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Chapter 78 Oil and Gas Revisions
Branden S. Diehl, Grant and Program Consultant
Foundation for Pennsylvania Watersheds, 9697 Loop Road, Alexandria, PA 16611

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July 22, 2010

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Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

ENVIRONMENTAL QUALITY BOARD

Dear Environmental Quality Board:

Please accept the following written comments pursuant to your open solicitation on changes to Chapter 78 Oil and Gas Rulemaking.

§ 78.83 Foundation objects to the provision to allow for procedural exceptions 'where drilling does not present a threat to groundwater' or when 'operator demonstrates that all gas fluids will be contained in the well'. Casing should occur as specified in this subsection; without exception.

§ 78.87 Operator's testing consultant must provide test reports to DEP within ten days of test completion. Testing and reports shall be conducted by an independent lab, and not by the operator or any of its immediate subcontractors.

§78.122 Operator is responsible for documenting all water recovered from the well. Operator will report recovered water in gallons, and as a percentage of the total water amount used for fracking. Operator is also responsible for documenting gas 'wetness', and reporting it as a percentage as well as a total condensate over the life of the well in gallons.

Thank you for your consideration of these proposed revisions.

Sincerely,



Branden S. Diehl,
Grant and Project Consultant



R. John Dawes,
Executive Director