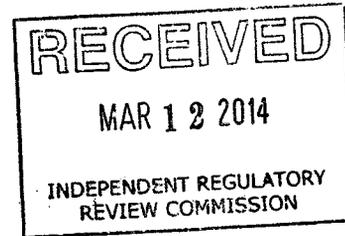


3042

February 12, 2014

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



RE: Presenting Comments at the Public Hearing, Warren County Courthouse, Warren, Pennsylvania, with respect to the Proposed rulemaking on 25 PA Code Chapter 78, Subpart C - Environmental Protection Performance Standards at Oil and Gas Well Sites

Dear Board Members:

My name is Tom Kirsch and I am speaking as a part owner of Oil & Gas Management, Inc., a Pennsylvania small business that incorporated in 1991. Today we are a successful independent producer of natural gas that owns and operates three hundred (300) conventional gas wells in southwestern Pennsylvania, and employ seven (7) full-time Pennsylvania residents.

In addition to our in-house staff we retain many local small businesses to provide materials, labor and professional services in the course of our business operations.

The principals of our company have firsthand experience with the extraordinary efforts made by Pennsylvania's conventional oil and gas industry to be good stewards to the environment and good neighbors in the communities where we live and work.

Small businesses like ours have drilled and operated conventional wells without incident under the current regulations that have been in effect for the past thirty (30) years. This is why it is so difficult to understand why the DEP proposed revisions to Chapter 78C to include the conventional oil and gas wells.

2. 78.52 a. Abandoned and orphaned well identification. Will this requirement be handled on a "best efforts basis"? If operators do not have surface agreements to access private properties to identify abandoned and orphaned wells, the surface owners may require unreasonable payments, or deny access. If the operator cannot comply with this requirement due to access issues, will the DEP deny the issuance of a permit? The distance requirement for identifying these wells should be reduced for conventional well sites.

In summary, it is important that these proposed new regulations should not be passed in their current form. The DEP should consider separate regulations for the conventional oil and gas industry.

Thank you for the opportunity to be heard on this matter.

Sincerely yours,

Thomas A. Kirsch

**Thomas A. Kirsch
Oil & Gas Management, Inc.
1205 Airedale Drive
Bethel Park, PA 15102
412-835-2098**