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April 18, 2016

RE: Regulation #7-484: Environmental Protection Performance Standards at Oil and Gas Well Sites (25 Pa. Code Chapter 78 revisions from the Environmental Quality Board)

Dear Chairman Bedwick and Honorable Members of the Board:

As a company involved in the exploration, development and production of natural gas in the Commonwealth, we have been closely following the above referenced rule making. We believe the review process, as required by the Regulatory Review Act, has not been followed, and that these substantive failings necessitate disapproval of the rule (Regulation #7-484: Environmental Protection Performance Standards at Oil and Gas Well Sites) by the IRRC. In particular, the failure of the Pennsylvania Department of Environmental Protection (the "Department") to provide the proposed forms, necessary for implementation of the revisions at the time of the proposed rule, has undermined our ability to engage in a fully informed review and comment on the impacts of the regulation.

We have reviewed the forms provided to the IRRC in the Department's submission of the final form rule, but given the complexity and numerous ambiguities in the final form rule, we cannot effectively determine, or comment on, how they will affect our daily operations. Many of the forms are new - in response to new obligations in the final rule. If the forms had been provided, as required under the Regulatory Review Act, with the proposed rule, the public would have been able to engage in conversations with the Department to better understand the full implications and impacts of the proposed rule itself. Providing the forms at this later date frustrates the letter and spirit of the law, which requires forms to be provided much earlier in the process so that the final rule reflects the input and comments of an informed public.

We appreciate the need for balanced regulation of the oil and gas industry, and believe that existing regulations provide a strong framework that protects the environment while allowing for the optimal development of oil and gas resources. We appreciate your consideration of our comments.

Sincerely,
PennEnergy Resources, LLC

Douglas G. Mehan, PG, CSP
Director Health, Safety & Environmental