

Shapiro Administration and CNX Resources Corp. Collaborate to Implement Public Information-Sharing Agreement and Other Actions

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On November 2, 2023, Pennsylvania Governor Josh Shapiro and CNX Resources Corp. (CNX) announced a voluntary agreement between Shapiro's administration and CNX, under which CNX agreed to take certain actions regarding its unconventional oil and gas operations in Pennsylvania. See [Press Release](#), Gov'r Josh Shapiro, "Shapiro Administration and Leading Natural Gas Company CNX Resources Announce First-of-Its-Kind Collaboration on Environmental Monitoring and Chemical Disclosures" (Nov. 2, 2023); see also [Statement of Mutual Interests](#) (Nov. 2, 2023). Specifically, CNX agreed to the following:

- "intensive" air and water quality monitoring to assess environmental impacts—data and facts that the Shapiro administration will use (with other applicable facts and data) "to inform the necessity of any additional setbacks or other future policy changes";
- expand its no-drill zones from 500 feet to 600 feet for all sites and to 2,500 feet for sensitive sites, e.g., schools and hospitals while it is collecting data;
- publicly disclose all chemicals intended for use in drilling and hydraulic fracturing prior to use on-site;
- support regulation of gathering lines to inspect for corrosion;
- support additional safety measures applicable to transporting waste from unconventional well sites; and
- provide open-sourced, real-time emissions information to stakeholders and interested parties.

CNX also agreed not to hire Pennsylvania Department of Environmental Protection (PADEP) employees from regional offices covering CNX operations until two years after such employees leave PADEP. The actions address several recommendations from a 2020 Grand Jury Report on the unconventional oil and gas industry. See [Report 1 of the Forty-Third Statewide Investigating Grand Jury](#) (June 2020).

On December 18, 2023, Governor Shapiro announced that CNX had begun publishing real-time air monitoring data at two well sites in Washington and Greene Counties, including chemicals and additives used in drilling operations at the two sites. See [Press Release](#), Gov'r Josh Shapiro, "As Part of Collaboration with Shapiro Administration, CNX Resources Begins Disclosing Names of All Chemicals & Posting Air Monitoring Results Online in Real-Time" (Dec. 18, 2023); see also CNX's real-time air monitoring data [here](#). CNX plans to expand the program across its operations in Pennsylvania, but has not established a timeframe for doing so.

Per the December Press Release, Governor Shapiro directed PADEP to begin the formal rulemaking process and implement policy changes to match the CNX collaboration, including disclosing drilling chemicals and improved control of methane emissions to align with the U.S. Environmental Protection Agency's Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review. See 89 Fed. Reg. 16,820 (Mar. 8, 2024) (to be codified at 40 C.F.R. pt. 60). The Shapiro administration stated that its collaboration with CNX is one step in its broader goal to address climate change and protect the right to clean air and pure water "while maintaining our Commonwealth's legacy as a national energy leader." December Press Release, *supra*.

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