

**Who, what, when, where, how, and why not
The Sabal Trail Transmission Natural Gas Pipeline**

PIPELINE?

NO!

WWW.SPECTRABUSTERS.ORG

- About the Pipeline
 - Sabal Trail Pipeline Context maps –Spectra Energy and FPL -- Lowndes Area Knowledge Exchange www.l-a-k-e.org
 - Natural Gas Pipelines – www.foodandwaterwatch.org
 - Spectra Safety Violations – www.spectrabusters.org
 - Facts on Fracking -- Wiregrass Activists for Clean Energy (WACE) www.wiregrass-ace.org/
 - Local Governments Can Restrict Pipelines – spectrabusters.org
 - WV Polluter Files Bankruptcy – www.spectrabusters.org
 - Stranded Fossil Fuel Assets – www.spectrabusters.org
 - Solar Jobs – Lowndes Area Knowledge Exchange www.l-a-k-e.org
 - How to File a Comment with FERC
-

About the Project

- Sabal Trail Transmission LLC is a joint venture of Spectra Corp and NextEra Energy.
- They were awarded the 465-mile interstate project in July 2013 by Florida Power & Light Company (FPL).
- Construction of the pipeline (which starts in Alabama, runs through Georgia, and ends at the Central Florida hub near Orlando) costs about \$ 3 billion.
- A 36 inch pipeline will be used for this project.
- Capacity: 1 billion cubic feet of natural gas per day.
- A survey study of 600 feet will be taken to allow for future pipeline route refinements, “if necessary”.
- An easement of 100 feet will be “acquired” from landowners along the route.

Where will it go?





Natural Gas Pipelines: Problems From Beginning to End

Fact Sheet • January 2013

The oil and gas industry plans to massively expand a labyrinth of pipelines to market natural gas extracted from the Marcellus Shale and other rock formations using hydraulic fracturing, or fracking.¹ But allowing the industry to build out its sprawling pipeline infrastructure and to lock-in decades more of U.S. dependence on natural gas would be a colossal mistake. The industry's pipeline projects must be stopped.

Increased dependence on fracking

Drilling and fracking shale to produce natural gas, or shale gas, result in local air pollution problems,² degrade water quality in rivers and streams³ and create short- and long-term risks to underground sources of drinking water.⁴ In part because of such environmental impacts, communities with shale gas development can be made worse off as the boom-and-bust cycle of extraction runs its course.⁵ More pipelines simply mean more environmental and public health problems for these local communities.

As for addressing the dire threat of global climate change, shifting to a greater U.S. energy dependence on natural gas is not a solution, and may even exacerbate the threats in the near future.⁶ Methane, a potent greenhouse gas,⁷ is emitted as natural gas is produced and transported,⁸ and carbon dioxide is emitted as natural gas is burned.⁹ To avoid catastrophic climate change, investments in fossil fuel infrastructure must end.¹⁰

Yet despite all the problems with shale gas, the U.S. Federal Energy Regulatory Commission (FERC), the government body charged with approving or rejecting construction of interstate natural gas pipelines or upgrades of existing pipeline infrastructure, fails to fully account for how individual pipeline projects, taken together, negatively impact public health and the environment.¹¹ Long pipelines are segmented into individual projects that have cumulative negative impacts.

In fact, according to FERC's most recent clarification of official policy, when "considering the potential adverse

environmental impact of a project, the Commission will continue to take into account as a factor for its consideration the *overall benefits* to the environment of natural gas consumption" [emphasis added].¹² Thus, "overall benefits" are presumed from the beginning. FERC's narrow scope of review, based on outdated science to weigh the risks, costs and benefits of modern drilling and fracking, does the public a disservice. It serves the oil and gas industry, which stands to profit immensely from locking-in another several decades of U.S. dependence on natural gas.

Pipeline companies are empowered to condemn your property

The industry's advantages only begin with FERC's narrow review of impacts from pipelines. Under a federal law known as the Natural Gas Act, when FERC awards a pipeline company a Certificate of Public Convenience and



Necessity, the company is granted the right to exercise eminent domain so it can condemn private property for constructing and maintaining the pipeline.¹³ As a result, landowners are left with no recourse if FERC concludes, based on its narrow review, that “the public benefits from the project outweigh any adverse effects” and then certifies a pipeline project through their property.¹⁴

In a policy journal published by the Cato Institute, a libertarian think tank, the author of one article explains that, in the context of natural resource development, “eminent domain is often a tool used by private industry to promote private interests at the expense of other private parties with no state or local government involvement in the eminent domain proceeding.”¹⁵ Eminent domain is a necessary governmental power to ensure public interest, but private industry should not be allowed to wield this power and abuse it for corporate gain.

Moreover, pipeline companies can target public lands for rights of way and take advantage of how public lands may be undervalued relative to private lands, meaning that companies can then pay less in compensation to landowners.¹⁶ In some cases, such as the New Jersey Highlands, these lands are public through efforts to conserve forests and farmland that play an essential role in filtering (on a landscape scale) rainwater that is ultimately used as a source of drinking water.¹⁷ The stormwater runoff that results from pipeline construction projects defeats the purpose of such conservation.

Accidents, spills, explosions and lack of oversight and regulation

Of course, once a pipeline is built, the unlucky landowners along the path of the pipeline, or next door to a compressor station, also have no choice but to accept living with the constant risk of accidents, spills and explosions. Several large pipeline failures in the past few years, leading to massive damage and even loss of life, have highlighted this risk.¹⁸

In September 2010, a natural gas pipeline explosion rocked neighborhoods of San Bruno, California, killing eight people.¹⁹ The National Transportation Safety Board investigated the cause, and in the words of Chairman Deborah Hersman, found “troubling revelations ... about a company that exploited weaknesses in a lax system of oversight and government agencies that placed a blind trust in operators to the detriment of public safety.”²⁰ And, according to a *Philadelphia Inquirer* investigative report, such revelations ring true in Pennsylvania, where “[h]undreds of miles of high-pressure pipelines already



have been installed in the shale fields with no government safety checks — no construction standards, no inspections, and no monitoring.”²¹

A key reason for the apparent lack of pipeline oversight, according to the federal Pipeline and Hazardous Material Safety Administration, is the difficulty of maintaining a staff of inspectors, in part because of high turnover.²² Evidently, safety inspectors are highly sought after by pipeline companies, making it tempting for public inspectors to join the private sector and cash in on their experience.

Special delivery: radon

But rural landowners, and residents along the path of a pipeline, are not the only ones at risk. All the consumers of the shale gas may be exposed to harmful levels of radon.

Radon is a naturally occurring radioactive material that is the leading cause of lung cancer among non-smokers in the United States, killing more than 20,000 Americans each year.²³ Any level of radiation from radon can damage DNA, and this damage can result in cancer-causing mutations, so no level of short-term or long-term radon exposure is safe.²⁴ The U.S. Environmental Protection Agency recommends preventive action if indoor air contains radon above a concentration of 2 picocuries per liter (pCi/L).²⁵

Radon derives from the radioactive decay of radium, and both are known to be present in the Marcellus Shale.²⁶ In a preliminary analysis of repeated samples from just two Marcellus Shale wells, the U.S. Geological Survey (USGS) found that each of these two wells had produced shale gas with radon above a concentration of 30 pCi/L.²⁷ Two samples from one well showed that the produced gas contained radon above 75 pCi/L.²⁸ Estimates based on earlier data suggest that much higher levels of radon are possible.²⁹

It takes about four days of radioactive decay to cut radon concentration in half.³⁰ So, shale gas that is piped directly into kitchens just days after extraction could bring a special delivery of high levels of DNA-damaging radioactive radon to American consumers, increasing their cancer risk. The USGS emphasizes that additional data are needed to better understand the risk to consumers of shale gas, yet FERC has rejected concerns raised about radon exposure from the consumption of shale gas.³¹

Pipeline companies enjoy special tax exemptions

Pipeline companies receive special tax breaks that translate to lower federal revenues, and this means that American taxpayers have to pick up the slack. The most illuminating of these giveaways is the industry's use of Master Limited Partnerships (MLPs) — a special business structure that allows the partners, or owners, of a project to avoid corporate income taxes.³² The list of MLPs has “long been dominated by midstream pipeline operators.”³³

One would think that at least the wind and solar industry could benefit from establishing the same sort of business structures, but currently the U.S. Internal Revenue

Service explicitly excludes investments in renewable resources from qualifying as MLPs.³⁴ This highlights just one of the many ways that U.S. policy favors the fossil fuel industry, obstructing the changes needed to remake the U.S. energy system around conservation, efficiency and renewables.³⁵

Conclusion and recommendations

Shale gas pipelines are not the energy infrastructure that America needs if it is to build a clean energy future.³⁶

Shale gas pipelines simply commit the country to several more decades of destructive dependence on the oil and gas industry. The notion that natural gas offers a bridge to a low-carbon future presumes, falsely, that the industry will willingly walk away from the billions of dollars that it plans to invest in natural gas infrastructure. And it's important to remember that not all of the natural gas would be piped to U.S. consumers. The industry hopes to maximize its profits by exporting huge amounts of liquefied natural gas to foreign countries.³⁷

Food & Water Watch recommends that:

- Natural gas consumers demand certainty about the risks of radon exposure from shale gas;
- Landowners organize and resist pipeline projects that threaten their safety and their property values; and
- Federal policymakers overhaul FERC's narrow scope of review of pipeline project impacts, stop granting pipeline companies the power of eminent domain, end the lucrative tax breaks enjoyed by pipeline companies and step up oversight and regulation to avoid more pipeline accidents, spills and explosions in the future.



Endnotes

- 1 Northeast Gas Association. [Issue brief]. “Pipeline expansion projects.” October 2012; Petak, Kevin R. et al. INGAA Foundation. “North American Midstream Infrastructure Through 2035 – A secure energy future.” June 28, 2011.
- 2 McKenzie, Lisa M. et al. “Human health risk assessment of air emissions from development of unconventional natural gas resources.” *Science of the Total Environment*, vol. 424. May 1, 2012 at 79 to 87; Colborn, Theo et al. “Natural gas operations from a public health perspective.” *Human and Ecological Risk Assessment: An International Journal*, vol. 17, iss. 5. September 20, 2011 at 1039 to 1056; Bamberger, Michelle and Robert E. Oswald. “Impacts of gas drilling on human and animal health.” *New Solutions*, vol. 22, iss. 1. January 2012 at 68.
- 3 Entekin, Sally et al. “Rapid expansion of natural gas development poses a threat to surface waters.” *Frontiers in Ecology*, vol. 9, iss. 9. October 2011 at 503; Food & Water Watch. “Waste: the soft and dirty underbelly of fracking.” April 2012; Lustgarten, Abrahm. “The trillion-gallon loophole: Lax rules for drillers that inject pollutants into the earth.” *ProPublica*. September 20, 2012.

- 4 Myers, Tom. "Potential contaminant pathways from hydraulically fractured shale to aquifers." *Ground Water*, vol. 50, iss. 6. April 17, 2012; Osborn, Stephen G. et al. "Methane contamination of drinking water accompanying gas-well drilling and hydraulic fracturing." *Proceedings of the National Academy of Sciences*, vol. 108, iss. 20. May 17, 2011 at 8172.
- 5 Christopherson, Susan and Ned Rightor. "How shale gas extraction affects drilling localities: Lessons for regional and city policy makers." *International Journal of Town and City Management*, vol. 2, iss. 4. Spring 2012 at 351, 361 and 364; Rumbach, Andrew. [Prepared for the Southern Tier Central Regional Planning and Development Board (New York)]. "Natural gas drilling in the Marcellus Shale: potential impacts on the tourism economy of the Southern Tier." July 2011 at 10 and 18.
- 6 Howarth, Robert W. et al. "Venting and leaking of methane from shale gas development: response to Cathles et al." *Climatic Change*, vol. 113. February 1, 2012 at 537; Myhrvold, Nathan and Ken Caldeira. "Greenhouse gases, climate change and the transition from coal to low-carbon electricity." *Environmental Research Letters*, vol. 7, iss. 1. February 2012 at 4 to 5; Tyndall Centre for Climate Change Research. University of Manchester. "Shale gas: a provisional assessment of climate change and environmental impacts." January 2011 at 6.
- 7 Shindell, Drew T. et al. "Improved Attribution of Climate Forcing to Emissions." *Science*, vol. 326. October 30, 2009 at 717; U.S. Environmental Protection Agency (EPA). "Inventory of U.S. greenhouse gas emissions and sinks: 1990-2010." April 15, 2012 at 1-4 and 1-8.
- 8 Howarth (2012) at 537; Pétron, Gabrielle et al. "Hydrocarbon emissions characterization in the Colorado Front Range: A pilot study." *Journal of Geophysical Research, Atmospheres*, vol. 117. February 21, 2012.
- 9 Myhrvold (2012) at 4 to 5.
- 10 Harvey, Fiona. "World headed for irreversible climate change in five years." *The Guardian*. November 9, 2011.
- 11 Orford, Adam. Marten Law. [Newsletter]. "Hydraulic Fracturing Cumulative Impacts Must Be Considered in NEPA Review of Gas Pipeline, Project Opponents Maintain." September 25, 2012; Kraham, Susan J. and Edward Lloyd. [The Environmental Law Clinic, Columbia University School of Law]. "Comments on Environmental Assessment of the Northeast Upgrade Project, Docket No. CP11-161-000." December 21, 2011 at 2 and 12 to 23; U.S. Federal Energy Regulatory Commission (FERC). [Docket No. CP11-56-001]. "Order denying requests for rehearing, reconsideration, stay, and late intervention." October 18, 2012 at 18.
- 12 FERC. [Docket No. PL99-3-001]. "Order clarifying statement of policy." February 9, 2000 at 19.
- 13 Lemaster, John C. [Briefing paper, Ryley Carlock & Applewhite]. "Condemnation issues under the Natural Gas Act." 2012.
- 14 FERC. [Docket No. PL99-3-000]. "Statement of policy." September 15, 1999.
- 15 Klass, Alexandra B. "The frontier of eminent domain." *Regulation*. Summer 2008 at 24.
- 16 Johnson, Tom. "State DEP Does 180 on Highlands Pipeline Lease." *NJ Spotlight*. July 16, 2010.
- 17 *Ibid.*; New Jersey Highlands Coalition. [Brochure]. "Why do we need... this air? this water? these trees?" 2009.
- 18 Parfomak, Paul W. U.S. Congressional Research Service. "Keeping America's pipelines safe and secure: key issues for Congress." March 13, 2012 at 3.
- 19 *Ibid.*
- 20 National Transportation Safety Board. [Press release]. "Remarks of Chairman Deborah A.P. Hersman Opening Statement Pipeline Accident Report – San Bruno, California, September 9, 2010." August 30, 2011.
- 21 Tanfani, Joseph and Craig R. McCoy. "Powerful pipes, weak oversight." *Philadelphia Inquirer*. December 10, 2011.
- 22 Parfomak (2012) at 17.
- 23 EPA. "Radon: health risks." Available at <http://www.epa.gov/radon/healthrisks.html>, accessed November 8, 2012.
- 24 World Health Organization. "WHO handbook on indoor radon: a public health perspective." 2009 at 1.
- 25 EPA. "Radon: health risks." Available at <http://www.epa.gov/radon/healthrisks.html>, accessed November 8, 2012.
- 26 Rowan, E.L. and T.F. Kraemer. U.S. Geological Survey. "Radon-222 content of natural gas samples from Upper and Middle Devonian sandstone and shale reservoirs in Pennsylvania: preliminary data." 2012 at 1.
- 27 *Ibid.* at 6.
- 28 *Ibid.*
- 29 Resnikoff, Marvin. Radioactive Waste Management Associations. "Radon in natural gas from Marcellus Shale." January 10, 2012 at 9.
- 30 *Ibid.* at 2.
- 31 Rowan and Kraemer (2012) at 4; FERC. [Docket No. CP11-56-001]. "Order denying requests for rehearing, reconsideration, stay, and late intervention." October 18, 2012 at 25 to 28.
- 32 Bary, Andrew. "Pipelines to profits." *Barron's*. June 2, 2012 at 1 to 2; Baldwin, William. "Tax guide to Master Limited Partnerships." *Forbes*. December 2, 2010 at 3.
- 33 Ernst & Young. "Master Limited Partnership Accounting and Reporting Guide." October 2011 at 3.
- 34 Coons, Chris. U.S. Senate. [White paper]. "The Master Limited Partnerships Parity Act." June 2012.
- 35 Pfund, Nancy and Ben Healey. Double Bottom Line Venture Capital. "What would Jefferson do? The historical role of federal subsidies in shaping America's energy future." September 2011 at 34; Roberts, David. "Direct subsidies to fossil fuels are the tip of the (melting) iceberg." *Grist*. October 27, 2011; Nelder, Chris. "Reframing the transportation debate." *SmartPlanet*. October 19, 2011.
- 36 Food & Water Watch. "U.S. energy insecurity: why drilling and fracking for oil and natural gas is a false solution." November 2012 at 15 to 16.
- 37 *Ibid.* at 13.

For more information:

web: www.foodandwaterwatch.org

email: info@fwwatch.org

phone: (202) 683-2500 (DC) • (415) 293-9900 (CA)

Copyright © January 2013 Food & Water Watch



Spectra pipeline property damage and safety record (LAKE)

Sabal Trail Transmission reps promise us their pipeline will be safe, but their parent company Spectra Energy has had twenty one incidents since 2006 for \$8,564,246 in property damage, according to PHMSA, the U.S. Department of Transportation's Pipeline & Hazardous Materials Safety Administration.

That Final Order of 21 December 2012 to Spectra CEO Gregory L. Ebel for \$134,500 for violating both federal regulations and Spectra's own internal company policies was only a in the flaming bucket. Another, marked in red as MAT'L/WELD/EQUIP FAILURE, PUMP/COMPRESSOR-RELATED EQUIPMENT for \$251,170 in property damage on 13 March 2012 in Marietta, York County, Pennsylvania, could be related to that compressor incident Spectra first said was nothing. Most of the others are about "internal corrosion" such as a Spectra employee says they never bothered to check for.

Here's the current list of incidents from PHMSA, no doubt each with its own sordid story:

DATE	SYSTEM	CITY	STATE	COUNTY	CAUSE	SUB CAUSE	FATALITIES
06/04/13	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
03/27/13	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
11/03/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
10/24/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
09/06/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
09/01/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
08/13/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
04/19/12	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
04/13/12	GT	MARIETTA	PA	YORK	MAT'L/WELD/EQUIP FAILURE	PUMP/COMPRESSOR-RELATED EQUIPMENT	0
05/04/11	GT	HALLETTSVILLE (15	TX	LAVACA	MAT'L/WELD/EQUIP FAILURE	MANUFACTURING-RELATED	0

DATE	SYSTEM	CITY	STATE	COUNTY	CAUSE	SUB CAUSE	FATALITIES
		MILES SOUTHE					
12/19/10	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
10/12/10	GT	TOMPKINSVILLE	KY	MONROE	OTHER OUTSIDE FORCE DAMAGE	VEHICLE NOT ENGAGED IN EXCAVATION	0
09/29/10	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
09/16/10	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
09/02/10	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
06/20/10	GT	OFFSHORE	OCS		CORROSION	INTERNAL CORROSION	0
06/08/09	GT	OFFSHORE	LA		ALL OTHER CAUSES	MISCELLANEOUS CAUSE	0
10/01/08	GT	CLINTON	MS	HINDS	OTHER OUTSIDE FORCE DAMAGE	VEHICLE NOT ENGAGED IN EXCAVATION	0
07/12/08	GT	RED LION	OH	WARREN	MAT'L/WELD/E QUIP FAILURE	MALFUNCTION OF CONTROL/RELIEF EQUIPMENT	0
09/30/06	GT	OFFSHORE	N/A		MAT'L/WELD/E QUIP FAILURE	JOINT/FITTING/COMPONENT	0
04/09/06	GT	DELMONT	PA	WESTMORELAND	MAT'L/WELD/E QUIP FAILURE	NON-THREADED CONNECTION FAILURE	0

DATE	SYSTEM	CITY	STATE	COUNTY	CAUSE	SUB CAUSE	FATALITIES
------	--------	------	-------	--------	-------	-----------	------------

TOTALS							0
--------	--	--	--	--	--	--	---

TEXAS EASTERN TRANSMISSION LP (SPECTRA ENERGY CORP)

All Incidents(3)(4): 2006-2013

These incidents add up not only to \$8,564,246 in property damage. They add up to a less than sterling reputation for safety. And these incidents are for only one of Spectra's pipelines.

Maybe you should know this before you let them on your property. Maybe we should ask why Spectra hasn't told us about any of these incidents.

-jsq

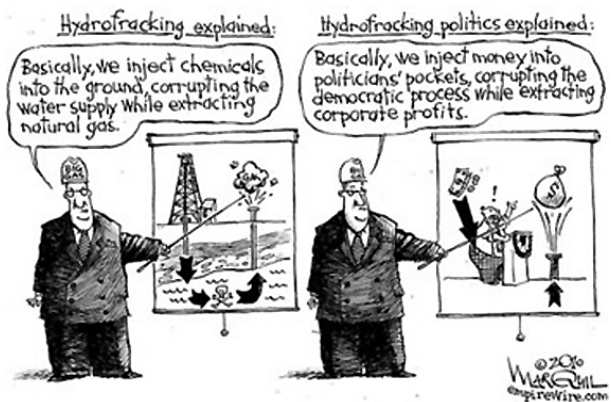
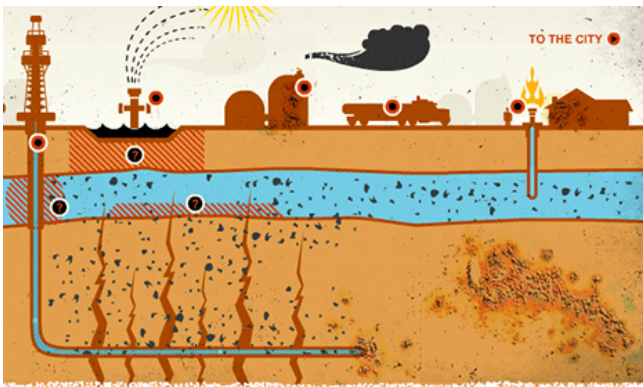
What Is fracking?

(Source: Oil and Gas Accountability Project)

Geologic formations may contain large quantities of oil or gas, but have a poor flow rate due to low permeability. This is particularly true for shale deposits.

Hydraulic fracturing (aka “fracking”) stimulates wells drilled into these formations, making profitable otherwise prohibitively expensive extraction. Within the past decade, the combination of fracking with horizontal drilling has opened up shale deposits across the country and brought large-scale natural gas drilling to new regions.

Typically, fracking involves high-pressure injection of fluids and sand to fracture rock formations, thereby enabling more oil or gas to flow to the well. After fracturing, some of the fluids remain stranded underground. These fluids may include hazardous chemicals such as formaldehyde, ethylene glycol, methanol, benzene, and others.



Fracking is far from benign!

Here some of the issues and impacts related to this technique:

Water use: The EPA estimates that up to 140 billion gallons of water are used annually to fracture 35,000 wells in the US. The extraction of so much water for fracking has raised concerns about the ecological impacts to aquatic resources as well as the depletion of drinking water aquifers.

Toxic Chemicals: In addition to large volumes of water, a variety of chemicals are used in fracking fluids. Many fracking fluid chemicals are known to be toxic to humans and wildlife, and several are known to cause cancer (e.g. formaldehyde, ethylene glycol, methanol, benzene)

Health Concerns: Exposure to fracking chemicals can occur by ingesting chemicals that have entered drinking water, through direct skin contact, or by breathing in vapors from wastes stored in pits or tanks. For example, according to the EPA chronic inhalation or exposure to methanol may result in headache, dizziness, blurred vision, and even blindness in humans.

Groundwater Contamination: According to studies by the EPA, the oil and gas industry, and interviews with regulators, anywhere from 20 to 85% of fracking fluids remain in the formation, resembling a source of groundwater contamination for many generations to come.

Common Myths About Fracking

Myth: Fracking fluids and products pose no real risk to our water supplies or public health.

FACT: Fracking fluids contain toxic chemicals and are being injected into and near drinking water supplies. According to the EPA, chemicals in fracturing fluids have known negative health effects such as respiratory, neurological, reproductive impacts, impacts on the central nervous system, and cancer.

Myth: There are no documented cases of fracturing fluids migrating into or impacting drinking water wells.

FACT: Complaints have been documented in Alabama, Colorado, New Mexico, Ohio, Texas, Virginia, West Virginia and Wyoming in which residents have reported changes in water quality or quantity following fracturing operations of gas wells near their homes.

Myth: The EPA released a scientific study that demonstrated that hydraulic fracturing is safe and should not be regulated.

FACT: The conclusion of the 2004 EPA report was politically influenced and the result of pressure by special interest groups and the 2001 Special Energy Task Force, chaired by former Halliburton CEO Dick Cheney. The 2004 EPA report's conclusion was subsequently reviewed and found to be "scientifically unsound". Instead a careful scientific analysis established that:

- 1) fracking occurs within underground sources of drinking water
- 2) fracking fluids contain toxic components that are not entirely removed from drinking water formations
- 3) fracking can create pathways which allow methane to migrate to groundwater.

Myth: Non-toxic and less toxic fracturing alternatives are in their infancy and not available for industry use.

FACT: Oil and gas operators are routinely using less toxic fracturing fluids in off-shore environments in order to meet federal requirements under the Clean Water Act. Thus, the development of non-toxic or green fracturing fluids is not in its infancy.

Myth: Our drinking water is not at risk from hydraulic fracturing because industry is fracturing at depths below the aquifers from which our communities are locating water wells.

FACT: When drilling companies are developing deeper oil or gas resources, there are a number of issues and concerns. Fracking can leave fluids stranded at these depths, and, through the high pressures used, can open up pathways for fluids or gases from other geologic layers to flow where they are not intended.

Myth: Lifting the exemption for hydraulic fracturing under the Safe Drinking Water Act would be unduly burdensome for States.

FACT: Congressional Representatives DeGette (CO), Salazar (CO) and Hinchey (NY) introduced a bill in 2008 that would reverse special treatment of Halliburton and other hydraulic fracturing companies by requiring regulation of hydraulic fracturing under the Safe Drinking Water Act (HR 7231). According to the EPA, the regulation of underground injection does not require a new permitting process. States already have permitting processes for oil and gas wells and they could simply include fracking.

Myth: The practice of fracking and creating underground fractures is well-tested, controllable and safe.

FACT: Fracking fluids not only contain toxic chemicals, but this operation utilizes high volumes of fluids and high pressures to open up underground pathways for gas or oil to flow. Injected fluids have been known to travel as far as 3,000 feet from a well. While the industry claims that fracturing is a well-tested and controllable technology, computer models have shown that fractures can behave differently than predicted.

Wiregrass Activists for Clean Energy (WACE) is a chapter of The Blue Ridge Environmental Defense League (BREDL).

You can learn more about our organization at: www.wiregrass-ace.org

Local governments can restrict pipelines –Penn. Supreme Court – Spectrabusters.org

Alabama, Georgia, and Florida probably don't even have a restrictive law like the Pennsylvania Supreme Court just struck down, so local governments in the states along the proposed Sabal Trail, Florida Southeast Connection, and Transco Hillabee Expansion Project pipelines apparently can pass restrictions on pipelines. As can state legislatures.

Mark Scolforo and Marc Levy wrote for Associated Press 20 December 2013, Pa. Gas Drilling Decision Leaves Future Uncertain,

The energy industry and policy makers in Pennsylvania, the heart of the nation's gas drilling boom, are thinking about their next moves after the state's highest court threw out significant portions of a law that limited the power of cities and counties to regulate the industry.

The state Supreme Court voted 4-2 on Thursday to strike down portions of a 2012 law that had been crafted by Gov. Tom Corbett and his industry-friendly allies in the Legislature.

The article talks about corporate "need":

the law that grew out of the state's need to modernize 20-year-old drilling laws to account for a Marcellus Shale drilling boom made possible by innovations in technology, most notably horizontal drilling and hydraulic fracturing."

This is the same Marcellus Shale where Spectra Energy had a compressor accident last spring that Andrea Grover spun. The same Marcellus Shale that is prominently visible on Our Portfolio of Assets by Spectra Energy because their Texas Eastern Pipeline goes there; the same Marcellus Shale that Spectra proposes as at least one source for the methane for the new pipelines through Alabama, Georgia, and Florida.

Why does any state have a "need" to make it easier for a few big companies to profit by destroying local citizens' land? Governments are supposed to represent the people, not corporate greed.

The law restricted local municipalities' ability to control where companies may place rigs, waste pits, pipelines and compressor and processing stations. The new zoning rules never went into effect because of a court order. A narrowly divided lower court struck them down in 2012, but Corbett appealed, saying lawmakers have clear authority to override local zoning.

Among the objectionable provisions cited by the lawsuit were requirements that drilling, waste pits and pipelines be allowed in every zoning district, including residential, as long as certain buffers were observed....

The municipalities argued the zoning restrictions ran counter to objectives of protecting the environment, health and safety of people who live there, and three of the six justices agreed. A fourth justice ruled that the law violated the municipalities' constitutional rights to due process to carry out community planning.

Don Hopey wrote for the Pittsburgh Post-Gazette 19 December 2013, PA Supreme Court strikes down parts of Act 13,

John Smith, the lead attorney representing South Fayette and the other municipalities which brought the case, said the decision was a welcome one.

"We got the major thrust of what we were looking for," he said. "The drill-everywhere provision was declared unconstitutional and that part of the law was permanently enjoined."

Mr. Smith later issued a statement thanking the municipalities that signed up to challenge the law, which was sought by industry.

"A debt of gratitude," he wrote, "is owed to all municipalities and individuals who fought so hard to ensure that their rights and the rights of Pennsylvania citizens were not cast aside in favor of corporate interests."

Here's attorney John Smith's law firm, Smith Butz. Naturally there's already an attempt by the shale gas industry to discredit attorney John Smith, with the usual sort of double standard of how can he represent local governments when he "clearly relishes opportunities to apply prejudicial terms to the industry". Curious how such concerns never seem to apply to pro-fracking and pro-pipeline advocates who advise local governments, such as Spectra's reps at the Lowndes County Commission recently who evaded citizen questions and were not familiar with their own company's (poor) safety record.

The Pennsylvania Supreme Court just said it's a constitutional right for local governments to apply zoning to pipelines to protect the environment, health, and safety of the people live there, and to carry out community planning.

Why should local governments in Alabama, Georgia, and Florida not have the same constitutional rights? Maybe some of our local governments should start exercising those rights.

WV polluter files bankruptcy: why should we expect better from Sabal Trail? –Spectrabusters.org

A shell company lasted only weeks before filing bankruptcy after polluting a West Virginia river and drinking water for 300,000 people. No assets, no insurance, as near as I can tell. Sabal Trail Transmission is a shell company owned by Spectra Energy and NextEra and managed by Spectra: what assets does it have, and what insurance has it offered in case its pipeline corrodes and leaks like Spectra has been fined for or one of its compressor stations leaks like in Pennsylvania or Maine or residents have to evacuate as Spectra's Susan Waller said would happen in case of a "true emergency"? Who will pay for the local first responders, or property damage, or a polluted aquifer?

Nick Visser wrote for The Huffington Post 17 January 2014, Freedom Industries, Company Behind West Virginia Chemical Spill, Files For Bankruptcy,

The company behind the massive chemical spill that made tap water unsafe for more than 300,000 West Virginians has filed for bankruptcy, according to documents obtained by The Huffington Post.

According to bankruptcy filings, Freedom Industries, wholly owned by Chemstream Holdings Inc., filed for Chapter 11 bankruptcy on Friday. Freedom Industries owns the storage facility responsible for leaking up to 7,500 gallons of 4-methylcyclohexane methanol (a coal-cleaning chemical also known as crude MCHM) into West Virginia's Elk River.

And Freedom Industries was only formed a few weeks ago. Steven Mufson wrote for the Washington Post (undated), One week after W. Va. toxic spill, new owner of Freedom Industries puts firm in bankruptcy,

It took just one week for Pennsylvania coal mining executive Cliff Forrest, the new owner of Freedom Industries, to discover that one of the six-decade-old storage tanks he had acquired Dec. 31 was leaking a toxic chemical into the Elk River that supplies water to about 300,000 West Virginians....

Forrest, through another firm he owns, paid roughly \$20 million to acquire Freedom Industries and orchestrate its Dec. 31 merger with four tiny distribution, blending and storage firms that act as middle men between big chemical and big coal companies, according to a person close to the company but not authorized to speak for it. He added that Forrest just "had the misfortune of buying a plant just before all hell broke loose."

Sabal Trail Transmission is a recently-formed LLC that doesn't have Spectra's track record of safety violations. It also doesn't have Spectra's assets to draw on if something goes wrong.

Back to the Wapo:

“Mostly what organizations do in these kinds of moments is duck,” says Davia Temin, a New York-based crisis manager. “They do not come forward. They do not put their CEO forward. And they do not work out of the playbook of good crisis management, probably because they don’t have anything good to say.”

Temin said such companies “go underground, though unfortunately in this case their underground is toxic.” And if they’re truly avoiding the spotlight, then “tomorrow you will no longer be Freedom Industries, it will be Liberty Industries or Apple Pie Industries.”

Sabal Trail Transmission’s proposed toxic assets will be underground, and also aboveground in five compressor stations. Sabal Trail is already a different name from Spectra Energy. What will Sabal Trail do in case of a “true emergency”?

How about if our local governments require insurance for these hazards?

Stranded fossil fuel assets: money goes in, but does it come out? –Spectrabusters.org

\$5.5 trillion or \$800 for each human on this Earth has been dumped into the fossil fuel money pit. Will most of that money never come back out, now that solar stocks are skyrocketing and foundations are banding together to dump fossil fuel stocks? Why should we let Spectra Energy and NextEra gouge a methane pipeline through our lands for their bad investment?

Kumi Naidoo wrote for EcoWatch 31 January 2014, Dirty Fuels is a Bad Idea,

By keeping their money in coal and oil companies, investors are betting a vast amount of wealth, including the pensions and savings of millions of people, on high future demand for dirty fuels. The investment has enabled fossil fuel companies to massively raise their spending on expanding extractable reserves, with oil and gas companies alone (state-owned ones included) spending the combined GDP of Netherlands and Belgium a year, in belief that there will be demand for ever more dirty fuel.

This assumption is being challenged by recent developments, which is good news for climate but bad news for anyone who thought investing in fossil fuel industries was a safe bet. Frantic growth in coal consumption seems to be coming to an end much sooner than predicted just a few years ago, with China’s aggressive clean air policies, rapidly dropping coal consumption in the U.S. and upcoming closures of many coal

plants in Europe. At the same time the oil industry is also facing slowing demand growth and the financial and share performance of oil majors is disappointing for shareholders.

Nevertheless, even faced with weakening demand prospects, outdated investment patterns are driving fossil fuel companies to waste trillions of dollars in developing reserves and infrastructure that will be stranded as the world moves beyond 20th century energy.

The article is mostly about coal and oil, but it applies equally well to fracked “natural” methane gas:

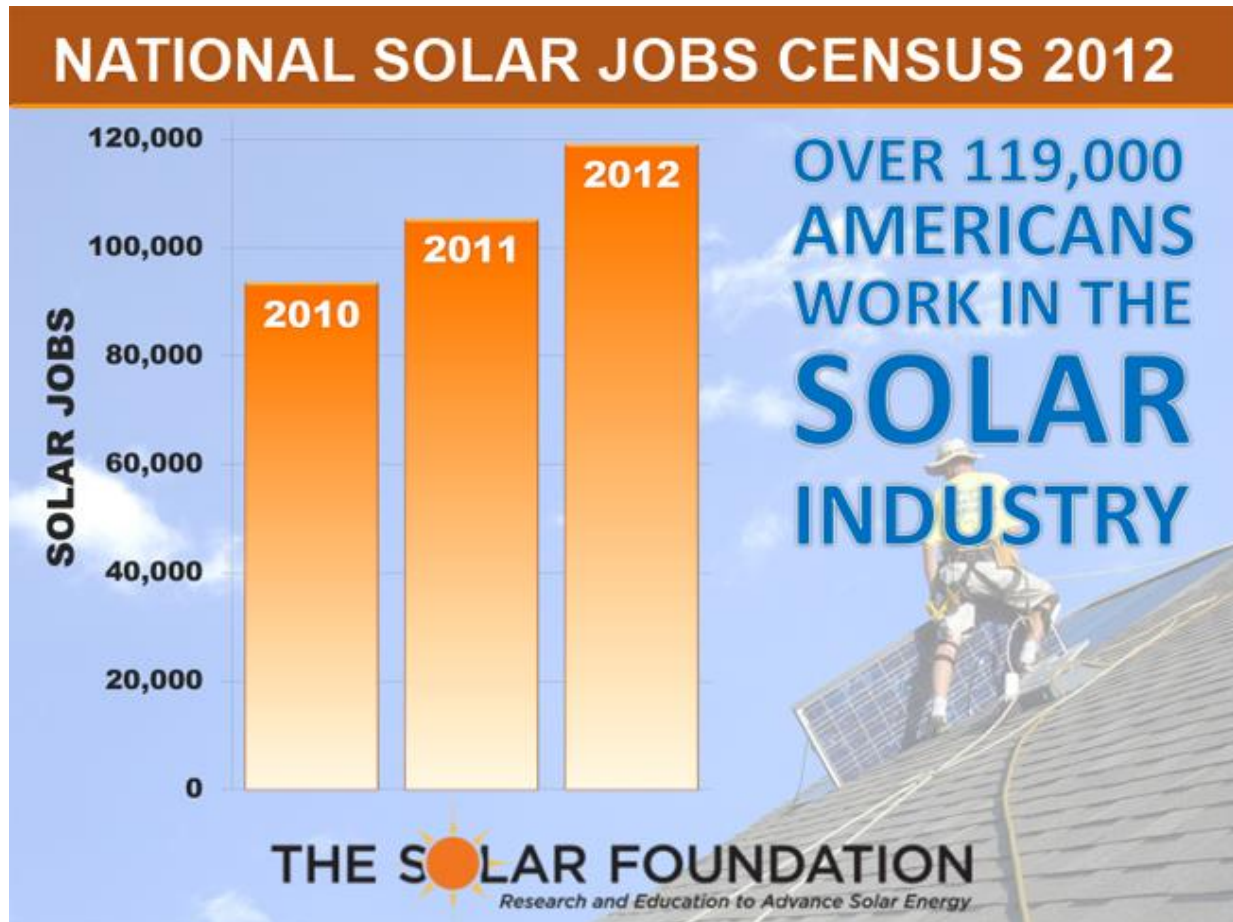
Investors often underestimate their exposure to fossil fuels, particularly indirect exposure through e.g. passively managed pension funds and sovereign debt of strongly fossil fuel dependent states. Assessing exposure, requiring fossil energy companies to disclose and reduce carbon risks, and reducing investments in sunset energy technologies will lead to profitable investment in a world that moves to cleaner and smarter energy systems.

Improving competitiveness of renewable energy, growing opposition to destructive fossil fuel projects, concerns on water shortage and the imperative of cutting global CO2 emissions all point in the same direction: Governments, companies and investors should all be planning for a world with declining fossil fuel consumption—not only because it's the right thing to do, but also because it makes economic sense. It is the direction the world will be moving to—faster than many yet anticipate.

A growing number of universities, cities, counties, religious institutions, and big foundations are dumping fossil fuel stocks. Let's dump the Sabal Trail pipeline!

More solar jobs already than coal, or oil and gas extraction (LAKE)

Want jobs? Invest in solar power.



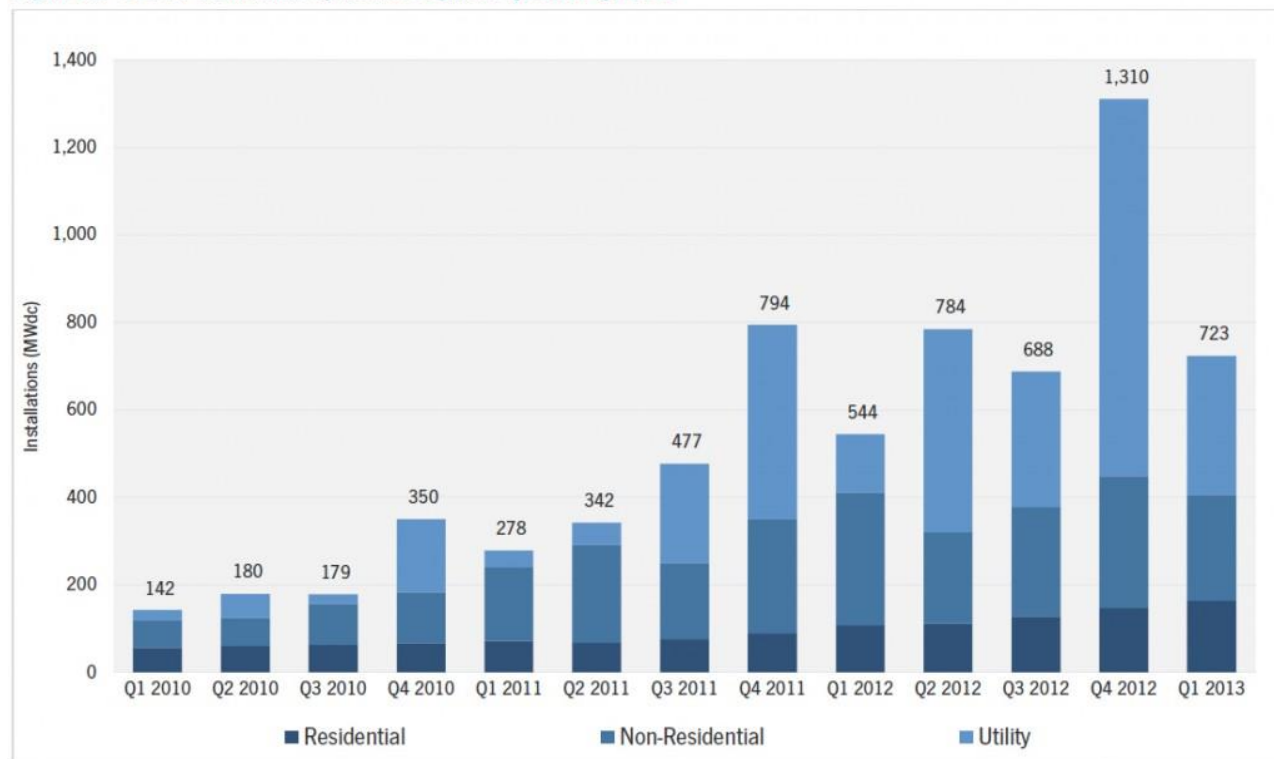
There are more people in the U.S. employed in the solar energymarketplace than mining coal. The banal argument that transitioning to a clean energy economy will cost us jobs is simply false. Solar is growing more than 10 times faster than the American economy.

Solar already employs more than coal, and that gap is widening. In 2012, solar added 14,000 new jobs, up 36 percent from 2010 and the industry will add another 20,000 jobs this year. The fossil fuels industry cut 4,000 jobs last year. So when it comes to employing Americans, solar is winning.

That 119,000 jobs in the solar industry is also more than the 106,400 “production and nonsupervisory employees” in the oil and gas extraction industry, and gaining rapidly on the total of 197,500 for that industry in September 2013, according to Oil and Gas Extraction: NAICS 211”, U.S. Bureau of Labor Statistics.

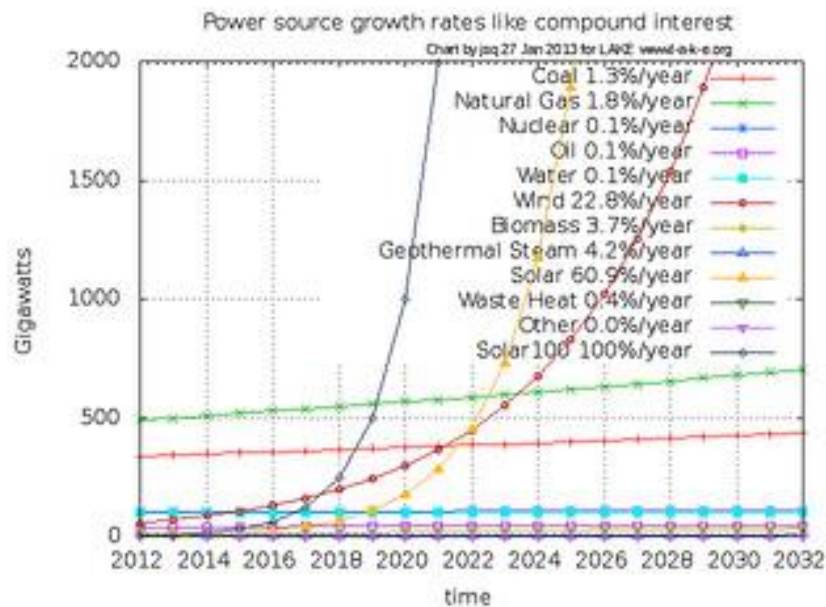
This is why solar is gaining jobs so fast, prices continuing to drop year on year (Moore's Law for solar) produces increasing solar deployment year after year like compound interest:

Figure 2.1 U.S. PV Installations by Market Segment, Q1 2010-Q1 2013



Complete dataset available in full report

©2013 GTM RESEARCH SEIA



The people of Georgia mostly already get this, despite the mighty megaphone of the fossil fuel industry continually trying to shout down the truth.

Solar power is going to win like the Internet did.

T. Boone Pickens with his natural gas export investments in about six years could well look like Steve Ballmer after he ridiculed the iPhone in 2007. That's Steve Ballmer *former* CEO of Microsoft, partly because, as he said 19 September 2013:

Mobile devices. We have almost no share.

Let me quote Thomas Alva Edison yet again:

We are like tenant farmers chopping down the fence around our house for fuel when we should be using Nature's inexhaustible sources of energy — sun, wind and tide. ... I'd put my money on the sun and solar energy. What a source of power! I hope we don't have to wait until oil and coal run out before we tackle that.

We don't have to wait.

Filing a Comment with the Federal Energy Regulatory Commission (FERC)

- This can be done electronically or in writing.
- To file a complaint electronically go to www.ferc.gov
- Go to “Documents and Filings”, then to “eComment”. Fill out the required information and you will receive an email with a link to a comment form.
- Search and select Docket Number PF14-1 and enter your comments. The more of us object to this pipeline, the better!
- We must flood them with comments!
- Comments can be as simple as “I oppose this pipeline.”
- Written comments should be mailed to: 888 First Street NE, Washington, DC 20426