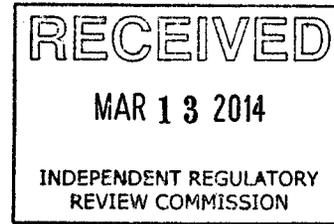




3042



March 10, 2014

Environmental Quality Board
Pennsylvania Department of Environmental Protection
P.O. Box 8477
Harrisburg, PA 17101-2301

RE: Proposed amendments to Chapter 78 (Oil & Gas)

Dear Honorable Members of EQB:

The Pine Creek Headwaters Protection Group is a group of professionals and citizens working to protect the Pine Creek Watershed in Northcentral Pennsylvania. We have partnered with local groups to assist in the writing of a River Conservation Plan, adopted in 2005, and recently updated. One of the reasons for the update was the unprecedented expansion of natural gas extraction in the watershed. We have major concerns and one of the first examples of pollution from the Marcellus Play occurred in the Pine Creek Watershed in 2010 with a spill into Pine Creek. The Pine Creek Headwaters Protection Group believes that proactive and strong protection of our water resources and the forests they spring from should be our highest priority.

The Group is concerned that the current proposed amendments to Chapter 78 do not provide sufficient protection from potential adverse impacts of gas well development on our water resources. To that end we are recommending further strengthening of the proposed regulations to:

- Utilize delineated Sourcewater Protection Zones in the review of permits, Notification to permit applicant of these SWPZs, Develop appropriate isolation distances greater than default distances, along with other appropriate conditions to proactively protect sensitive source water in SWPZs.
- Increase the time period for public water suppliers to respond with comments to at least 30 and better 60 days after receipt of notices from the Department.
- All fluids related to Oil & Gas should be contained in above ground engineered containment to reduce the risk of contamination to soil and groundwater or runoff to surface waters.
- The prohibition of construction of fluid storage within 100 feet of certain water bodies should be extended to ALL water bodies!



- Retain the definition of seasonal high groundwater table to ensure clarity and consistent enforcement.
- DEP should respond to comments received about a permit that may affect an important resource, especially comments from public resource agencies at all levels of government.
- The proposed regulations have many requirements designed to expedite permit requests. These timetables don't allow enough time to safely evaluate many of the requests. If a permit needs to be expedited then there should be an extra fee required to hire more qualified DEP staff to properly review the technical issues.
- Ensure all oil and gas activities, not just the limits set in Section 78.51(c), are investigated by the DEP Bureau of Oil & Gas.
- Do not compromise the DEP obligation to protect the environment and our citizens constitutionally guaranteed rights (Article 1, Section 27) in order to serve private oil & gas interests.

We appreciate the opportunity to comment on the proposed Chapter 78 Regulations, and we urge the Department to carefully consider additional measures to protect water supplies, surface waters and the citizen's right to clean air, water and a healthy environment.

Sincerely,

Ronald Comstock

Ronald Comstock
President

cc: Marcus Kohl, NCRO