

THE TOP TEN MYTHS

ABOUT PENNSYLVANIA'S "THE MAD RUSH TO FRACK ACT" (ACT 13 OF 2012)

THE BIGGEST GAS INDUSTRY GIVEAWAY YET

[Pennsylvania's Mad Rush to Frack Act: LINK](#)

MYTH 1

The Mad Rush to Frack Act strengthens local governments' ability to protect their communities from drilling.

FACT:

- This law strips local governments of the ability to protect communities and families from natural gas drilling.
- It allows the state to prevent localities from attempting to regulate natural gas drilling.
[Section 3302](#)
- It also strikes down any locality's previously adopted ordinance to regulate or ban natural gas drilling.
[Section 3303](#)
- Finally, this law forces all localities to allow natural gas operations in all zoning districts, including residential areas. [Section 3304](#)

MYTH 2

The Mad Rush to Frack Act generates much-needed revenue for statewide environmental programs.

FACT:

- This law is more focused on padding the wallets of the industry than on protecting our health or our environment.
- The law includes subsidies for natural gas vehicle programs. [Section 2702](#)
- The gas industry will get handouts to expand natural gas production in PA. [Section 2315 \(a.1\)\(6\)](#)

MYTH 3

The Mad Rush to Frack Act provides drinking water protection and full disclosure of chemicals used in fracking.

FACT:

- The industry can still claim multiple harmful fracking fluids as a "trade secret" and not disclose what the chemicals are or how much is pumped into the ground. [Section 3222\(b.2\)](#)
- A provision does allow health providers access to these "trade secrets" to treat a patient, but requires the healthcare worker to sign a gag order preventing him or her from ever sharing knowledge of the harmful fracking fluids. [Section 3222.1\(b\)\(11\)](#)

MYTH 4

The Mad Rush to Frack Act provides stronger safety initiatives, including increased setbacks from water wells and public drinking sources.

FACT:

- A driller can put a fracking well pad just 300 feet from your house. That's a football field away from where your children play. [Section 3304\(b\)\(5.1\)](#)
- Drillers can also frack a well only 300 feet from streams, wetlands, and other bodies of water.
[Section 3215\(b\)](#)



MYTH 5

The Mad Rush to Frack Act increases fines for violations.

FACT:

- This law imposes very weak penalties for drilling companies that violate environmental protections. These penalties are just a drop in the bucket for companies that bring in hundreds of millions of dollars each year in profits.
- Under this bill, a general violation will be raised from \$300 to only \$1,000. [Section 3255\(a\)](#)
- What is even worse: Willful violation penalties will remain unchanged at \$5,000. [Section 3255\(b\)](#)

MYTH 6

The Mad Rush to Frack Act gives clear authority for the Department of Environmental Protection to revoke and deny permits.

FACT:

- A municipality may not contest any drilling permit issued by the Department of Environmental Protection. [Section 3215\(d\)](#)
 - As of April 2011, of the 7,019 applications DEP had processed since 2005, only 31 had been rejected — less than one-half of one percent. [USA Today LINK](#)
 - At this rate and now with the possibility for the state to make as much as \$60,000 per well during the first year of production, it is unlikely DEP will deny many permits in the future.
- [Section 2302\(b\)\(1\)\(v\)](#)

MYTH 7

The Mad Rush to Frack Act gives increased protection from compressor stations.

FACT:

- The industry must place loud compressor stations near pipelines to pump the gas across the country, whether it's in your backyard or not.
- A compressor station can now be placed just 200 feet from your property line, and 750 feet from your house—and can operate at 60 decibels 24 hours a day, 7 days a week. [Section 3304\(b\)\(7\)](#)
- Compression stations can be located anywhere, even in residential districts. [Section 3304\(b\)\(7\)](#)

THIS LAW IMPOSES VERY WEAK PENALTIES FOR DRILLING COMPANIES THAT VIOLATE ENVIRONMENTAL PROTECTIONS. THESE PENALTIES ARE JUST A DROP IN THE BUCKET FOR COMPANIES THAT BRING IN HUNDREDS OF MILLIONS EACH YEAR IN PROFITS.

MYTH 8

The Mad Rush to Frack Act gives increased protection from frack pits.

FACT:

- Frack pits allow the industry to store their fracking sludge near drill sites, even if you can see it from your doorstep.
- An oil and gas impoundment can be placed in any residential district, just 300 feet from your house. [Section 3304\(b\)\(6\)](#)

MYTH 9

The Mad Rush to Frack Act limits gas processing plants to industrial districts.

FACT:

- Natural gas plants now will be seen near farms and in our state's most rural of areas.
- Municipalities must authorize gas processing plants for use in agricultural districts. [Section 3304\(b\)\(8\)](#)

MYTH 10

The Mad Rush to Frack Act does not affect me, since I live nowhere near gas drilling sites.

FACT:

- This law is bad for all Pennsylvanians.
- It limits the authority of all municipalities to oversee any aspect of oil and gas development in their area.
- This includes the location of gas pipelines, seismic exploration, transport and storage of chemicals and wastewater, and hours of operation. [Section 3302](#)
- Any of these operations can take place in your own town.