



3344 Route 130, PO Box 137
Harrison City, PA 15636

September 9, 2024

Sent by US First Class Mail and Email

Jessica Shirley
Acting Secretary
Department of Environmental Protection
Rachel Carson State Office Building 400 Market St
Harrisburg, PA 17101

Re: Mamont 12 Well Pad Erosion and Sediment Control General Permit 3 ID #1493692

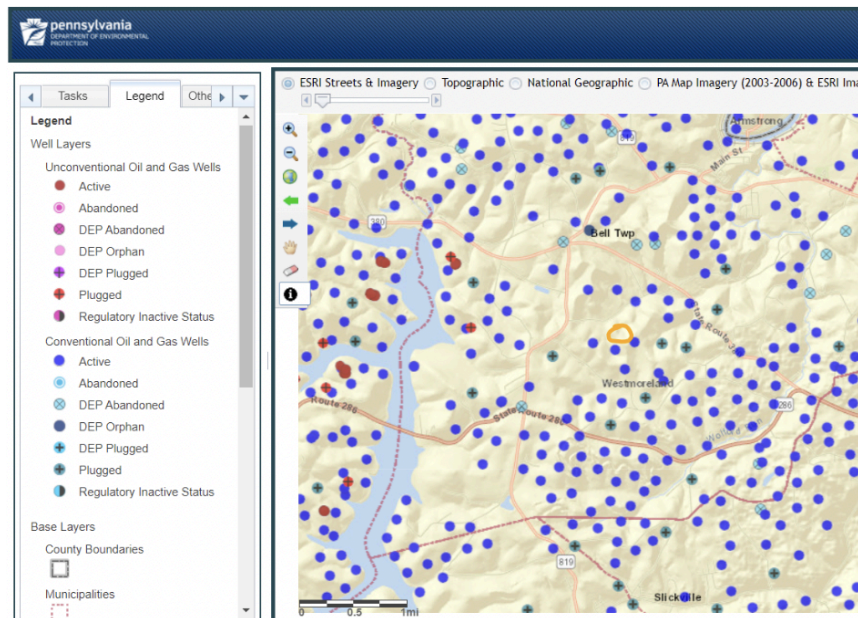
Dear Ms. Shirley,

We are writing on behalf of the members of our organization, Protect PT (Penn-Trafford). Protect PT is a nonprofit citizens group dedicated to ensuring that the safety, security, and quality of life of community members are protected from the effects of unconventional natural gas development. Please consider this comment regarding the Mamont 12 Well Pad Erosion and Sediment Plan.

Recommendations

The Department of Environmental Protection needs to take action to protect this environmental justice community and that can be done through the following actions.

1. There is no indication that the pre-application checklist easily found on the PA DEP's Environmental Justice website has been completed. This must be completed and proper outreach must be done in this EJ community before PA DEP considers any application in this area. (Lat long is 40.499040, -79.515254)
2. In order to properly assess the community and the pollution they are enduring on a daily basis, PA DEP must consider aggregate emissions from other nearby infrastructure and recognize potential other sources of pollution. (see map 1)



Map 1: This map shows the presence of active, abandoned and plugged O&G wells surrounding the Mamont well pad.

3. The Department of Environmental Protection should consider developing greater regulations for sediment and associated pollutants in stormwater runoff. Similar to the national pollutant discharge elimination system (NPDES) permit there needs to be more ways to regulate for sediment.¹
4. The Department of Environmental Protection should require that operators use updated flooding and precipitation estimates that are based on rigorous modeling of existing and future conditions to develop Erosion and Sedimentation plans. The Department should forego approval of Erosion and Sedimentation plans that are not based on up-to-date and reliable information.
5. The Department of Environmental Protection should hold a public hearing for the community to give the residents a chance to provide input on this facility and proper notice should be given to the residents for this hearing. It is not clear what communication was conducted with the community prior to the approval of this permit.²

Site Information and Community Demographics

The Mamont 12 Well Pad is located in Bell Township, Westmoreland County, Pennsylvania. The

¹ Environmental Protection Agency. (n.d.). Summary of the Results of the Investigation Regarding Gas Well site Surface Water Impacts. In *epa.gov*. Retrieved January 17, 2024, from https://www3.epa.gov/npdes/pubs/oilandgas_gaswellssummary.pdf

² Department of Environmental Protection. (n.d.). *For Permit Applications*. *dep.pa.gov*. Retrieved September 9, 2024, from <https://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/For-Permit-Applicants.aspx>

site is located between St James Church Rd and Walker Rd and will be accessed via an access road that will be 430 feet long off of State Route 380. The well pad is located in a forested area and is about two miles from the closest water source which is Wolford Run. The closest city is Bell Township and it is about 2 miles north of the facility.

Bell Township, PA has a population of 2,080 people as of the 2020 census records with 30% above the age of 65 and a median age of 52.³

There are a total of five schools that are within 5 miles of this site including Saltsburg Elementary, the Kiski School, Kiskiminetas Spring School, Kiski Area South Primary School, and Mamont School. In addition to the proximity to schools there are at least six churches within five miles including Faith Alliance Church, St. Sylvester Church, Salina Bible Church, St Matthew Roman Catholic Church, Saltsburg Presbyterian Church, and Slickville Presbyterian Church.

Protect PT is submitting comments regarding this facility and this pending E&S plan due to concerns about erosion and sedimentation at this facility and the impact this facility can have on the community both in regards to the environment and the health of nearby residents, especially noting that this is an environmental justice area.

Background

Anyone performing activities that disturb the earth are required to create and maintain erosion and sediment control best management practices (E&S BMPs) in order to limit potential issues with erosion or sedimentation occurring on the site. An E&S plan identifies BMPs in both writing and drawing to minimize erosion and sedimentation before, during, and after any activity that will disturb the earth. BMPs refer specifically to the methods employed to prevent this erosion and sedimentation.⁴

Activities with oil and gas that are seen to disturb the earth include site preparation, well pad construction, and road, pipeline, and other infrastructure development.⁵ The construction and land disturbance that is necessary for oil and gas drilling can not only alter the land but harm

³ United States Census Bureau QuickFacts. (n.d.). *U.S. Census Bureau QuickFacts: Bell Township, Westmoreland County, Pennsylvania*. Census Bureau QuickFacts.

https://data.census.gov/profile/Bell_township;Westmoreland_County;Pennsylvania?q=060XX00US4212905208

⁴ Pennsylvania Climate Impact Assessment 2021. (2021). In *greenport.pa.gov*. Pennsylvania Department of Environmental Protection. Retrieved January 17, 2024, from

[https://greenport.pa.gov/elibrary//GetDocument?docId=3667348&DocName=PENNSYLVANIA%20CLIMATE%20IMPACTS%20ASSESSMENT%202021.PDF%20%20%3Cspan%20style%3D%22color%3Agreen%3B%22%3E%3C%2Fspan%3E%20%3Cspan%20style%3D%22color%3Ablue%3B%22%3E\(NEW\)%3C%2Fspan%3E%204%2F30%2F2023](https://greenport.pa.gov/elibrary//GetDocument?docId=3667348&DocName=PENNSYLVANIA%20CLIMATE%20IMPACTS%20ASSESSMENT%202021.PDF%20%20%3Cspan%20style%3D%22color%3Agreen%3B%22%3E%3C%2Fspan%3E%20%3Cspan%20style%3D%22color%3Ablue%3B%22%3E(NEW)%3C%2Fspan%3E%204%2F30%2F2023)

⁵ U.S. Department of Energy Office of Oil and Natural Gas. (n.d.). Footprint Reduction. In *energy.gov*. U.S. Department of Energy. Retrieved January 17, 2024, from

<https://www.energy.gov/sites/prod/files/2016/07/f33/Footprint%20Reduction.pdf>

local ecosystems by causing erosion and fragmenting of wildlife habitats.⁶ Additionally, the construction process can cause erosion of dirt, minerals, and other harmful pollutants into nearby streams.⁷

Soil erosion is the natural process by which the surface of land is worn away by water, wind, or chemicals. Sometimes we witness what is called accelerated erosion which is erosion that is occurring due to human activities at a faster rate than it would occur normally on its own.⁸ Sedimentation is the process when sediment is formed or deposited into a water way, this can happen from either erosion or accelerated erosion.⁹

A certain amount of erosion is common and happens overtime on its own and aquatic systems and habitats are usually able to assimilate naturally to the sedimentation without having negative consequences. However, accelerated erosion often leads to amounts of sediment that overwhelm the ability of waterways and habitats to adapt. Sediment pollution has a wide breadth of potentially dangerous impacts to the environment.

Environmental Concerns

Due to the topography of the land in Pennsylvania many areas are highly prone to erosion and sedimentation. More than half of the well pads in Pennsylvania are built on slopes which increases the risks of excess surface water movement and therefore can lead to more erosion.¹⁰

A study by researchers out of Michigan found that the environmental impacts of fracking on erosion and sedimentation are significant and can lead to things such as an increased risk of aquatic contamination from chemical spills or runoff, habitat fragmentation, and reduction of surface waters as a result of the lowering of groundwater levels.¹¹

⁶ *Environmental impacts of natural gas*. (2014, June 19). Union of Concerned Scientists.

<https://www.ucsusa.org/resources/environmental-impacts-natural-gas>

⁷ Environmental Protection Agency. (n.d.). Summary of the Results of the Investigation Regarding Gas Well site Surface Water Impacts. In *epa.gov*. Retrieved January 17, 2024, from https://www3.epa.gov/npdes/pubs/oilandgas_gaswellsummary.pdf

⁸ Pennsylvania Department of Environmental Protection. (n.d.). Chapter 102. Erosion and Sediment Control General Provisions. In *dep.pa.gov*. Retrieved January 17, 2024, from https://www.dep.pa.gov/Business/Water/CleanWater/StormwaterMgmt/Stormwater%20Construction/Documents/025_0102.pdf?Mobile=1&Source=%2FBusiness%2FWater%2FCleanWater%2FStormwaterMgmt%2FStormwater%20Construction%2F_layouts%2Fmobile%2Fdispform.aspx%3FList%3D3410853f-0390-4a35-bedc-bbdc3c7e7b3f%26View%3D48587e7e-e442-4559-bbdf-9534ba0aba5e%26ID%3D8%26CurrentPage%3D1

⁹ Pennsylvania Department of Environmental Protection. (2023). Erosion and Sediment Control Frequently Asked Questions. In *dep.state.pa.us*. Retrieved January 17, 2024, from

https://files.dep.state.pa.us/Water/BPNPSM/StormwaterManagement/ConstructionStormwater/E&S_FAQ.pdf

¹⁰ U.S Department of Energy Office of Oil and Natural Gas. (n.d.). Footprint Reduction. In *energy.gov*. U.S. Department of Energy. Retrieved January 17, 2024, from

<https://www.energy.gov/sites/prod/files/2016/07/f33/Footprint%20Reduction.pdf>

¹¹ Graham Sustainability Institute University of Michigan. (2015). Hydraulic Fracturing in Michigan Integrated Assessment Final Report. In *graham.umich.edu*. Retrieved January 17, 2024, from <https://graham.umich.edu/media/pubs/HydraulicFracturingMI-ExecSummary.pdf>

Sediment pollution as previously discussed has a variety of negative impacts on the environment including things such as clogging fish gills, destroying the food supply for fish by covering insects on the bottom of the stream, clouding the water and depriving plants of light, and acting as a sponge for other pollutants like pesticides or heavy metals.¹² The water delineation report identified thirty streams totalling more than 9000 ft including Wolford Run, and a multitude of tributaries into Wolford Run. In addition there are also 25 wetlands identified in proximity.

In addition to the environmental impacts mentioned, erosion and sediment also impacts humans. Eroded land is often not able to hold water as well and this therefore can lead to increased flooding. We have seen in the last couple of years how increased flooding impacts communities. On top of this, both loss of soil and flood-contaminated soil are big concerns to farmers and the global community that relies on crop yields for food.¹³

Additionally, we must point out that this erosion and sedimentation plan is based on estimates of precipitation and floods that are outdated. It is well known by the DEP's own analysis that Carbon Dioxide and Methane forcing of the earth's atmosphere is increasing the risk of erosion and flooding in Pennsylvania.¹⁴ Because this plan is not based on up-to-date precipitation and flood estimates, it consistently underestimates risks and impacts. This means that the protectiveness and adequacy of this plan is insufficient. Relying on it to prevent harms to our natural resources and infrastructure poses immediate risks to the people of the Commonwealth.

Environmental Justice Concerns

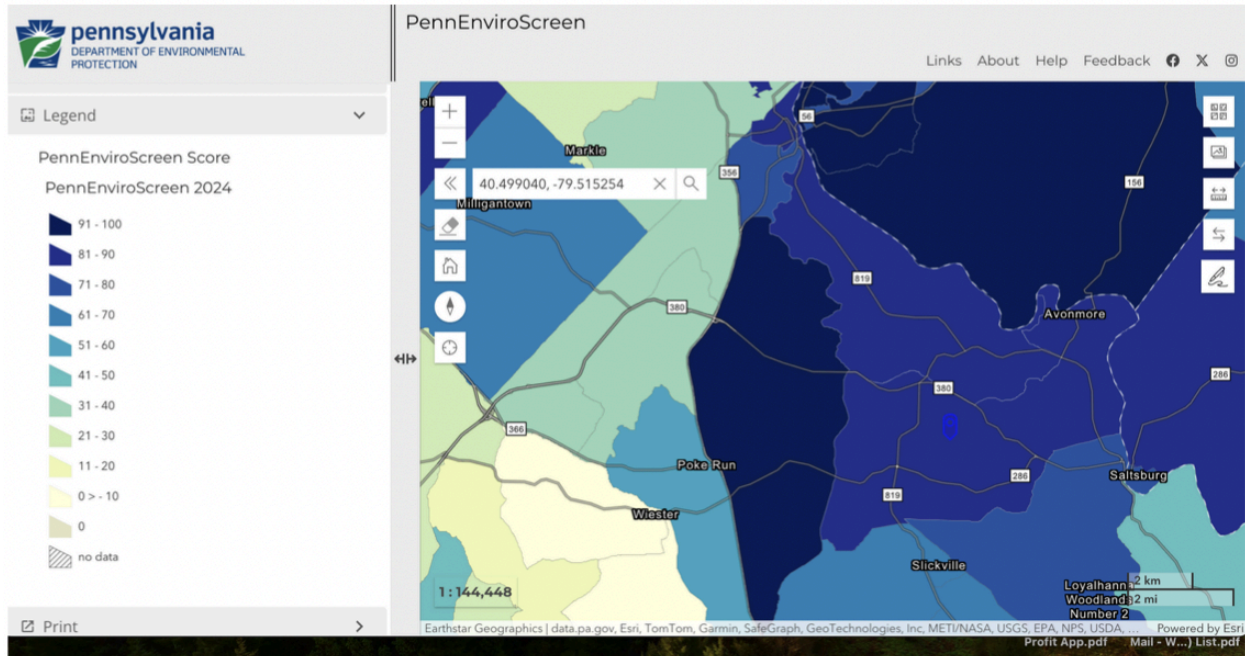
According to the PA PennEnviroScreen tool this facility is located within an Environmental Justice area and has a final percentile score of 86% or this area scored higher than 86% of the areas within the Commonwealth. As an organization that works closely with impacted communities we feel strongly for the need of the Department to take actions to protect Environmental Justice communities and the approval of this permit without a hearing or

¹²Pennsylvania Department of Environmental Protection. (2023). Erosion and Sediment Control Frequently Asked Questions. In *dep.state.pa.us*. Retrieved January 17, 2024, from https://files.dep.state.pa.us/Water/BPNPSM/StormwaterManagement/ConstructionStormwater/E&S_FAQ.pdf

¹³*What is Erosion? Effects of Soil Erosion and Land Degradation*. (n.d.). World Wildlife Fund. <https://www.worldwildlife.org/threats/soil-erosion-and-degradation#:~:text=Clogged%20and%20Polluted%20Waterways,communities%20that%20depend%20on%20them>

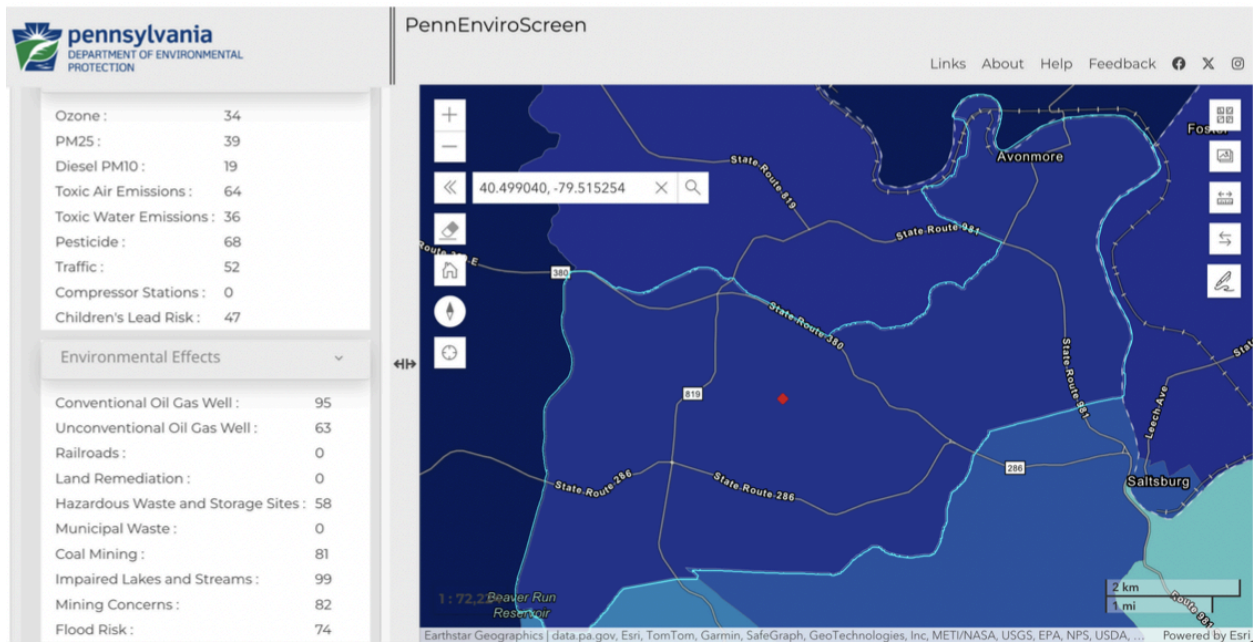
¹⁴Pennsylvania Climate Impact Assessment 2021. (2021). In *greenport.pa.gov*. Pennsylvania Department of Environmental Protection. Retrieved January 17, 2024, from [https://greenport.pa.gov/elibrary//GetDocument?docId=3667348&DocName=PENNSYLVANIA%20CLIMATE%20IMPACTS%20ASSESSMENT%202021.PDF%20%20%3Cspan%20style%3D%22color%3Agreen%3B%22%3E%3C%2Fspan%3E%20%3Cspan%20style%3D%22color%3Ablue%3B%22%3E\(NEW\)%3C%2Fspan%3E%204%2F30%2F2023](https://greenport.pa.gov/elibrary//GetDocument?docId=3667348&DocName=PENNSYLVANIA%20CLIMATE%20IMPACTS%20ASSESSMENT%202021.PDF%20%20%3Cspan%20style%3D%22color%3Agreen%3B%22%3E%3C%2Fspan%3E%20%3Cspan%20style%3D%22color%3Ablue%3B%22%3E(NEW)%3C%2Fspan%3E%204%2F30%2F2023)

interactions with the community is unacceptable.



Map 2: This map shows the EJ score for the Mamont Well Pad with the location of Lat long of 40.499040, -79.515254

Studies have shown that for the five million residents in the United States who live within a mile of oil and gas wells the poverty rate is 32.5% higher than that of the general population. Additionally, there is a significantly increased chance for communities of color being closer to this infrastructure. Many communities in Western Pennsylvania face legacy pollution issues because it is the same communities that experienced the issues of mining and coal and other industries that have already come and left these communities. It is because of this long history of extraction and exploitation in these communities that strong protections are needed from the Department.



Map 3: This map shows some of the reasoning for the EJ score the location has received including the density of other infrastructure and the emissions in the area.

Protect PT submitted comments in the past regarding the proposed changes to the Environmental Justice Policy and in the comment we stated, "The policy makes no qualitative distinction between the DEP's treatment of "EJ Areas" and non-EJ communities. To be specific, the DEP will show no special consideration to "EJ communities" beyond more of the same: more meetings, more explanations, more publicity. There are no different criteria for permitting, no different timelines for approvals, no different penalties for violations, nothing at all that would lead affected communities to expect better outcomes – only that they might better understand why their situation cannot change. Not only does the policy fail to offer any additional protections to "EJ communities," it gives them no new access to those protections that already apply to them. The Office of Environmental Justice (OEJ) may, at best, try to inform community members but it will not advocate on their behalf even within the DEP itself. Due to these concerns we would recommend furthering this policy by considering how to adapt criteria for permitting, approval timelines, violation penalties, inspection frequency etc. in order to ensure the burden is lessened on EJ communities. The only special consideration communities are really getting is more public participation and that doesn't necessarily protect them from new or expanded infrastructure."

The approval of this permit shows our previous concern in action and on top of that the community was not given a chance for a public hearing or comment on the approval of this



3344 Route 130, PO Box 137
Harrison City, PA 15636

E&S permit. There is also no documentation of how the community was made aware of this development.

Due to all these concerns we request the following actions outlined one page one.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gillian Graber".

Gillian Graber
Executive Director, Protect PT

A handwritten signature in blue ink, appearing to read "Makenzie White. LSW MPAH MCHES".

Makenzie White
Environmental Consultant, Protect PT