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AUG 17 2010

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From: diane ward [pekin_2@yahoo.com]
Sent: Monday, August 09, 2010 6:57 AM
To: EP, RegComments
Subject: 25 PA.?CODE CH. 78?Oil and Gas Wells Proposed Rulemaking EQB- Comments

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Thank you for your efforts to improve the PA regulations regarding Oil and Gas Wells. After careful review of the proposed rulemaking on Oil and Gas Wells, I hereby submit the following comments for your consideration:

78.83 (2) (c) The requirement for protecting fresh groundwater with surface casing should be that the operator shall drill to approximately 100 feet below the deepest fresh groundwater or at least 100 feet into consolidated rock, whichever is deeper, and immediately set and permanently cement a string of surface casing to that depth. The proposed regulation currently shows a requirement of 50 feet below the groundwater or 50 feet into consolidated rock. The 100 foot requirement was part of the proposal reviewed at the March 25th TAB meeting. I do not know why it is now shown as having reverted back to the original 50 feet requirement. This additional protection for water supplies is justified by the need of the people of PA to protect their pre-existing and lawful private drinking water supplies, and was supported as a needed change by the DEP.

The DEP is also seeking input on the installation of centralizers in this section. Relative to cementing, there is no substitute for a casing which is centered. After the first centralizer within 50 feet of the casing seat, centralizers should be installed in intervals no greater than every 50 feet above the first centralizer. This frequency will help to insure that the cementing operation is successful in protecting the fresh groundwater supplies of the Commonwealth of PA. The current proposal calls for every 150 feet after the first centralizer.

The following is a proposed new standard to proactively reduce the probability of gas migration caused by communication of a gas well with a legacy well.

78.77 Drilling in the area of an abandoned or orphan well or a well plugged using procedures and standards less protective than those detailed in this revision of 78.92, 78.93, 78.94, and 78.95.

An operator proposing to drill a well within one mile of an abandoned or orphan well or a well plugged using procedures less protective than those detailed in this revision of 78.92-78.95, shall forward by certified mail a copy of the well location plat showing the location of the abandoned, orphan, or previously plugged well, the drilling, casing and cementing plan for the new well and the anticipated date drilling will commence to the Department and shall submit proof of notification to the Department with the well permit application. The operator will be subsequently required to provide to the Department the well record of the abandoned or orphan well or previously plugged well. Upon request of the Department, the operator will be required to assess the orphan, abandoned, or previously plugged well for mechanical integrity, defective casing or cementing, and excess pressures and provide this assessment to the Department. The Department will determine the appropriate prerequisites to drilling the new well, which may include the plugging of the orphan or abandoned well utilizing current

standards as specified in 78.92-78.95, or may specify repair/re-plugging requirements for the previously plugged well which must occur prior to the drilling of the new well.

I previously submitted the above proposal for 78.77 in my comments to advance rulemaking. I am resubmitting it now because I feel that the Department's response to my concern about communication with a legacy gas well is insufficient to protect the fresh water supplies of the Commonwealth from gas migration. Basically, the Department's plan to deal with communication with an old gas well causing gas migration is to shut down the new well after the gas migration happens. This strategy is totally reactive, not proactive. It is the proverbial closing of the barn door after the cows get out. We, the people of PA need a proactive stance to the issue of gas migration caused by communication with older, legacy wells. We are not willing to accept the approach proposed by the Department which will cause our private water supplies to be contaminated by methane, and our houses to be uninhabitable. The Department has reviewed page after page of case studies indicating that these legacy wells are an issue. The Department should not permit the drilling of new Marcellus wells in the vicinity of legacy wells if it is not willing to issue regulations requiring the assessment, plugging, repair or other followup actions on legacy wells.

Based on my review of the data on the DEP's website, Bradford County PA has 23 inactive, previously plugged wells. In addition, there are three abandoned or orphan wells which need to be plugged in Bradford County. In some areas of the states, the number of inactive, previously plugged wells and abandoned or orphan wells is even higher. These wells create a serious gas migration risk to the rural private water supplies, and safety, of Bradford County and PA residents as new Marcellus wells are drilled in the vicinity of these legacy wells. An example of this is the Harold W. Lundy 1 OG Well (13413) last inspected/plugged in 1991. In my comments to advance rulemaking I discussed this legacy well and the very nearby Lundy 2H well which was at that time permitted. Five months have passed, and the Lundy 2H well has now been drilled, spud as of 5/13/10 API # 015-20556. It has not yet been hydrofractured. I am hoping for the best, but fear the worst. There are no regulations in place to minimize the chance of a communication event happening when the Lundy 2H is fraced. If gas migration happens in the vicinity of this well, I will consider both Chesapeake and the DEP responsible, since the DEP had advance knowledge of the concern provided to them on multiple occasions in writing, and has chosen to refrain from promulgating regulations restricting gas drilling near legacy wells, or proactively requiring conditional assessments of said legacy wells first. We urgently need a regulation concerning drilling and fracing near legacy wells. Thank you for considering this serious input.

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