

BERKSGASTRUTH

February 27, 2019

Re: DEP Permit E06-701, DEP Permit HDD Reference PA-BR-0071.0000-RD-16, DEP HDD# S3-0200, Cumru & Spring, Berks County, Highway 222 Crossing

Berks Gas Truth submits these comments on behalf of its members and in support of the affected communities with whom it works.

Procedural Comments:

The DEP suspended review of all construction permits for ETP and its subsidiaries earlier this month. This reevaluation would not be occurring if ETP projects were not such spectacular failures, due in large part to the company's consistent pattern of indifference to regulators, elected officials, and the public. In addition to the DEP's suspension, the company is currently the subject of a criminal investigation by a District Attorney, various legal proceedings brought by, among others, a state senator, and a formal complaint by the Inspections and Enforcement division of the PUC. Why is this company allowed to do anything in this state? And why wouldn't the reevaluation of permits be included in the current review suspension? DEP should indefinitely suspend this review, as it pertains to construction permits.

Should DEP disregard our first point, we further object to the short length of the comment period and the insufficient notice provided to the public. The Mariner East project has been a very controversial one, as noted above. DEP would not be conducting this reevaluation otherwise. Therefore, the public should be given proper notice in each county's paper of record -- in this case the *Reading Eagle* -- and sufficient time, at least 30 days, to read, process, and comment on, in this case, a 96-page report. DEP should extend the comment period after properly advertising it.

Three consulting firms provide a lot of the technical data in the report. [Tetra Tech](#) is a longtime Associate Member of the Marcellus Shale Coalition. The others, [Rettew](#) and [Skelly & Loy](#), list among their professional affiliations the Marcellus Shale Coalition, as well. Their involvement in MSC calls all three firms' credibility into question and threatens the integrity of the DEP's reevaluation process. DEP should reject the report with its current contributors and vet all future contributors as part of the evaluation process should it continue.

General Comments:

We oppose continued shale gas development in Pennsylvania. Communities have been harmed for more than a decade and our environment has been irreparably damaged. Climate changed. In addition to the on-the-ground impacts of fracking and fracking-related infrastructure, Pennsylvanians are already experiencing the impacts of climate change shale gas development is exacerbating. Methane is well-known to be a dangerous greenhouse gas, but, as Pennsylvania foolishly pursues plans to become a petrochemical hub, the dangers of the greenhouse gas ethane must be recognized as well. The state should ban all fracking immediately.

Sunoco/ETP has been the subject of a show trial in recent months for the cynical purpose of suggesting

that it is a bad actor among good actors. Sunoco/ETP is an outrageously bad actor among bad actors. All pipeline companies bully residents, bend every imaginable rule, buy politicians, lobby their way out of regulations and laws, and disregard the ones they can't defeat or manipulate. Sunoco/ETP simply makes it an art form. The day Governor Wolf announced his emissions reduction plans last month, he told KDKA radio that if PA wants a strong natural gas industry, we need more pipelines. We don't want a strong natural gas industry. We want a transition to renewable energy. Governor Wolf has also included further pipeline development in his criminally wrong-headed Restore Pennsylvania plan as just one of the ways the industry would get its severance tax dollars back in spades. DEP has an obligation to live up to its name and protect the environment by advocating against further shale gas development, not spending its time and taxpayer dollars enabling it.

This series of reevaluations was mandated because of Sunoco/ETP's recidivism. Surely the DEP is familiar with the saying that the definition of insanity is doing things the same way and expecting a different outcome. This week, Kelcy Warren told investors that his company would do better. Interesting that he has never felt compelled to say that to the many here he has harmed, many of whom who have turned to protesting the pipeline because their attempts to stop the pipeline by participating in formal processes like this one have been ignored. They are the ones Warren has said should be "removed from the gene pool." As for Warren's promise to do better, we are reminded of the pattern of the abusive partner who swears it'll never happen again every time it does. How would you advise loved ones in that kind of relationship? Would you urge them to hang in there? Surely you wouldn't. Protest is intervention. We urge DEP to recognize that it is time to break free of this bad relationship.

This specific reevaluation pertains to Berks County, a county that has been the site of some of the incidents that led the state to suspend permits on Mariner East 2 construction in the past and caused the PUC's Bureau of Investigation and Enforcement to file a formal complaint. HDD is been a colossal failure along the entire route. The section of highway that is the subject of this reevaluation is one of the busier stretches of Berks County's busiest highway. Berks County's communities and natural resources have suffered enough. Allowing for a process almost certain to fail at a site that would cripple transportation in the area when it does is unacceptable.

We have no more specific comments to offer because we cannot in good faith participate in the process of determining how best to construct the noose the shale gas industry is using on us.

Respectfully,
Karen Feridun, Founder
Berks Gas Truth