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From: CleanPaH2O [cleanpah2o@gmail.com]
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Subject: PROPOSED CHANGES TO 25 PA CODE CHAPTER 78, RELATING TO OIL AND GAS
WELL CASING AND CEMENTING
Attachments: Chap78Comments.pdf

INDEPENDENT REGULATORY
REVIEW COMMISSION

RE: PROPOSED CHANGES TO 25 PA CODE CHAPTER 78, RELATING TO OIL AND GAS WELL CASING AND CEMENTING

Attached please find a one page summary of our comments.
Thank you for the opportunity to submit our comments electronically.

Elaine Futej - Secretary
Citizens for Clean Pennsylvania Water
Contact me: cleanpah2o@gmail.com

**Comments on the Proposed Rulemaking
Oil and Gas Well Casing and Cementing (25 Pa Code, Chapter 78)
August 8, 2010**

**Citizens for Clean
Pennsylvania Water**
cleanpak2@gmail.com

Much to the chagrin of our Department of Environmental Protection Secretary John Hanger, Pennsylvania is being exhibited as a model for how not to drill for natural gas in the Marcellus Shale. After a recent attack by New Yorkers, Mr. Hanger responded with a childish, "If they are so ashamed of what's gone on here perhaps they should stop buying Pennsylvania gas."

Mr. Hanger, at least New York is trying to understand the full impact of the complex drilling and extraction of natural gas from these deep geologic formations before issuing thousands of drilling permits. The citizens of Pennsylvania never had a chance to review or submit input to a study of deep high pressure shale drilling.

In contrast Governor Rendell and the General Assembly decided that our environmentally sensitive watersheds and drinking water sources were not as important as the economic benefit of the Marcellus Shale play in Pennsylvania.

Our State Forests and State Game Lands have suddenly become valuable to money-hungry state officials. The public lands are being leased without considering the impacts to the land and on the communities and citizens living in close proximity.

State officials are more interested in extracting money from the drilling companies than placing environmental safeguards on their drilling activities. Recent impacts to drinking water supplies by Marcellus Shale wells, coupled with public opinion have finally caused Mr. Hanger (DEP) to reevaluate the existing requirements.

Our group submits the following comments regarding changes to 25 Pa Code, Chapter 78:

§ 78.51. PROTECTION OF WATER SUPPLIES

Proposed rule reads, "The quality of a restored or replaced water supply will be deemed adequate if it meets the standards established pursuant to the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), or is comparable to the unaffected water supply if that water supply did not meet these standards."

Please remove, "or is comparable to the unaffected water supply if that water supply did not meet these standards." Any restored or replaced water supply should meet the standards of the Safe Drinking Water Act. There is more than methane in your drinking water after the blow-out of a deep high pressure well.

§ 78.52. PREDRILLING OR PREALTERATION SURVEY

Proposed rule reads, "An operator electing to preserve its defenses under section 208(d)(1) of the act shall provide a copy of the results of the survey to the Department and the landowner or water purveyor within 10-calendar days of receipt of the results."

Nothing has changed. In Pennsylvania gas drilling companies are presumed responsible for contamination of drinking water supplies within 1,000 feet of a gas well site.

Presumed?

The burden of proof rests entirely on the citizens of Pennsylvania to prove that these large international companies have ruined their drinking water.

We believe a collection of pre-drilling (baseline) tests from SURFACE WATER (SPRINGS & STREAMS), PRIVATE WATER WELLS and PUBLIC WATER SUPPLIES within at least 2,500 feet of a deep high pressure well should be mandatory.

Compulsory follow-up testing at the same locations three (3) months after the conclusion of any drilling activities and operations should be completed.

In the case of deep high pressure wells with directional drilling, testing should extend 2,500 feet from the end or ends of the planned horizontal section(s).

The parameters of these tests should include the following: pH; alkalinity; specific conductance; major cations/anions (chloride, fluoride, sulfate, sodium); total dissolved solids; BTEX/GRO/DRO; TPH; PAH's (including benzo(a)pyrene); and metals (arsenic, barium, calcium, chromium, iron, magnesium, selenium).

Testing expense must be accepted by the drilling companies before approval of any application for permit to drill in Pennsylvania.

Operators objecting to such testing will not be permitted to drill in Pennsylvania.

These large international drilling companies should be eager to demonstrate the safety of their operations!

Mandate the use of chemical tracers to determine whether drilling fluids have contaminated the fresh groundwater zone.

§ 78.56. PITS AND TANKS FOR TEMPORARY CONTAINMENT

Completely ignored in the proposed rulemaking by the TAB and EQB.

Pitless or closed loop drilling systems should be required when the operations at deep high pressure well sites are within 1,000 feet of SURFACE WATER, PRIVATE WATER WELLS and PUBLIC WATER SUPPLIES.

Flowback and stimulation fluids should be contained within tanks that are placed on a well pad or in an area with perimeter berm construction.

Pit level indicators should be required.

§ 78.72. USE OF SAFETY DEVICES --BLOW-OUT PREVENTION EQUIPMENT

DEP should have the authority to require certain blow-out prevention equipment in certain situations.

§ 78.84. CASING STANDARDS

Proposed rule reads, "The casing must pass a pressure test by holding the anticipated maximum pressure to which the casing will be exposed for 30 minutes with not more than a 10% decrease in pressure. The operator shall notify the Department at least 24 hours before conducting the test. The test results shall be entered on the drilling log."

Notification is fine.

However we believe a DEP representative should be present to witness the pressure testing of the casing and verify the integrity of the deep high pressure well.

Test results entered on the drilling log is pathetic.

The "honor system" fails to protect our drinking water supplies in Pennsylvania.

POINTS NEGLECTED

A DEP representative should be present to witness the type of stimulation, the amounts and types of materials used, stimulation pressures applied, and the flow and pressure results before and after stimulation. The drilling contractor should determine the amount of fracking solution left in the borehole.

If a deep high pressure well falls within a high density area all pumps, pits, wellheads and production facilities should be adequately fenced to restrict access by unauthorized persons.

For security purposes, all equipment used in the operation of a completed well should be surrounded by a fence six (6) feet in height, constructed to conform with local written standards.

Pennsylvania has no specific laws on the high pressure wells with directional drilling in deep geologic formations. So we have this exercise to amend the badly outdated Oil & Gas Act. No wonder Pennsylvania is being exhibited as a model for how not to drill for natural gas in the Marcellus Shale.

We urge the Environmental Quality Board to enact the proposed rules and consider more.

Thank you for the opportunity to submit our comments.

Elaine Futej - Secretary
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