine where gas activities occur, how many water use permits are issued to gas companies, and local environmental conditions — before drilling and fracking operations are allowed to begin.

Clean Water Action wants to make sure that the SRBC’s impacts study is comprehensive, based on sound science and long-term thinking and that it involves the public.

Making the Three Rivers Into Clean Rivers

In the Pittsburgh region, whenever it rains — even just a little bit — the sewer system is overwhelmed with stormwater. When this happens, ALCOSAN, the region’s sewer authority, shuts the doors to its processing plant and millions of gallons of raw untreated sewage pour into Pittsburgh’s rivers. ALCOSAN has been told by the U.S. Environmental Protection Agency (EPA) to fix this problem, soon.

The money to solve this sewage overflow problem, the biggest public works project ever in this region, will come from ALCOSAN rate payers. Rate payers need to be involved in the process so they can get the most value for the money they will be spending.

Many cities facing this choice have learned that a green strategy that catches as much rain water as possible right where it falls is the best choice. This approach can benefit local residents by increasing jobs and property values, creating more vibrant shopping districts, reducing flooding and providing cleaner air and water. Unfortunately, ALCOSAN has been very committed to a “grey” solution of building vast, and expensive, tunnels under the rivers to store extra sewage.

Clean Water Action and allies mobilized hundreds of community residents to testify at ALCOSAN hearings and write directly to ALCOSAN. In a very surprising reversal when it submitted its cleanup plan to the EPA, ALCOSAN asked for an 18-month extension to look at green infrastructure alternatives. In the letter they credited the input from citizens as the reason for their change of heart.

Clean Water Action is working with Pittsburgh UNITED, the Sierra Club, Pennsylvania Interfaith Impact Network, Action United and Nine Mile Run Watershed Association and others on this Clean Rivers Campaign. Together the groups want to make sure ALCOSAN develops a strong green plan for fixing its sewers overflows.

Contact Clean Water Action’s Tom Hoffman to get involved, tomhoffman@cleanwater.org.