

Talking points for Lancaster EJ Listening Session

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No one is reviewing gathering pipelines for safety in rural areas. Neither the federal Pipeline and Hazardous Materials Safety Administration nor Pennsylvania's Public Utility Commission has asserted jurisdiction over these pipelines. The lack of regulation needlessly exposes communities to potential harms such as leaks and explosions.

There is overwhelming public interest in participating in the permitting process as shown during the FERC hearings for the Atlantic Sunrise last year.

The PA DEP should do all in its power to ensure that the people of Pennsylvania have the information necessary for informed public comment and that timely and sufficient public participation opportunities are provided to the public.

The PA DEP must play an active role in coordinating between state and federal agencies to allow for transparency in decision-making, informed public comment, and comprehensive public participation as required by state law.

The PA DEP should establish a central clearinghouse of pipeline infrastructure-related information that the public can easily access.

Rather than simply fulfilling its administrative duties, the PA DEP should ensure that project reviews are consistent with the Environmental Rights Amendment, which states: *the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.*

The PA DEP should ensure that a comprehensive cumulative impacts analysis that includes — at a minimum — a list of projects considered, the expected impacts of those projects, and a quantification of aggregated impacts is conducted for all major natural gas infrastructure projects.

The PA DEP has the ability to deny applications, extend the comment period, and seek better coordination of its permit processes with those of other Federal and State agencies and should exercise its full authority to do so for all natural gas infrastructure projects.

Issues concerning the ASP's permitting process

During the comment period for Draft Environmental Impact Statement (DEIS), the EPA urged FERC to provide more transparency in the decision-making process.

The PA DEP did not coordinate the various permit processes for the Atlantic Sunrise Pipeline (ASP) as required by state law and the public was forced to navigate an unwieldy permit process over the course of this Project's review.

In a letter to FERC concerning the ASP, the EPA stated that "all other system and major route alternatives were dismissed." The PA DEP can help to ensure that project alternatives, including the 'no construction' alternative, are fully considered in future projects.

The PA DEP issued conditional permits for the Atlantic Sunrise Pipeline despite the fact that the DEIS was missing countless pieces of critical information, including surveys, models, and mitigation plans.

Hundreds of pages of new information was added to the ASP docket after the close of the DEIS comment period. This information was not part of the public record and the public was not given an opportunity to properly review and comment on these filings.

The EPA requested that information missing from the DEIS "be disseminated and appropriately evaluated with the resource agencies and public stakeholder participation prior to the issuance of any certificates by FERC."

The ASP would have the indirect but significant impact of inducing more gas extraction in the Marcellus Shale region. However, the project review did not take this into account. The PA DEP can help ensure that the evaluation of new projects considers any potential cumulative impacts.

The Atlantic Sunrise evaded the comprehensive environmental impact disclosure and public participation requirements of NEPA and the PA DEP should ensure that this does not happen with future projects.

The Public Notice for the Army Corps of Engineers 404 permit violated public participation requirements by not including public access to the complete permit application.

There was no analysis of the ASP's potential impact as a growth-inducing action on shale gas development and reasonable, foreseeable, and connected potential impacts like increased greenhouse gas emissions.

The Susquehanna River Basin Commission held Transco's applications for six to eight months and only published notice of them after the public comment period on the DEIS had passed, depriving the public of an opportunity to review and comment on a critical aspect of the Project during the NEPA review process.