DR. SIMONA PERRY: Hi, this is Simona Perry. I'm the Ogeechee Riverkeeper in Savannah, Georgia. I'm also on the board of the Pipeline Safety Coalition. I want to thank you all for the opportunity to present this evidence from my own experience as an ethnographic field researcher today.

And in addition I presented the judges with a set of documents entitled PPT Evidence and Source File. It includes background documents related to the research I'll summarize here today, independent testimony from public source being (indiscernible) violation, 38 white institutional reports on the various issues being addressed in this Tribunal, 19 legal case documents and 29 peer reviewed published articles from anthropologists, sociologists, political scientists and human rights scholars.

I've also presented a series of spread sheets that could serve to guide investigators and judges to uncover more evidence of the widespread disregard for human rights by governments and private entities seeking to exploit oil and gas resources and carry them to market.
I'm happy to answer any questions about any of this material and I encourage the judges and legal experts to take a closer look at all of this evidence. I want to start with a brief interview that was done from Pennsylvania. And it's pretty much self-explanatory.

[Music and text presentation].

In 2013 residents of Delaware and Chester counties in suburban Pennsylvania learned that Sunoco Logistics intended to dig a natural gas liquids pipeline through their communities. Sunoco called the project Mariner East. The more residents learned, the more alarmed they became. It wasn't just that this particular pipeline would be uniquely dangerous. It was that they saw their safety, property values, constitutional rights, local ordinances, even their own elected officials subverted by a corporation cloaking itself in the guise of a public utility which had nothing to do with the public good. They decided to fight.

These are their stories

[Conclusion of music and text presentation]

MS. MELISSA HAINES: We moved to Aston in 2011 because it was a nice neighborhood and close by media and it doesn't have the same housing prices as it
I've been a paralegal for 12 years. Most of that time I spent doing workers' compensation claimant work. So helping people with their every day lives and their claims on a daily basis. I liked that work because it's emotionally rewarding. It's nice to be able to help people.

I found out about the Mariner East pipeline via Facebook. One day I was on one of the local pages and saw some posts from Middletown Coalition about it and so I joined the group, started to pay more attention to what was going on. I'm on Facebook like everybody else is.

Once I saw a map from Middletown Coalition I realized that it was coming through Aston and I found that to be really concerning because it's only half a mile from my house.

The major thing that I found concerning was the safety of my son. Being in such close proximity to a pipeline of that nature that has odorless, colorless, high pressured contents in it was really concerning. I mean even if there's not an immediate ignition scenario I mean that's gotten asphyxiation risk. We travel across Dutton Hill Road every day.
took awhile, I think, for me to fully understand the
gravity of the situation. And once I was aware of it I
gave to an Middlentown meeting, one of the coalition
meetings.

It's been really difficult being the only
person, it felt like for a long time, in Aston that like
either knew or was concerned at all. I felt like I was
the only voice in Aston for a long time. Nobody here
was really talking about it at all.

I made several inquiries for information about
the pipeline from probably every commissioner in the
township where there was seven. Nobody responded to the
questions that I had.

I wanted to know when there had been public
comment before the township sold the easement to Sunoco.
I wanted to know how much money they received. I
wanted to know what they did with that money.

I also wanted to know if they received any
safety information from Sunoco. Like if they'd had any
idea what was even in the pipeline that they sold an
easement for.

After several weeks of no replies I filed a
Right To Know Request. A Right To Know Request is a
Pennsylvania equivalent of the federal Freedom of
Information Act. You can file a request for certain
documents with local municipalities with the state
government entities and things like that.

In my Right To Know request I asked for any
and all documents concerning the sale of the easement,
including written correspondence concerning
negotiations.

I asked for information about how much money
was received, what the township did with the money that
they received and also any safety related information
that they received from Sunoco. I filed that request on
February 13th, 2017.

I received a timely response within five days
requesting a 30-day extension that cited legal review as
the cause. And they're within their rights to do that.

After I received the request for the extension
I never heard from them again. They let their 30-days
expire and when that happens your request is considered
denied.

At which point I filed an appeal to the state
office of Open Records who issued me a final
determination on May 1st granting my request for the
records. I have not gotten my information.

The township ignored, basically, the judicial
order from the state to turn over the records. So the
only recourse, at that point, is to file a lawsuit in
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the Court of Common Pleas to enforce. The final
determination is basically like filing for a contempt.
I definitely intend to file.

I think the township has ignored my Right To
Know request because there are certain conflicts of
interests amongst the elected officials there.

One of the commissioner's is a Sunoco retiree.
Another of the commissioner's is the uncle of one of the
Sunoco spokesman. The solicitor for the township works
at a firm that's represented Sunoco and yet she gets to
do legal review of residents Right To Know request when
they concern a different client of her's. I mean to me
those are conflicts of interest.

My legal experience was useful in the progress
but when you get to the point where you have to file in
the Court of Common Pleas that's a little above my pay
grade, especially where it concerns municipal law.

It's cost prohibitive to the average person,
you know. I was fortunate enough to find an organization
who is going to represent me, Penn Future. If it wasn't
for them I don't know how I would be able to do it.

I don't know that we'll be able to stop it.

I'd like to.

One of the other things that is important to
me as far as Mariner goes, and not necessarily Mariner
TREMAINE & CLEMENS, INC. EUGENE, OREGON (541)343-8833
2, is the proximity of Mariner 1 to Pennell. Once I
became aware of Mariner 2 it naturally led me to find
out about Mariner 1 which has already then operational
in Aston for two years.

Mariner 1 runs down Route 452 in Aston which
is a pretty heavily travelled road and it's also 400
feet from Pennell Elementary School where my son is
supposed to go to kindergarten next year.

Mariner 1 has also had three leaks in the last
year. School is not ready, not ready at all.

[Music].

DR. SIMONA PERRY: So that's just one
example of thousands of people across Pennsylvania and
across the country and the United States being impacted
by pipeline infrastructure directly related to the
Marcellus shale and unconventional fracking activities.

One of the things that I wanted to really
point out in this brief presentation is that the lack of
trust that residents have is obvious. And it's because
of the lack of information that is available to them and
also the lies that they've been told about the safety of
this type of activity.

And the industry is well aware of this lack of
trust. In 2012 they commissioned a report by a firm, a
consulting firm called Control Risk entitled The Global
And in that report they found that the global opposition to fracking was really the primary threat to shale gas development and therein lies all the political and security risks. And basically their outcome was that the industry needed to do more to create more winners.

By creating more winners what they meant was creating benefits from developments that are tangible. And they said, you know, had to do with well-paying jobs that were there for two or three years of drilling or more.

Their concepts of winning really had nothing to do with equitable, fair or just voice in the process of fracking or outcome. Certainly it did not have anything to do with human rights of the local communities.

Across North America we've seen this. I just wanted to highlight one particular thing that happened around 2013, October, the First Nations Community for the Elisipogtog in New Brunswick there were protests. They blocked the road to a Southwest Energy site. They claimed that site was on illegally taken indigenous land.
They were told by the government to leave.

They refused. There were at least 40 people who were arrested. There were molotov cocktails thrown. There was tear gas and rubber bullets that were used on the blockaders.

So the industry in the US and North America refuses to be transparent. They've refused to allow community concerns to be aired and they think that public relations and community outreach stunts will work. And this is another example of that that I wanted to share with you.

During and after an accident at a Chevron Appalachia well site in southwestern Pennsylvania in February of 2014 where one worker lost his life and one was critically injured Chevron's response to the local community was to mail out gift certificates to a local pizza parlor.

And this was construed by the local people living there really as an front, as an act of disregard to their lives, and really a lack of understanding the seriousness with which they took their own lives and the risks that were posed by having these developments in their backyard.

So the field research that I have presented to the judicial panel has been collected from over a dozen
researchers, journalists and myself since 2009 and it really focuses on how rural communities are grappling with the implications of these developments and also suburban and urban folks as you saw in that video. It's about their own words and their every day lives and their rights being violated.

In order to apply context that included, and I'm not probably going to talk about it in depth because I thought it was more important to hear a voice from the field itself, information about the context in which I did my own research starting in 2009 in a rural place in Pennsylvania.

63,000 residents live in Bradford County where I did the work. And the pace and scale of the shale gas development in this county has been off the charts. In Pennsylvania it's been incredible.

But in this one county in 2009 when I started my work there, there were 103 gas wells. And by June of 2012, a little snapshot in time, there were 1,788 new permitted gas wells in this county. Today there are over 2000 permitted gas wells in this one county with these 63,000 souls.

And most of the people who live there traditionally have been dairy farmers, timber workers and some small industry.
The amount of water, land and other raw material that would be necessary to support this type of development, the pace of development, the type of workers necessary, the amount of money that was being offered to land owners, the amount of money being invested into this development, is really off the charts and out of scale with anything else development-wise in Pennsylvania, even though Pennsylvania already has, you know, 50,000 wells already, this unconventional fracking is a different monster.

So this just goes through some of the local impacts that we documented during my research in the county. It's kind of a snapshot and an example of what's happening all over rural places where this kind of development is occurring.

I conducted over 100 interviews and also did focus groups and really clearly I want to make the point that there is no one here who is talking about this from this project because they feel threatened. They don't feel comfortable going out and speaking any more about their concerns. And actually they've kind of given up. A lot of them have done work in sharing their information with New York state and other states in the US, even internationally. But they really want to keep their identities a little more private now. They've had
retaliations from neighbors. They've had retaliations from their county government officials and they've had retaliation from the industry.

One of the things that leads to this is that we found more than a dozen, and we think there are probably many more in the county, were forced to sign non-disclosure agreements when they signed leases. So that led to a big silence thing.

So in 2013 my own field work really shifted to look more at the kind of social and environmental justice implications of what I was learning. And it became clear really that, you know, all of these central local impacts that were being documented were really all about how the local authorities and elected officials, even state agencies, were really dismissing the concerns and those impacts.

And in the worst cases people were being marginalized and threatened by what was happening to them. So this really is the heart of why I am here today.

So I started asking people what justice means to them, what rights means to them in this county, and it came across as very much an individual term, more akin to rights. And people think of it like that in this place.
There's a clear concept of justice in three categories, morality, revenge/vengeance and money. And when it comes to morality and revenge things such as threats to properties and future generations and what that means for people's children and staying on their land, which is their investment.

It also goes to the characterization and labeling of land owners as extremists and activists by the actual state governments that are supposed to be regulating the industry, in a memorandum to state legislators, about particular individual land owners and it gives their addresses to the state legislators and labels them as extremists.

It also goes to shenanigans that have been going on in the Pennsylvania legislature trying to look at how medical gag orders if you go in for something that you think might be related to a gas industry impact the doctor is actually not allowed to share that information with other medical professionals and maybe build a case about some kind of, you know, a group of people in a certain place that might be impacted.

So the judges in Pennsylvania have ruled on that and they've actually come out and said that this is a threat to future generations. It's a threat rivaling the environmental effects of coal extraction.
And the last thing that people talked about was rights in Pennsylvania, and Bradford County in particular, was with starting to feel so frustrated that they really wanted to take justice into their own hands. And what they meant by that was running as state representative and filing lawsuits. But many of them, as you heard in the video, simply cannot afford to do those kinds of things. And so then it comes down to money and the legal system itself.

I mentioned the non-disclosure agreements that the people sign in their leases. The governor, Tom Corbett, the previous governor, served on the Marcellus Shale Commission supposedly to take an objective view of what the impacts were on the environment, human health and communities and housing.

That came out and there were fees imposed and there was still no tax on the industry in Pennsylvania or other things being done. With that impact fee money none of it is going into the actual impacts being seen at the local level.

The other frustration people have is that there have been a lot of violations of laws. In Bradford County, for instance, it's a snapshot from 2005 to 2013 there were 700 violations logged on 260 gas wells but less than 200 of those have seen enforcement.
action taken.

And then also something really troubling to folks about, well, how do I get recognition of my problems in Pennsylvania ifr if over 285 water well complaints have been filed with the Department of Environmental Protection between 2008 and August of 2013 but less than 150 have actually been investigated and there have been a determination of cause.

So just to go through this really quick. I think that one of the important points I want to make is people living in the shale gas fields feel there is an injustice in the development and that the individual's rights are being neglected and violated and they're not being listened to.

The state's governance of these activities should have taken this into account but instead they've been cast in some cases as the problem, unpatriotic and troublemakers.

And the justice rights are not about only the distribution of wealth or benefits, about winners and losers, it's also about how people experience and conceptualize justice in their daily lives and in terms of all those things.

And if you want to indulge me for two more minutes I just wanted to tell you one brief story that
is more of a personal nature, but I think it's important
to the whole big picture, particularly in light of the
global epidemic of truth seekers and research activists
being targeted for elimination. My story is not that
extreme but I think it points to a trend that way in the
United States.

So in fall of 2012 I was invited to give a
public talk about my research in Bradford County. It
was given at Wilkes Barre, Pennsylvania, Wilkes
University. It was focused on some of the broader
questions around my work on how farmers were responding
to developments, the Marcellus shale, especially their
rural livelihood, their culture, community health and
personal health.

An industry funded group called Energy
Indepth, which you can look them up. They're funded by
the American Petroleum Institute, the Independent
Petroleum Association of America, El Paso Corporation,
XTO Energy, Shell, BP, Occidental Petroleum, Anadarko,
Marathon, Chevron, Encana, Talisman, Haliburton,
Chumbarjae and the Ohio Oil & Gas Association. So this
is a group that is funded by them.

They call themselves Grassroots Truth Seekers
and a couple of days later a blog appeared after my talk
on their web site that sought to discredit me. And
after that I was angry and after that subsided I debated
with myself and I also talked to many others about how
or if to respond.

I chose silence as my response. Nothing I
could say would matter. I decided since the entire
Energy Indepth operation was first designed to discredit
the 2010 documentary Gasland by Josh Fox and then since
then it's been used to attack study after study or
anyone who asked questions about the true cost of shale
gas development.

So in the end I concluded that this, you know,
Energy Indepth campaign they're really just a bunch of
corporate bullies and they're very cleverly disguised as
grassroots and truth seekers and they just conduct smear
campaigns on anyone they think might pose a threat to
unfettered oil and gas development. So I chose to
ignore the bully.

But despite this I've been left a little
disturbed and nauseous as I watch other researchers
being attacked like this. It's not about my own
reputation but it's about the very real human cost being
paid each day by local people and the energy being
expended by these companies to shut up the truth.

This experience made me double-down in my
efforts to do all we can to insure those whose rights
are being violated, their voices are not being heard, 
that they are being recognized and protected. 

Because when it came down to it I was not all 
that surprised about the industry attacking me because 
for three years I had, and ever since then, I've 
witnessed the shale gas industry, their supporters in 
Bradford County and elsewhere across Pennsylvania, 
Colorado, Texas, try to publicly discredit and launch 
personal attacks on farmers, foresters, housewives, 
workers when they have concerns or simply ask questions 
about how shale gas development would impact their own 
lands, their water, their children's health, their 
livelihood and their communities. 

What troubled me was the fact that these 
blatant disregard for the true costs the industry has on 
peoples lives and their children lives. 

So my question is, and why we're just seeing 
this, is what will it take to stop this? 

That's why I joined this effort with Tom and 
this steering committee. I hope it makes a real and a 
lasting difference across the world in finally bringing 
hope and justice to those who have been silenced for far 
too long. 

Thank you.
DR. ANDRES BARREDA: There is a question from Professor Barreda. I'm going to translate his words.

The United States coming from the period of Cheney/Bush in the presidency there was a wide scope of oil initiatives, very aggressive, the biofuels initiative in Alberta, Canada, the tarsands initiative, the pipeline, the pipeline XL, the Gulf of Mexico accidents that are linked to Halliburton, so these aggressions linked to fracking belong to a big movement of energy crisis in the United States of loss of control of hydrocarbons in the world, unfortunately. I started only yesterday to take part as a judge and my question is if, through this time, that there have been sessions based on contextualization of the problem has been made?

Of course, there is the coal exploitation in the Appalachia that was mentioned yesterday and we will have to add to these the traditional pollution from oil extraction and petrochemical pollution in the southeast of the United States.

DR. THOMAS KERNS: You're on mute Simona.

DR. SIMONA PERRY: I think it froze when the question was asked. I don't know if I got the gist of the question.
In terms of the context of this related to the cumulative nature of what's happening that's all I got from it. So there was a freeze frame.

DR. ANDRES BARREDA: The question is if, on the part of the petitioners, this general context has been --

DR. SIMONA PERRY: It froze again.

DR. ANDRES BARREDA: The question is on the part of the petitioners this general context has been put forward in the course of these sessions.

DR. SIMONA PERRY: Oh. Is that a question for the larger Tribunal?

Because I'm only a little piece of it and I have not been able to the participate in the other sessions either. I've watched them, yes.

I believe that as part of the steering committee for this, you know, one of the ideas is to bring all of these divergent voices together in one place.

And they're not divergent in the sense of what they're struggling with. That's the commonality. And I think by highlighting the commonalities of our struggles and those of us who are kind of documenting those struggles maybe we'll have a portfolio of cases and evidence that we can sort through and look at specific
ways to solve this crisis. At least to bring solace and justice to the folks whose rights have been violated in various ways.

I mean you can talk about workers rights here, which we don't but we should, in terms of their -- talking about the Gulf coast people working on rigs, offshore rigs, you know, where is their voice?

So there's lots of different pieces of this. And I think you're trying to ask how it's all going to be put together? Is that correct or am I missing something?

DR. THOMAS KERNS: And if that is the question, how does it all fit together, particularly in the US, we have not looked at the whole big oil and gas fossil fuel, including coal, context and sort of framed it altogether yet. But in this afternoon's session with the attorneys and the judges that would be a rich issue to bring up.

And I hope you expect to be there this afternoon so that you could raise that question personally. Thank you for asking.

DR. SIMONA PERRY: It's an important question.

You said there was seven commissioners and you mentioned that three of them, two perhaps indirectly and one directly, had conflicts of interest. That's a minority. What about the other four?

Well, I should ask, are those three the dominant ones on the commission? Do the other four just go along with it?

DR. SIMONA PERRY: I'm not sure what exactly was the experience of the woman who was interviewed in southeast Pennsylvania but it's a great question because that is one of the issues IN that all of these small townships are different.

And so it's been my observation that the industry, in Pennsylvania in particular, has taken advantage of that in that they leverage within the commission decision-making authority at the county level.

They try to get influence, and we've documented this, I've documented this in Bradford County, by either placing people who have worked for the industry in a position where they have specific direct line to a decision-maker or they hire away county officials, county staff I should say, to work for the industry so now there's this kind of a connection now between the county operating and the industry operating.
We also have seen where they will actually cut
sweet deals with county commissioners and township
supervisors on leases on their property to do
right-of-ways. So there's a money thing involved with
that as well.

But it varies across the country and it varies
across each state in the United States about how those
local levers of power are being played by the industry.
And myself and several other sociologists, ethnographers
and political scientists have been looking at that.

We don't have answers about it at all except
that we know it's pervasive in the sense that the
industry uses that to manipulate government
decision-making at the local level in particular.

At the state level it's more about lobbying, a
high powered lobbyist and influence in that way.

MR. GILL BOEHRINGER: Thanks. I'm
particularly interested because I was born and raised in
Delaware County.

DR. SIMONA PERRY: There you go.

MR. GILL BOEHRINGER: I know something
about local politics there.

DR. SIMONA PERRY: Right. I encourage
you to take a look at all of those interviews. They are
on the Mariner East web site that they put together.

They're excellent interviews on all different topics. I think there're about 30 there.

And if you would love for -- if you have a chance to take a look at some of those I put that in the spread sheet that I circulated in that link so you have it now.

MR. GILL BOEHRINGER: Thanks.

[youtube.com/watch?v=TAOIzzelWTO]