

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: ENVIRONMENTAL JUSTICE LISTENING SESSION

\* \* \* \* \*

BEFORE: PATRICK MCDONNELL, DEP Secretary  
CARL JONES, JR., Director of the Office of  
Environmental Justice

SUSAN MALONE

HEARING: Wednesday, April 12, 2017  
4:41 p.m.

LOCATION: Miller Middle School  
126 East Lincoln Street  
Waynesburg, PA 15370

**ORIGINAL**

WITNESSES: Andy McAllister, James Rosenberg, Jill  
Kriesky, Lois Bower-Bjornson, Veronica  
Coptis, Jan Kiefer, Sarah Boyle, Colleen  
Nelson, Natalie Johnston, Patrice Tomcik,  
Amy Nassif, Mary Ann Pike, Art Brogley,  
Kirk Jalbert, Nathan Blake, Carol Cutler

Reporter: Brooke Hunsaker

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MS. FRALEY:

The first name on our list is Ann Dana?

Oh, you're not going to speak?

Okay.

Andy McAllister?

MR. MCALLISTER:

My name is Andy McAllister. I'm the regional coordinator for the Western Pennsylvania Coalition for Abandoned Mine Reclamation.

One of the things I think it's important to keep in mind is that abandoned mine issues remain one of Pennsylvania's biggest environmental issues. And not all environmental issues with environmental justice components involve active industry.

Throughout the bituminous coal region, we have large waste coal piles, abandoned mine discharges and dilapidated structures in proximity to people's homes, schools and just in general, near roads. And this also can happen in urban areas as well.

So I just want to make sure that when we deal with environmental justice issues, we remember that legacy environmental issues are important as

1 well.

2                   And I have one other comment to make.  
3 Is that from the watershed movement's experience, we  
4 have to commend DEP and their personnel for doing such  
5 a good job in working with our community and helping  
6 to improve watersheds throughout the state.

7                   Thank you.

8                   COURT REPORTER:

9                   Just excuse me, sir. Can I just get you  
10 to spell your name for me real quick?

11                   MR. MCALLISTER:

12                   M-C-A ---

13                   COURT REPORTER:

14                   M-C-A ---

15                   MR. MCALLISTER:

16                   --- L-L ---

17                   COURT REPORTER:

18                   Okay.

19                   MR. MCALLISTER:

20                   --- I-S ---

21                   COURT REPORTER:

22                   Okay.

23                   MR. MCALLISTER:

24                   --- T-E-R.

25                   COURT REPORTER:

1 Okay.

2 Thank you.

3 MR. MCALLISTER:

4 And that would be it.

5 MS. FRALEY:

6 Okay.

7 Next up, we have Jim Rosenberg.

8 And if you could just make sure you  
9 spell your name --- state and spell your name?

10 MR. ROSENBERG:

11 My name is Jim Rosenberg,  
12 R-O-S-E-N-B-E-R-G, and I'm with Fayette Marcellus  
13 Watch.

14 There are numerous impediments to the  
15 delivery of environmental justice, EJ, in the way DEP  
16 currently operates. EJ is primarily interpreted as  
17 enhanced public participation.

18 That means any deficiency in the public  
19 participation process anywhere in DEP automatically  
20 becomes an impediment to actual EJ. These  
21 deficiencies are so massive and so pervasive that it  
22 is completely fair to say delivery of genuine EJ in  
23 Pennsylvania's Marcellus Shale country is almost  
24 nonexistent.

25 Among the problems are, one, the trigger

1 permit mechanism is flawed, top to bottom. Trigger?  
2 Triggering what? With public participation having  
3 been massively and systematically gutted throughout  
4 DEP with regard to shale gas infrastructure  
5 permitting, there is no trigger to be called except  
6 for enhanced window dressing. There are almost no  
7 permit of any kind related to shale gas infrastructure  
8 permitting which even qualify as trigger permits.

9           There is no public participation in any  
10 of the following kinds of permits: Erosion and  
11 sedimentation --- E & S permits for well pads, drill  
12 and operate well permits, E & S permits for pipelines,  
13 BA/GP-5 permits for compressor stations.

14           Requiring major source as a condition  
15 for public participation on compressor station air  
16 quality plan approvals is particularly problematic.  
17 All of these kinds of permits must draw scrutiny from  
18 OEJ when they occur in EJ areas. Where public  
19 participation in permitting is not required under 25  
20 PA Code, but is allowed under DEP's discretion, OEJ  
21 must take an active role in bringing this about.

22           Two, OEJ is absent from the table in the  
23 DEP complaint mechanism. This includes being able to  
24 receive complaints directly from EJ communities,  
25 auditing complaint inspection results and requiring a

1 repeat inspection where an inspection was defective.

2           Examples of defective inspections  
3 include, comments noting problems but no notice of  
4 violation written and compressor station inspections  
5 where not all equipment was running. When a complaint  
6 inspection includes a recommendation, OEJ must ensure  
7 there is some subsequent inspection to make sure this  
8 recommendation is followed.

9           Three, OEJ must become an ex-officio  
10 member of all DEP technical advisory boards and must  
11 take an active role in drafting the language for  
12 technical guidance documents, including eligibility  
13 for general permits.

14           Four, OEJ must become actively involved  
15 in the municipal EG Act 14 notification process,  
16 including ensuring that EJ communities understand that  
17 they get county and municipal comment on permit  
18 applications, even if general public participation is  
19 not available. OEJ must become involved in ensuring  
20 that counties and municipalities receive adequate  
21 information under Act 14 to be able to evaluate local  
22 impact, including zoning.

23           MS. FRALEY:

24           Thank you.

25           Can we take a copy of that?

1           MR. ROSENBERG:

2           Yes.

3           MS. FRALEY:

4           Thank you, then.

5           Next up, we have Jill Kriesky ---

6 Kriesky (changes pronunciation).

7           I'm sorry. I'm sure I mispronounced it.

8           MS. KRIESKY:

9           Oh, it's okay. Everybody does.

10          MS. FRALEY:

11          And do you want to give that to me at

12 the end or ---?

13          MS. KRIESKY:

14          Sure.

15          MS. FRALEY:

16          Okay.

17          And just for the record, state your ---

18          MS. KRIESKY:

19          Thank you.

20          MS. FRALEY:

21          --- and spell your name.

22          MS. KRIESKY:

23          I'm sorry.

24          My name is Jill Kriesky. It's,

25 K-R-I-E-S-K-Y. I serve as the Associate Director of

1 the Southwest Pennsylvania Environmental Health  
2 Project, or EHP. I've been in that position for more  
3 than four years.

4 EHP, which is located in McMurray,  
5 Washington County, Pennsylvania, assists residents who  
6 believe that their health may be impacted by  
7 unconventional shale gas development. And since 2006,  
8 Southwest Pennsylvania has seen approximately 4,000  
9 unconventional wells drilled.

10 Air and water emissions from these  
11 wells, related infrastructure such as pipelines,  
12 condensate tanks, compressor stations and processing  
13 facilities and the hundreds of thousands of diesel  
14 truck trips required to build this industry impact  
15 low-income residents in isolated communities by taxing  
16 already limited health resources and introducing new  
17 public health concerns. EHP believes that this is the  
18 most significant environmental justice concern in this  
19 region at this time.

20 The gas industry has brought an influx  
21 of workers from Texas and Oklahoma and other areas  
22 outside of Pennsylvania to work on well construction  
23 and other phases of the industry. Some are in this  
24 area only for a short period of time and stay at one  
25 of the many hotels that have sprung up along I-79 and

1 in cities like Waynesburg. But others are here for  
2 the long haul.

3                   And in the limited housing market ---  
4 market in our rural communities, these workers compete  
5 with local residents for rental housing and  
6 apartments. As a result, rents have risen.  
7 Individuals in ---. And families with low or fixed  
8 incomes cannot adequately afford to find affordable  
9 housing.

10                   EHP is very aware that it's not just  
11 disease and diet that determine how healthy you are.  
12 There are factors commonly referred to in public  
13 health as social determinants of health. Housing is  
14 one of them. So substandard housing and homelessness  
15 are very closely linked with poor health.

16                   So we believe that in addition to the  
17 health effects that occur due to direct exposures to  
18 contaminated air and water, there may be additional  
19 declines in health of environmental justice  
20 communities due to the industry's impact on housing.

21                   And as I just mentioned, we know that  
22 some individuals in the EJ communities in Southwest  
23 Pennsylvania are suffering physical effects from  
24 living or working in close proximity to air and water  
25 contaminated by fracking. These same residents often

1 have been subjected to legacy pollution from other  
2 industrial operations, including coal mining, coal  
3 fired power plants and related industrial activities.

4           Whether or not these individuals are  
5 below the poverty line or the working poor, they often  
6 lack access to sufficient and affordable healthcare.  
7 And if the current administration in Washington  
8 succeeds in weakening the Affordable Care Act, this  
9 problem is exacerbated.

10           So again, shale gas industry is  
11 inflicting undue hardship on communities that cannot  
12 afford additional financial burdens.

13           And just one last sentence. Finally, we  
14 at EHP and an increasing number of academic studies  
15 have found that vulnerable populations, including  
16 elderly, women of childbearing age and children are  
17 especially susceptible to health impacts from  
18 fracking. And we think they ought to be considered in  
19 the definition of environmental justice.

20           Thank you.

21           MS. FRALEY:

22           Thanks.

23           Can I take a copy of that?

24           MS. KRIESKY:

25           Uh-huh (yes).

1                   MS. FRALEY:

2                   We just want to ---. I know everyone  
3 has lots to say, but we want to try and keep it to  
4 that --- the three minutes.

5                   Next up is Tom Porterfield.

6                   Okay.

7                   Kara ---? Oh.

8                   Lois Bower-Bjornson?

9                   MS. BOWER-BJORNSON:

10                  Hi, my name is Lois Bower-Bjornson. And  
11 it's, L-O-I-S, B-O-W-E-R, hyphen, Bjornson,  
12 B-J-O-R-N-S-O-N.

13                  So I am a resident of Washington County.  
14 I grew up, though, on the Washington and Greene County  
15 line, so I spent a lot of time in Waynesburg growing  
16 up as a child.

17                  So I know firsthand seeing what happens  
18 when industry moves in and then gradually moves out.  
19 Our once thriving, beautiful little town with grocery  
20 stores and all the amenities, clothing stores, now is,  
21 quite frankly, a drug haven as industry has left  
22 throughout the years.

23                  I've also seen, growing up, again, what  
24 industry has done to our air and our water. My  
25 brother is part owner of a marina on the Monongahela

1 River, Sunset Marina. And industry has polluted that  
2 marina terribly because of the Monongahela River,  
3 everything running out of it.

4           What happened there, actually, was a ---  
5 an abandoned coal mine was drilled into from the oil  
6 and gas industry, and then it leached into the creek.  
7 So it has very high levels of radiation and so on and  
8 so forth.

9           I moved away from this area, and I moved  
10 back 13 years ago to raise my now four children, three  
11 boys and a girl. And when we moved to Scenery Hill  
12 --- it's a very scenic area. That's why it's named  
13 that. There was nothing there except beautiful  
14 rolling hills and farmland.

15           We are now currently surrounded by, to  
16 date, 33 well pads, three compressor stations, pigging  
17 stations. We have a training facility, a day facility  
18 for workers. And since July, we've had four pipelines  
19 from Mariner East One. And the newest pipeline began  
20 in January. So our once beautiful area literally now  
21 is an industrial zone.

22           What we run into our community is there  
23 are no zoning laws. So we wake up to fracking,  
24 finding out what's happening. So again, what happens  
25 in these communities that people move into to raise

1 their children ---. Again, we are being infiltrated.  
2 And therefore, our quality of life is lessening more  
3 and more from oil and gas and all the industries  
4 combined.

5 MS. FRALEY:

6 Thank you.

7 Next up is Veronica Coptis.

8 Thank you.

9 MS. COPTIS:

10 Hi. Thanks for coming to Greene County  
11 to hear from residents that are ---.

12 MS. FRALEY:

13 Can you say your name?

14 MS. COPTIS:

15 Oh, sorry.

16 Veronica Coptis, C-O-P-T-I-S, and I live  
17 in Carmichaels, PA.

18 Thanks for coming to Greene County to  
19 hear from residents directly impacted by environmental  
20 degradation.

21 I'm Veronica. I'm the Executive  
22 Director of the Center for Coalfield Justice. The  
23 Center for Coalfield Justice represents many  
24 environmental justice communities in Southwestern PA.  
25 We have over 2,000 members and supporters, almost all

1 of whom reside in Washington and Greene Counties. We  
2 entrust that people living these daily impacts of  
3 fossil fuel extraction are the experts in what's best  
4 for their communities.

5 I also grew up in Greene County. I  
6 still live here today. I grew up next to the largest  
7 underground mine in the country, and I'm now  
8 surrounded by shale gas activity.

9 I'm happy to see that you're all here to  
10 listen to how to improve our policies, and I  
11 appreciate your time. Environmental justice policies  
12 that are currently in place are often not effectively  
13 implemented and sometimes not implemented at all.

14 And so the way that listening sessions  
15 were noticed are kind of an example of like how you  
16 can improve moving forward. And so our community only  
17 got two weeks' notice of this meeting, which is not  
18 enough time to adjust for work schedules or find  
19 childcare, which is why I have my daughter here with  
20 me tonight.

21 The time is also during when --- during  
22 dinner hours. And so I just hope looking forward, as  
23 you solicit input, you take that --- solicit input,  
24 you take that into consideration.

25 I'm going to highlight a couple areas of

1 suggested improvements to the policy.

2           Public noticing. Public noticing needs  
3 to be posted widely in the community in the form of  
4 flyers, working with local newspapers to get --- or  
5 get articles placed, not just in legal sections or in  
6 the, you know, archaic Public Bulletin that only  
7 lawyers really enjoy reading.

8           Public meetings need to be held during  
9 hours when folks are not working, feeding their  
10 families. And considering when you're in  
11 working-class towns, holding them multiple times to  
12 account for shift work that happens frequently here.

13           Informal public conferences that happen  
14 for permit applications need to actually incorporate a  
15 --- back and forth with community members and not  
16 waiting to respond to comments until the comment  
17 response document when the decision of the permit has  
18 pretty much been made.

19           DEP staff and community representatives  
20 should also consider holding multiple public meetings  
21 during the permitting process. Currently they're held  
22 after it's administratively complete. During  
23 technical reviews, through many deficiency letters,  
24 we've often seen permits change drastically in that  
25 process. And the community should be able to engage

1 in that as well.

2 Trigger permits should be expanded to  
3 include shale gas activity and related infrastructure.  
4 In the last ten years we've seen significant rise in  
5 drilling and midstream operations in our communities.  
6 And as mentioned before, these have significant  
7 community health and environmental impacts.

8 As classifying communities at risk for  
9 environmental justice, just using poverty and race as  
10 indicators is leaving many --- many communities out of  
11 the picture that are at risk. You should also be  
12 factoring in the review for home ownership rates,  
13 reduced school lunches, school district ratings,  
14 disability and elderly populations and other sensitive  
15 areas.

16 Also, in the coal fields, coal companies  
17 owned large swaths of land, and our population has  
18 decreased significantly. Due to the magnitude of coal  
19 operations, like the ones in Greene County, coal  
20 fields should also be identified as --- as an  
21 environmental justice.

22 The biggest question I have, just  
23 wrapping up, is how the DEP plans to incorporate these  
24 changes. It's hard for us to trust that we'll  
25 actually see actions on what you're hearing today in

1 the field and across the state. And so with little  
2 funding and the DEP already being under budget, I'm  
3 interested in your response documents, how you plan to  
4 implement what you're hearing today with no additional  
5 funding that isn't proposed in the upcoming budget.

6 Thank you again, and we will be  
7 submitting much more detailed longer comments in  
8 writing as well.

9 MS. FRALEY:

10 Next up is Carly Wright.

11 Lisa Snyder?

12 No? Okay.

13 Jan Kiefer?

14 MR. KIEFER:

15 I want to go next. I'm not ready right  
16 now.

17 MS. FRALEY:

18 April ---.

19 No? Okay.

20 MR. KIEFER:

21 I'm ready to go.

22 MS. FRALEY:

23 Okay.

24 And if you could just make sure you say  
25 and spell your name, please?

1                   MR. KIEFER:

2                   My name is Jan Kiefer, K-I-E-F-E-R.

3                   I bring this pitchfork not for elected  
4 officials only, but for the bureaucrats and  
5 technocrats that are in the room tonight and out in  
6 your office.

7                   Good evening.

8                   So I'm glad you finally made it down  
9 here to frack land. And it's ---. And you're about a  
10 dozen years too late. And I hope you can come back in  
11 12 --- 12 years or so, because that's the interval  
12 between exposure and the manifestations of symptoms.  
13 And you might come back to see the fruits of your work  
14 and the cancer patients that you're creating.

15                   So you're here to hear --- hear us talk  
16 about environmental justice. I mean, we're not going  
17 to hear anything from you, and I guess that means that  
18 I've got to tell you what I think justice means or  
19 what it really should mean.

20                   So I will. Justice means fairness. It  
21 means when harm is done --- is --- is about to be  
22 done, someone gets to say, that's not fair. If it  
23 means I say ---. It means I get a say in that --- in  
24 what constitutes harm. That's why we're here today.

25                   But your job is to be fair, and ---.

1 And when you agree with me that harm is about to be  
2 done, you get to say no. You say no, corporation.  
3 You don't get to do this. That is spelled permit  
4 denial.

5 I don't get a guarantee of this, but I  
6 get a chance to have my say. And if somebody fair  
7 agrees that harm is about to be done, there's a  
8 fighting chance that they will say no. That is what  
9 justice is.

10 Now, here's what justice isn't. Justice  
11 isn't arranging for industry PR. Justice isn't  
12 helping industry dump poisons under our feet, telling  
13 us that it isn't harmful, all those hazardous trucks  
14 running around that say residual on the side.  
15 It's ---.

16 And here's another thing justice isn't.  
17 Justice isn't getting us all comfortable with being  
18 raped, telling us it isn't raped. It isn't pumping up  
19 this concept of, this is the only way to get jobs and  
20 this is what we need for national security.

21 That's propoganda. That's not justice.  
22 That's not anything like justice. It's a myth passed  
23 on by corporate science, corporate studies, corporate  
24 models, all the conflict with the independent  
25 scholarship of --- of the people. In other words, you

1 conflict with reality.

2                   So even though you're supposed to be  
3 listening and I get to talk, I'm all ears tonight. I  
4 really want to hear about justice. I really want to  
5 hear, where are these people who are real ---? Where  
6 are these people who really can be --- okay --- who  
7 are really ---?

8                   I'm sorry.

9                   I really want to hear, where are these  
10 people who really can be fair, who really can say no  
11 some of the time? Even say no once in a while. Where  
12 are these people? And if they're not here, why do you  
13 have the word justice on the name of your office?

14                   So you say that you want to know what  
15 environmental justice problems are? I'll make it real  
16 simple. We have no environmental justice.

17                   MS. FRALEY:

18                   Next up is Sarah Boyle.

19                   Okay.

20                   Bob Foreman?

21                   Okay. Oh.

22                   Sarah?

23                   If you could just make sure you spell  
24 your name?

25                   MS. BOYLE:

1 Okay.

2 MS. FRALEY:

3 Thank you.

4 MS. BOYLE:

5 Sarah Boyle, and that's, S-A-R-A-H,  
6 B-O-Y-L-E, with Kittanning.

7 First of all, I just want to, you know,  
8 thank you for your time and thank you coming here to  
9 let us --- you know, hear our issues on this matter.  
10 I just have a few things to say for the framing  
11 questions.

12 And I think a big help that I see that  
13 --- you know, the biggest help of it all is easier  
14 online access for permits, for sure. I personally do  
15 permits for trucking, and they ---. Pennsylvania has  
16 a really organized website for that.

17 AUDIENCE MEMBER:

18 Could you get closer to the microphone?

19 MS. BOYLE:

20 Yep.

21 I do permits for trucking, and usually I  
22 spend about three to four hours a day on that. I know  
23 Pennsylvania has a really organized website for that,  
24 so that would help a lot, is easier online access.

25 I think for public input, maybe more

1 input for regional offices for that.

2 And increased public notice. I think  
3 the woman said that earlier. A little bit more notice  
4 on the time of the meetings, maybe more meetings for  
5 voices on either side to be heard.

6 I'm done.

7 MS. FRALEY:

8 Oh, thank you.

9 Next up we have Jaqueline Duke.

10 No?

11 And Jared Zinn.

12 No?

13 Colleen --- is it Nelson?

14 MS. NELSON:

15 Oh.

16 MS. FRALEY:

17 Colleen, do you want to speak?

18 MS. NELSON:

19 Oh, well, I signed in, but I thought it  
20 was a sign-in sheet.

21 MS. FRALEY:

22 Oh, okay. Well, you're --- that part  
23 --- that ---.

24 MS. NELSON:

25 I'm here to tell you I'm from the

1 Observer-Reporter.

2 MS. FRALEY:

3 Okay.

4 MS. NELSON:

5 And my ---.

6 ---

7 (WHEREUPON, THERE WAS A BRIEF INTERRUPTION IN THE  
8 PROCEEDING.)

9 ---

10 MS. NELSON:

11 All right.

12 My name's Colleen Nelson, and I'm with  
13 the Observer-Reporter. I live in Holbrook, and I'm  
14 surrounded by wells.

15 And I've done a lot of the research. I  
16 know there's some bad stuff out there. I know that  
17 when the gases come off the well, they settle in the  
18 valley. And they get into your --- you breathe them.  
19 I'm on a hill, so I haven't moved yet.

20 But you know, these are just the facts  
21 of life. You know, we've been out here for 10, 12  
22 years. We know what's going on. We assume you know  
23 what's going on.

24 And I would just like to make sure that  
25 we continue to track the medical problems, because

1 he's right, in 12 years we'll know for sure who gets  
2 cancer, and we're just going to have to live with it.

3 But we need to be more aware, and we  
4 need to pay attention, you know? We're human beings.  
5 Let's be nice to ourselves.

6 MS. FRALEY:

7 The next person on the list is Janet  
8 Taladino.

9 Okay.

10 Is it ---? Is it ---? This last name's  
11 Miller. Is it Audrey?

12 No?

13 Baron Shakar? I'm sorry. Are you going  
14 to ---? Would you like to speak?

15 MS. JOHNSTON:

16 I --- I'd like to speak on this.

17 MS. FRALEY:

18 Okay.

19 If you could come up to the mic, please.  
20 If you could also say and spell your name, please?

21 MS. JOHNSTON:

22 Okay.

23 My name is Natalie Johnston,  
24 N-A-T-A-L-I-E, J-O-H-N-S-T-O-N. I am currently a  
25 student at Waynesburg University. And I've live

1 somewhere in the area. I live in Greensburg, and I  
2 see the impact that fracking has on this community.

3           And I just want to stress the importance  
4 of letting people know what harm can be done to the  
5 community itself. Even though there are benefits to  
6 fracking, I think there are more dangers to it than  
7 there are positives to it. There needs to be more  
8 regulation on it.

9           I went to a speaking at the courthouse  
10 not too long ago about it, and the fracking companies  
11 that go against policy, they get reprimanded, but not  
12 enough. These policies need to be more precise and  
13 more firm on what they need to be done, because  
14 companies just --- if they have a lot of money, they  
15 don't care. They just keep doing what they are. They  
16 get punished with these --- these fines, but they  
17 don't care, they just keep going.

18           And if that's the message that we want  
19 to put out there, that they can do whatever they want  
20 just because they have money, I think that that's not  
21 right.

22           Okay. Thank you.

23           MS. FRALEY:

24           Next up is Patrice Tomcik.

25           And just spell your name.

1                   MS. TOMCIK:

2                   Yes.

3                   MS. FRALEY:

4                   Oh, to the stenographer. Sorry.

5                   MS. TOMCIK:

6                   Sorry.

7                   My name is Patrice Tomcik,

8 P-A-T-R-I-C-E, T-O-M-C-I-K.

9                   I traveled a little ways to come here  
10 tonight, and I live in Butler County. I am here today  
11 as a field organizer for Moms Clean Air Force, and I  
12 represent 52,664 members in Pennsylvania.

13                   Pennsylvania is the second largest  
14 natural gas producer in the state. And as such, it's  
15 a major contributor of natural gas air pollution  
16 that's impacting our communities, such as mine and  
17 such as the communities that are local here. This ---  
18 this is an industrial process that is set up next to  
19 where children live, work, play and go to school.

20                   Children are vulnerable, and because  
21 their bodies are still developing and because children  
22 have a longer lifespan to live with toxic --- toxic  
23 exposures that can impact their health.

24                   Unconventional oil and gas operations is  
25 an industrial activity. And it creates toxic air

1 pollution from its operations, such as well pads,  
2 condensate tanks, pipelines, paving and metering  
3 stations, compressors and processing facilities.

4           Pennsylvania is ten plus years into  
5 unconventional natural gas development. And many  
6 communities have been overburdened with the amount of  
7 oil and gas operations that is impacting the health  
8 and degrading our communities.

9           Therefore, in addition to income and  
10 race triggers for environmental justice, the DEP  
11 should add oil and gas permits to the trigger list.  
12 All permits should be trigger reviews to see if they  
13 contribute to cumulative impacts. And community ---  
14 communities should have the right to have a  
15 community-based public meeting with the operator of  
16 the permits and the DEP.

17           Special locations of where vulnerable  
18 populations are found should also be considered, such  
19 as schools, childcare facilities and hospitals. DEP  
20 should go beyond the census tract as well as account  
21 for other factors, such as the working poor, home  
22 ownership rates, assisted school lunch rates,  
23 disability and elderly populations, and also language  
24 barriers. The reviews should factor in cumulative  
25 impacts of more developing relative to existing

1 industrial burdens.

2 Pennsylvania needs to follow New  
3 Jersey's lead and allow communities to file a petition  
4 to be recognized as vulnerable.

5 Overall I would like to see the DEP  
6 allocate more training and funding, because this needs  
7 to be allocated to make sure that the trigger permits  
8 are not overlooked or mishandled.

9 Thank you very much.

10 MS. FRALEY:

11 Next up is Amy Nassif.

12 MS. NASSIF:

13 Okay.

14 Do you need me to spell my name?

15 MS. FRALEY:

16 Yes, and out loud, so the stenographer  
17 can get it.

18 MS. NASSIF:

19 Okay.

20 Hi. Good evening.

21 My name's Amy Nassif, A-M-Y,

22 N-A-S-S-I-F.

23 I have a prepared statement, but I just  
24 spent an hour driving down with Patrice, who you've  
25 just --- whom you've just talked to, and ---. I mean,

1 whom you've just heard speak. And she spoke very  
2 eloquently about what is going on in Butler County.

3 I'm not with any organization. I'm a  
4 mom. I'm a physical therapist, so I'm in the  
5 healthcare field.

6 And what --- what shocks me is that this  
7 state has already had the input from medical  
8 professionals guiding our --- guiding you and our  
9 legislators what to do to take care of our  
10 communities. And it's being ignored. To me, that is  
11 the most abomination of a department that is supposed  
12 to be protecting the community.

13 You have these questions up here, and it  
14 says, what environmental justice concerns are most  
15 pressing in my community? Well, right now it's the  
16 oil and gas industry, which is not even a trigger.  
17 Yet 3,200 children in my community are going to be  
18 surrounded by wells. We have a six well sites that's  
19 a half a mile away, and now a new one was permitted  
20 just north of the five-school campus.

21 So if you're looking to expand on what  
22 you're already doing, the reason that I drove down  
23 here over an hour, had to leave work, take time ---  
24 extra time off, get childcare for my children ---  
25 because this is the only day that I could come here

1 and speak to you --- is that that needs to be added as  
2 a trigger.

3                   There's enough going on in Pennsylvania  
4 already. We're well into 15 years of this going on in  
5 our --- these communities. And you have enough  
6 information from scientists, from medical  
7 professionals --- not just me, a mom that traveled an  
8 hour to speak to you. You have a plethora of  
9 information that guides you and that should continue  
10 to guide you to enact the proper protection for these  
11 communities.

12                   I should not have to stand here and tell  
13 the DEP how to do their job. I'm tired of doing it.  
14 I've traveled to Harrisburg. I've traveled to Eastern  
15 Pennsylvania to speak.

16                   I've been in the DEP department, spoken  
17 to numerous public officials over the past three  
18 years. I'm tired of it. I'm a physical therapist. I  
19 want to go back to treating patients and enjoying my  
20 life, and I want the DEP to their job.

21                   Triggers should be for oil and gas,  
22 protect the community ---. And I work with the  
23 elderly population, so that needs to be included.  
24 This isn't just about children. My elderly clients  
25 need protection also.

1                   So I appreciate your time and I  
2 appreciate you being here, but I'm asking you to step  
3 up so I don't have to do this anymore. I don't get  
4 paid. Nobody is paying me to do this. I'm here as a  
5 mom and as a medical professional, asking you to look  
6 at what you already have and put that protection in  
7 place.

8                   Thank you.

9                   MS. FRALEY:

10                   Do you want to submit your --- your  
11 comment or ---?

12                   MS. NASSIF:

13                   Oh, yeah.

14                   MS. FRALEY:

15                   Thank you very much.

16                   Next, we have Jim Price.

17                   Nothing?

18                   Okay.

19                   Mary Ann Pike?

20                   MS. PIKE:

21                   Yes.

22                   MS. FRALEY:

23                   Just remember to state and spell your  
24 name into the microphone.

25                   MS. PIKE:

1 Hello.

2 My name is Mary Ann, M-A-R-Y, A-N-N, two  
3 words, Pike, P-I-K-E.

4 I'm going to start my timer so I know  
5 where I am.

6 So my name is Mary Ann Pike. I live at  
7 1280 Sugar Run Road, Venetia, PA, in Washington  
8 County.

9 Until my family moved from the suburbs  
10 of Pittsburgh to a rural area in Washington County, we  
11 had no idea of the effect of mineral extraction on the  
12 communities where it occurred. We always assumed that  
13 the companies kept the residents informed of what they  
14 were doing, the work was done in a manner that did not  
15 severely impact the lives of the residents.

16 However, in the space of five years  
17 we've been affected by three different mineral  
18 extraction projects within a quarter mile of our  
19 house. And have received little information about the  
20 projects and would have no idea of how to get our  
21 opinions heard without the help of an advocacy group.  
22 I wouldn't even have known about this meeting without  
23 their help.

24 When we moved to our current house five  
25 years ago, we knew there was a gas well about a

1 thousand feet behind our house. But we were sold ---  
2 we were sold the gas rights along with the property  
3 and we were happy to think that we might have some  
4 extra money coming in. We had a lot of trouble  
5 figuring out how to contact the correct department of  
6 the gas company to let them know that we now held the  
7 gas rights.

8                   Then that company sold the well, and we  
9 were never contacted by the new company to let us know  
10 that they knew that we had bought the gas rights with  
11 our property. Even after I found the correct person  
12 to talk to, they never sent us confirmation that they  
13 had --- had us listed as the owners of the gas rights.  
14 We were never contacted until right before we received  
15 the first check from the company about six months ago.

16                   In addition, during the past two  
17 winters, the gas company spent about three or four  
18 months drilling and fracking additional wells on the  
19 pad. The noise was constant, especially at night. We  
20 could hear it with our windows closed. At times we  
21 could feel the house vibrating, and items on our  
22 shelves would move towards the edge of the shelf and  
23 we had to push them back so they didn't fall off.

24                   It would've been nice if the gas company  
25 could've told the residents, especially the people who

1 live so close to the well, what their drilling  
2 schedule is and when they were moving equipment.  
3 There were times when I was forced to stop and squeeze  
4 my car against the hillside to avoid huge pieces of  
5 equipment that were being moved through the blind  
6 bends on our road.

7           About a year after we moved to our house  
8 we learned the path of the Mariner East pipeline that  
9 would go right behind our house. The first we learned  
10 about it was when we were contacted and told the  
11 company wanted a right of way for the edge of the  
12 pipeline to go through the back of our property.

13           One reason we bought the house was  
14 because of the trees in the back of the property. The  
15 right of way would've taken down a lot of the trees,  
16 and we were concerned about not having any recourse  
17 about the situation.

18           After the initial contact from the  
19 company, we never heard anything else from them. Then  
20 about a year later they were clearing trees behind our  
21 house, and we asked some of the workers for a contact  
22 number and talked to someone at the company. We asked  
23 them about the right of way across our property and  
24 were told the path of the pipeline was changed and ---  
25 and would not affect our property.

1                   And we should've been notified, but we  
2 never were. And we were given no information about  
3 the construction schedule or a physical description of  
4 a pipeline carrying dangerous materials that would be  
5 situated less than 200 feet behind our house.

6                   A year after finding out about the  
7 pipeline, we discovered the --- that a company wanted  
8 to open a deep coal mine less than a quarter mile from  
9 our house on property abutting the back corner of our  
10 property.

11                   And I'm going to cut this short and just  
12 give the notes. And so time is running short, but  
13 what I want to say is that my husband and I are both  
14 engineers. We have no idea how to get information  
15 about what is going on with the projects or what we  
16 could do to make our voices heard. In addition, we  
17 would not have the financial resources to oppose the  
18 companies if we wanted to.

19                   We feel lucky to have been introduced to  
20 the Center for Coalfield Justice, who informed us of  
21 how to get our opinions about the proposed project to  
22 our legislators and to DEP, how to request conditions  
23 on the use of the mine property, how to interpret and  
24 respond to the various sections of the permit  
25 application. And the C --- CCG --- J keeps track of

1 the state --- of the proposal, which would be a  
2 difficult task for working residents to fit into their  
3 lives, since this information can only be obtained in  
4 person during business hours and at the DEP office.

5 I have a lot more in there, but you can  
6 just put it in.

7 MS. FRALEY:

8 Thank you.

9 MS. PIKE:

10 Thank you.

11 MS. FRALEY:

12 Next up is Art Brogley.

13 Just remember to spell your name into  
14 the microphone for our stenographer.

15 MR. BROGLEY:

16 My name is Art Brogley, B-R-O-G-L-E-Y.  
17 I live in Scenery Hill, Pennsylvania. Where I live we  
18 are completely surrounded by gas wells.

19 The town is an old historic town along  
20 Route 40, which is a National Pike historic town. The  
21 name fits the town. Well, it used to fit the town.  
22 Now, it's an industrial zone.

23 I have one well, gas well, that's about  
24 a half a mile from my house on one side. I had  
25 another one being built about three-quarters of a mile

1 on the other side of my house.

2                   Now, we are concerned, me and my family,  
3 my neighbors, of the methane with the toxic chemicals  
4 that are emitted when they frack, the leaks in the  
5 system. We have a web of --- spider web of gas lines  
6 that run every direction that tie these wells together  
7 to gather the gas.

8                   I worked in steel mills my whole life,  
9 and I watched regulations come in. I started in the  
10 1970s. We literally used to dump our acid into the  
11 creek in the back. We used to contaminate the air  
12 with no scrubbers. We dumped our toxic wastes in ---  
13 on the ground everywhere.

14                   Over the years the steel industry was  
15 regulated. It never hurt jobs. It never caused  
16 problems. I mean, maybe the company maybe made a  
17 little less money, but ---.

18                   So we need some good --- good  
19 regulations to control the gas and oil drilling. At  
20 least --- at least keep the leaks from the existing  
21 wells from happening, from the new wells.

22                   So we're asking for your help, and I  
23 guess that's all I have to say.

24                   Thank you.

25                   MS. FRALEY:

1           That's all that we have that are signed  
2 up. Is there anyone else who didn't get a chance to  
3 sign in that wants to --- to speak?

4           Okay.

5           I will go with you. Just please make  
6 sure you spell your name so we can get it. And ---  
7 and then, if you want to go after ---?

8           MR. JALBERT:

9           My name is Kirk Jalbert. I didn't  
10 intend to speak today.

11          MS. FRALEY:

12          Can you?

13          MR. JALBERT:

14          Sure.

15          K-I-R-K, J-A-L-B-E-R-T.

16                 I am an environmental sociologist. I've  
17 been studying this issue for over seven years now.  
18 I'm also a member of the Environmental Justice  
19 Advisory Board, and so I've had some --- some  
20 knowledge in terms of how this process has come  
21 together.

22                         And I've had an opportunity, through my  
23 position as a manager of community-based research at  
24 the front fracker lines, to study this fairly heavily.

25                                 And the number of the articles that

1 we've written have, first of all, detailed how current  
2 EJ policies are missing the mark relative to oil and  
3 gas development. And then, more recently, just a  
4 summary of what we see are some of the inadequacies in  
5 the current EJ policies. And I'll just highlight a  
6 few that I think are important right now.

7                   For starters, there's over 10,000  
8 unconventional oil and gas wells in the state  
9 presently. And there's over 6,600 violations, which  
10 is roughly one in three for the number of wells that  
11 exist presently. I did an analysis of these  
12 violations and found that over 20 percent of them  
13 existed in only three census tracts in the state.

14                   So if we want to talk about cumulative  
15 impacts, why don't we talk about --- what does it mean  
16 when a community has been excessively burdened by  
17 violations to the point that they no longer belong in  
18 any sort of a category of receiving additional  
19 industry in that space? When is too many violations  
20 enough?

21                   Another interesting thing is when we  
22 first started to investigate the comments by Range  
23 Resources about setting well pads near expensive homes  
24 and that being a legal issue on their part and trying  
25 to avoid that, whether it be tongue in cheek or not,

1 it's an interesting statement.

2           We did some analysis in Allegheny and  
3 Beaver County and discovered that there are 800 wells  
4 in those two counties, and only two census tracks ---  
5 oh, I'm sorry. There's only two wells and census  
6 tracks of median home incomes that have a value of  
7 over \$200,000, which means the other 792 --- I'm  
8 sorry, 798 wells all existed within census tracks with  
9 home values that were significantly lower.

10           So that, in and of itself, to me, is  
11 argument as to why we need to move away from just  
12 indicators of poverty and race. And certainly, in  
13 relation to the oil and gas industry, if you look at  
14 all of the counties, with the exception of Allegheny,  
15 that have drilling, you will find that their average  
16 percentage of nonminority residents is 98 percent or  
17 more. Which means that entire indicator does not  
18 really provide any insights in terms of what's  
19 happening in these rural communities. As we know,  
20 most of Pennsylvania is --- is white.

21           Now, another issue I just want to bring  
22 up is that census tracks don't always work relative to  
23 even large industrial projects. And let's step away  
24 from oil and gas development in particular. The  
25 ethane cracker that's being built in Beaver County,

1 obviously, is a hot button issue. And I'm sure we'll  
2 hear more about that in the Allegheny County meetings  
3 tomorrow.

4 Thank you.

5 I just want to point out that that, to  
6 me, is really interesting case study, because the  
7 census tract in which the ethane cracker exists is not  
8 an EJ census tract, because nobody lives there. But  
9 if you look, there are four environmental justice  
10 tracts within less than two miles of that facility.

11 And so to me, I think it makes an  
12 interesting case for how do we look at things like a  
13 radius around a major facility? And then, when you  
14 look at that, we can justify it by saying things such  
15 as, the wind spread and the wind bloom of a facility  
16 like that is certainly going to spread air pollution  
17 to places beyond just the small census tract in which  
18 it exists.

19 I leave it at that. Thank you.

20 MS. FRALEY:

21 Just remember to state and spell your  
22 name for us.

23 MR. BLAKE:

24 My name's Nathan Blake, N-A-T-H-A-N,  
25 B-L-A-K-E.

1 I'd like to begin by thanking the DEP  
2 for what they've already done in this area. I mean,  
3 even recently, with the latex paint dumping into Ten  
4 Mile Creek or measuring the bromide level in Ten Mile  
5 Creek. They've done very well and efficiently into  
6 TMR. And so I appreciate that.

7 My name's Nathan Blake, as I said  
8 before. I'm studying biology and education up at the  
9 university. And the main thing I see that's in the  
10 community ---.

11 I'm not from this area, so this may  
12 completely void what I'm about to say.

13 But the main thing I notice in this  
14 community, as I spend an ever-increasing amount of  
15 time in Greene County schools ---. I notice a lack of  
16 engagement in education with environmental justice and  
17 environmental protection on the student level, whether  
18 it be elementary school or high school or middle  
19 lessons.

20 And I think that's very important for  
21 --- especially for children who are born and raised in  
22 this area, just the risks that they face. A lot of  
23 times they're not aware of the --- the risks that they  
24 face, or how they can prevent them or how they can  
25 become more educated on them.

1 I mean, although I'm a student at the  
2 college level, I didn't know about this meeting until  
3 Dr. Paladino, one of my professors, spoke to me about  
4 it.

5 And so I think while it would be very  
6 difficult to present these topics to elementary  
7 children or even high school children without  
8 instilling fear in them, with all the negative  
9 research that goes along with fracking and natural  
10 gas, I do think it's very important that they become  
11 educated and engaged. And that may happen at the  
12 local level, or it may be happening through federal  
13 funding of those programs within high schools or  
14 elementary schools.

15 And that's all I have to say.

16 MR. JONES:

17 So we've gone through everyone?

18 COURT REPORTER:

19 Do you want this on or off? Do you want  
20 this on the record?

21 MR. JONES:

22 You can leave this on the record.

23 So we've gotten through everyone who has  
24 signed up. With that in mind, we have additional  
25 time. And the whole plan is to hear from you. And so

1 we have more time to hear from you. So on a first  
2 come, first serve basis, we do have additional time.  
3 I would like to allocate that to be four minutes.

4 Please feel free to come up to provide  
5 additional comments and testimony, if you so choose.  
6 Thank you.

7 MS. FRALEY:

8 Okay.

9 If you could just remind them of your  
10 name, so we can find it.

11 MR. ROSENBERG:

12 And my name is Jim Rosenberg, Fayette  
13 Marcellus Watch.

14 I haven't timed this, so you'll have to  
15 nag me here. I included an appendix in my written  
16 version on fragmentation of DEP public participation  
17 policy.

18 A major obstacle to effective DEP  
19 policymaking regarding public participation is the  
20 fragmentation of public participation policy across  
21 three kinds of technical guidance documents. DEP's  
22 public participation policy, per se --- and then, I  
23 won't get to the document numbers here. OEJ's public  
24 participation policy, per se, the text of general  
25 permits, e.g., the Bureau of Air Quality's GP-5

1 general permit for compressor stations.

2           It is simply outrageous that OEJ's own  
3 policy document, enhanced public participation policy,  
4 has not been subject to public comment since 2004.  
5 I.E., there has not been public comment on OEJ's  
6 public participation policy since before the advent of  
7 shale gas revolution in Pennsylvania.

8           Consider the question of whether a  
9 compressor station air quality permit for a proposed  
10 facility as an environmental justice area should  
11 receive the attention of OEJ. In order to answer this  
12 question, must --- one must first determine what kind  
13 of permitting the facility is eligible for.

14           This, in turn, rests on a question of  
15 whether or not it is major source. But there is no  
16 public comment on the major/minor source determination  
17 process for an individual application under GP-5. It  
18 is extremely notable that EPA itself has objected to  
19 this lack of public comment.

20           And I'll just skip a little bit ahead.

21           EPA ---. This is a public comment that  
22 EPA issued on DEP's GP-5 in 2012. EPA has  
23 consistently stated that to be federally enforceable,  
24 two criteria must be met. One, the limitations must  
25 be contained in a permit that is federally enforceable

1 and has undergone public participation. And there's  
2 some more in here.

3           According to OEJ's so-called enhanced  
4 participate --- public participation policy, a  
5 facility must be designated as a major source to be  
6 eligible as a trigger permit. But even if this  
7 trigger permit requirement is removed, there will  
8 still be no public participation in most compressor  
9 station air quality permitting due to the lack of  
10 public participation in individual applications under  
11 general permits and the eligibility allowance for all  
12 minor sources in GP-5.

13           So the problem here is that public  
14 commenting on the fundamental issues is split among  
15 all these different kinds of documents. And there has  
16 never been a venue in which all of these things have  
17 been put together so that you can understand the  
18 impact of all of it put together.

19           MS. FRALEY:

20           Does anyone else have any additional  
21 comments they would like to add or didn't get to?

22           If you can come forward?

23           And just make sure you state and spell  
24 your name for our stenographer. Thank you.

25           MS. CUTLER:

1                   Good afternoon. My name is Carol  
2 Cutler, C-A-R-O-L, C-U-T-L-E-R.

3                   I want to thank the members of the  
4 Environmental Justice Committee for holding these  
5 hearings.

6                   I did a little research last night on  
7 your website, and I see on your brochure that many of  
8 those things are there. And I just wanted to  
9 highlight one statement, which is --- supposedly  
10 summarizes what you guys do. Environmental --- or  
11 what environmental justice is.

12                   Environmental justice, it says, ensures  
13 that everyone has an equal seat at the table.

14                   Now, I have been involved offering  
15 testimony, not as a member of an environmental justice  
16 community, but in other ways. And --- and I've  
17 observed other people giving testimony. Particularly,  
18 I remember testimony about the Tenaska oil plant in  
19 Westmoreland County, and we generated lots and lots of  
20 statements.

21                   But it didn't make any difference. And  
22 so a school nearby is going to be downwind quite a bit  
23 of pollution in the future for the sake of a few jobs.

24                   So I guess I just want to close by  
25 saying this. If you're going to ensure environmental

1 justice so that everyone has an equal seat at the  
2 table, I think it's going to take an act of God,  
3 because the industry holds these private meetings with  
4 your bosses, the Wolf Administration, and those before  
5 him and with the members of the legislature. And we  
6 get our little say at some point when it's pretty  
7 clear that what's going to happen has already been  
8 decided.

9                   That's all I have to say tonight. Thank  
10 you.

11                   MS. FRALEY:

12                   I just need you to spell your last name  
13 for the record.

14                   MS. CUTLER:

15                   C-U-T-L-E-R.

16                   COURT REPORTER:

17                   C-O-T-L-E ---?

18                   MS. CUTLER:

19                   C-U --- C-U-T-L-E-R.

20                   COURT REPORTER:

21                   Okay.

22                   MR. JONES:

23                   If there are no other public comments,  
24 I'll turn things back over to Secretary McDonnell to  
25 close out.

1 Thank you again for taking the time to  
2 come to this listening session ---.

3 There are pamphlets out with information  
4 on how to contact us. We'll be accepting comments in  
5 addition to the testimony received here today in  
6 writing and online, so feel free to e-mail us. We  
7 look forward to getting as much feedback as possible  
8 from all of you.

9 So with that in mind, I'll turn it over  
10 to Secretary McDonnell, who can close it up.

11 AUDIENCE MEMBER:

12 What's the deadline?

13 MR. JONES:

14 May 25th.

15 AUDIENCE MEMBER:

16 Thank you.

17 MR. JONES:

18 Sure.

19 SECRETARY MCDONNELL:

20 Now, I just want to thank you all for  
21 coming out tonight. One of the things important for  
22 me is to be able to get, frankly, the perspective and  
23 each of your experiences, stories, so that that can  
24 inform our decision-making and inform how we do a  
25 better job of making decisions, how we do a better job

1 of engaging with you all.

2 I'll --- I'll say I think it's --- it's  
3 important that the first of these that we've done is  
4 --- is here in Greene County. And as a couple have  
5 alluded to, people found your way in, many people ---  
6 many people have the wherewithal to find their way  
7 into Harrisburg or into some of the other public  
8 hearing centers. But it's important that we hear from  
9 the broad expanse of our state and the variety and  
10 diversity of the experiences that we have.

11 So I just want to thank you all for your  
12 engagement. Thank you all for --- for your candor in  
13 sharing information with us here tonight. And I look  
14 forward to, as --- as we've said, continuing with that  
15 conversation.

16 So thank you.

17 MS. TOMCIK:

18 Can I do one more comment, since you  
19 were taking them before? Is that okay? It'll be real  
20 quick.

21 SECRETARY MCDONNELL:

22 Yes. Thank you.

23 MS. FRALEY:

24 Can you just state your name once again?

25 MS. TOMCIK:

1 Yes.

2 My name's Patrice Tomcik, and I'm  
3 speaking as a resident now, so ---.

4 The one thing that you just said is that  
5 you appreciate hearing the --- the stories of  
6 communities. And so in our community the reason why  
7 I'm here is to protect my children. And in our  
8 community, our schools are made up of two townships.

9 One township in Adams Township has the  
10 land leased --- 75 percent of the land leased to oil  
11 and gas. And then the other side of our school in  
12 Middlesex has well over 90 percent of the land leased.  
13 This has essentially opened up our school district and  
14 our homes to an industrial zone.

15 And so if we're looking at environmental  
16 justice, this is a big issue, having that amount of  
17 industrial activity permitted next to our schools, our  
18 homes, our play, our work area. And this is true, I  
19 believe, of a majority of the areas where  
20 unconventional gas drilling is happening today.

21 And so this definitely needs to be a  
22 trigger.

23 Thank you very much.

24 SECRETARY MCDONNELL:

25 Thank you.

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I forgot ---. I forgot one thing, and that's to introduce Sue Malone, who has been sitting up here with us. Sue is the regional director for the Southwestern Regional Office.

Okay. I didn't remember if I did that.

Thank you all again for being here.

\* \* \* \* \*

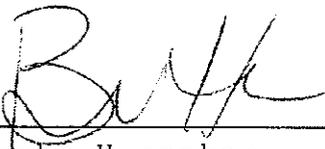
MEETING CONCLUDED AT 5:39 P.M.

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## CERTIFICATE

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I hereby certify that the foregoing proceedings, meeting held before Secretary McDonnell was reported by me on 04/12/2017 and that I, Brooke Hunsaker, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

  
\_\_\_\_\_  
Brooke Hunsaker,  
Court Reporter

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