

TPP Is a Fracking Nightmare for Pennsylvania



The Trans-Pacific Partnership is called a trade deal, but it's really more of a corporate coup. Only five of its 29 chapters deal with trade. The rest of the agreement, secretly negotiated by the Obama administration, is loaded with corporate-friendly provisions, some of them climate killers, and a few that are specific to fracking. Here are the basics:

- TPP allows for automatic approval of Liquefied Natural Gas (LNG) exports to member countries without a Department of Energy Review
- The Investor State Dispute Settlement provisions within the investor section of TPP allow investors (often a.k.a. corporations) of member nations to sue governments of other member nations for enforcing laws and regulations that hurt their profitability, now or in the future.
 - Similar sections have appeared in trade deals since NAFTA, so we know exactly how bad they are.
 - The cases are heard in secret tribunals, not courts, and the members of the tribunal in one case can be the attorneys representing investors in the next case – a very incestuous relationship gamed in favor of investors.
 - Any level of government can be sued. One example out of NAFTA was the Mexican municipality successfully sued for \$8 million by an investor for enforcing regulations over the operation of a landfill the investor had purchased there. Suits like these create a chilling effect, especially for small governments.
 - The U.S. government is being sued for \$15 billion under NAFTA for rejecting the Keystone XL pipeline. TPP would mean that local bans, moratoria, or even attempts to regulate fracking could lead to lawsuits. For instance, a town in Quebec was sued \$250 million over its fracking ban.

A Pennsylvania example...

Cabot Oil & Gas is the company notorious for destroying private water supplies in Dimock, PA. The company has been banned from further drilling there, but nowhere else in the county where Dimock sits, Susquehanna County. In fact, Cabot has leased 40% of the land in the county for drilling.

In December 2013, Cabot struck a deal with a Japanese company to provide LNG for 20 years via the Cove Point LNG facility, the first to be approved on the East Coast. Japan is the world's second largest importer of natural gas and a likely member of TPP, should the deal be approved.

TPP would only support deals like that one by enabling automatic approval of the exports and opening the door to lawsuits, effectively ruling out bans and moratoria and even efforts to enforce existing protections.

TPP can't be approved without the United States. The Obama administration plans to push hard for approval during the lame duck session this fall. Pennsylvanians Against Fracking plans to join forces with other organizations fighting TPP! Please join us!