Shale Gas Outrage

PHILADELPHIA (Sept. 20): Citizens from all around the ‘Marcellus play’ were outside the Philadelphia Convention Center, while government officials were inside—at the fracking industry’s ‘Shale Gas Insight’ conference. Demonstrators marched to the local offices of Governor Tom Corbett and the Obama reelection campaign (and to the PA Chamber of Commerce and PNC bank). Meanwhile Mr. Corbett was keynoting the industry celebration, and the Obama Administration was casting a pro-fracking vote at the Susquehanna River Basin Commission [see Page 2]. One demonstrator was arrested, as drilling opponents crowded around the entrance to the industry meeting.

‘Outrage’ speakers included Bill McKibben (350.org), who predicted that more civil disobedience will be required to fight ‘the absolute arrogant power of the fossil fuel industry.’ For his part, inside the hall, Gov. Corbett told the frackers, ‘Thank you for what you are doing,’ while dismissing the marchers as ‘unreasoning’ people ‘with no understanding of the industry.’

Supreme Court Sits on Act 13

PITTSBURGH: Wednesday, October 17, is the big day. In the City-County Building, at 9:30 am, the Pa. Supreme Court will hear the Corbett Administration’s appeal of the Commonwealth Court ruling on ‘Act 13’. [See our May newsletter for details.]

Here’s a summary of the case:

- On July 26, Commonwealth Court found the ‘zoning’ sections of Act 13 to be unconstitutional; and, on August 15, that Court enjoined the state from enforcing the zoning provisions until the Supreme Court acts on its appeal.
- Those ‘zoning’ provisions were written to deny local government any role in determining where ‘unconventional gas operations’ could take place within a municipality. Those same provisions would empower the state’s Public Utilities Commission (PUC) to decide whether any municipality’s ordinances were overly restrictive to gas operations, and would grant drillers and leaseholders the right to sue local officials who interfered with their ‘right’ (under Act 13) to operate in any part of the municipality. All those terms were overturned by Commonwealth Court.

- Dozens of amicus (‘friend of the court’) papers have been filed by municipalities, environmental organizations, legislators, and others — asking the Supreme Court to affirm the earlier ruling. Industry supporters, including the American Petroleum Institute, have filed amicus briefs in support of the state’s appeal.
- The Pa. State Assoc. of Township Supervisors (PSATS) filed an amicus supporting the municipalities — although Governor Corbett, when pushing Act 13 through the Legislature, had claimed PSATS’s backing for his bill. [Unfortunately, PSATS uses its brief to echo Mr. Corbett’s fatuous claims on ‘job creation.’ Now we have to expect PSATS’s court filing to be quoted in the gas industry’s press releases as evidence to ‘prove’ their self-invented numbers.]
- There are normally seven justices of the Pa Supreme Court, but one seat is vacant. Of the six sitting justices, half were elected as Democrats, half as Republicans. If the justices were to split 3-3, the state’s appeal would fail, and the July 26 ruling would be upheld.

The hearing is open to the public; be early if you want a seat. You’re not likely to hear a decision, but you can show that you care!

We encourage you to print copies of this newsletter and to distribute it freely. You can download it — and share your comments or suggestions — at www.marcellusprotest.org/news.
More fracking water from Susquehanna R.  

HARRISBURG, PA (Sept 20): The Susquehanna River Basin Commission (SRBC) approved 22 new water withdrawal requests at its quarterly business meeting; 16 of those 22, the fracking-related requests alone, add up to nearly 30 million gallons per day.

In his recent blog (written before the SRBC meeting), Alex Lotorto notes that the SRBC has unanimously approved every fracking withdrawal request for at least the past four quarters. The SRBC has four voting members, representing the states of Pennsylvania (Michael Krancer, DEP), New York (James Tierney, DEC) and Maryland (Robert Summers, MDE) and the Federal Government (Col. K. Savre, USArmy Corps of Engrs.) All are appointed by the respective Governors and the President.

For its September meeting, the SRBC published ‘Supplemental Rules’ for attendees, including: no standing room; applying for advance permission from Capitol Police to ‘display any… media to express opinions’; and the immediate arrest of anyone failing to obey an order from the Chair to leave the room. Although it’s too late to influence the September vote, the fight to defend the Susquehanna will continue. Read Alex’s blog to learn how to pitch-in. [Click here.]

Solidarity and the Fight over ‘Jobs’

Representative Jesse White, D-Cecil, is one of few outspoken critics of the gas industry in Harrisburg. In August he published an article in the Canon-McMillan Patch titled “Why aren’t more Marcellus Shale jobs going to PA workers”, in which he debunks industry claims about local hiring. Unfortunately, to highlight the prevalence of out-of-state workers in the area, he chose an incident in which five Latino workers were pulled over by the police in Cecil Township.

In fact, the men are all U.S. citizens and were not doing anything wrong. And the fact that the workers were Latino has nothing to do with the rest of White’s argument about the lack of local hiring, except that it plays upon the racist and xenophobic notion that Latinos are taking jobs which white people deserve, echoed constantly by anti-immigration forces. He could have cited the dozens of out-of-state plates one sees every day on the highway or produced actual data about company hiring practices. Instead he chose an anecdote which reinforces the scape-goating of Latino workers, and distracts from the real target: the decision-makers in the gas industry.

Racism and xenophobia have come up in other places in the antifracking movement as well. Chip Northrup, a prominent blogger and activist in upstate New York, has made much more overtly racist comments, publicly referring to Latino workers as “shalebaks” (a reference to the racial slur “wetback”).

These ugly and misdirected remarks are an important opportunity for reflection for the predominantly white anti-fracking movement. Can we reject the temptation to blame workers, especially Latino workers, for the lack of jobs and other abuses of the gas industry? And can we embrace anti-racism as a principle of our organizing? Let’s remember that people of color and indigenous communities in the U.S. and around the world are most targeted by the fossil fuel industry and most impacted by climate change. We need to ally our work with theirs and we cannot afford to be divided by racism.

BY BEN FIORILLO

RESPONSE FROM REP. WHITE: Serving as state representative for the epicenter of the Marcellus Shale boom, I have repeatedly questioned why there are not more jobs for Pennsylvania workers, subjecting myself to numerous attacks from the industry in the process.

The police report I referenced directly addressed claims made by industry that local jobs need to be done by skilled, highly-trained workers; my question was what kind of special training could the seventeen year old who spoke broken English have that a local worker couldn’t handle. Race and ethnicity had nothing to do with it; I was using one of the few documented incidents to contradict a specific claim. [Go online for Rep. White’s full response, which is edited here to fit available space.]

A Range of Resources

Looking for someone you can support in next month’s election? Marcellus Protest doesn’t endorse candidates, but here are some sources of information:

Marcellus at the Polls: https://www.facebook.com/groups/VoteProEarth/
Conservation Voters of Pennsylvania: http://www.conservationpa.org/marcellusscorecard/

Upcoming Events in October (and beyond):
(Full details, with latest updates, and a more extensive list of events, are on-line at www.marcellusprotest.org/event_calendar.)

October 17 (Pittsburgh): Supreme Court—Oral Argument. (See story on Page 1.) 9:30am, Pittsburgh City-County Building, Grant Street.
November 9 (Pittsburgh): 2012 Health Effects of Shale Gas Extraction Conference. The third annual conference, hosted by the University of Pittsburgh Graduate School of Public Health. Register at shalegas.pitt.edu.

Updated information on these topics (with links to original sources), along with our calendar of upcoming events and other resources, can be found at www.marcellusprotest.org.