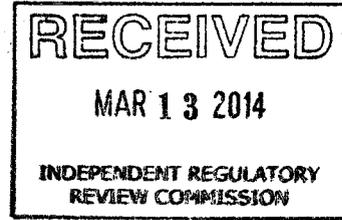


DEAR ENVIRONMENTAL QUALITY BOARD MEMBERS,

I would like stricter laws on protecting drinking water when fracking & want them to be required to test the water supply and restore it to safe conditions if need be.

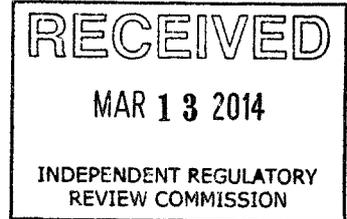
Beth Krumm
120 HILLVIEW
KING OF DRUSSIA, PA

3042



3012

**Testimony by Thomas A. Miller
Environmental Quality Board Hearing
Indiana, PA
January 23, 2014**



My name is Thomas A. Miller. I am a fourth generation oil producer. I live at 560 Route 16 South, Olean, NY. I am from New York but the Pennsylvania oilfield extends into New York State. If the refineries and supporting industries go down, I go down too.

The conventional 155 year old Pennsylvania shallow-well oil production industry is located in some of the most beautiful country in the world. This includes the historic Oil Creek Valley where there was once a forest of derricks in the infancy of the industry. This is fact. If you don't believe me, go visit Oil Creek State Park and see for yourself. There was more oil in Oil Creek before the birth of the oil industry than there ever is today. The creek was named for the natural oil springs and seepages along its banks.

The oil produced by this industry, Penn Grade Crude, found only in PA, NY, WV and Ohio, is the most environmentally-friendly crude oil in the world, being the source for many specialties including personal care products and even food additives as well as high quality lubricants.

Besides being direct employment for thousands in western Pennsylvania and beyond, the industry is a very significant economic driver for the whole region. It is responsible for the employment of thousands more who work in other businesses that are providers of services and supplies. This is in addition to the tax base provided by the industry. The elimination of the oil industry would devastate the entire region but the effects would be felt all over the state and into other states as well.

Why should this industry be made extinct by inclusion in a new set of rules designed for a brand new industry (shale gas) that has very little in common with the shallow well industry other than the fact that it produces a resource from the earth? The need for many of these rules, even for the shale industry is suspect. The pressures encountered, the toxicity of substances involved, if any, as well as space required, traffic generated,

and water usage for conventional wells is minuscule compared to the unconventional wells. *My home water supply is a former oil well.*

When applied to conventional wells, many of the rules are actually environmentally counterproductive. For, example, why is it necessary to carve a highway into a well location when not much more than a cow path is needed? The enforcers appear to be driven more by the desire to issue citations and show who is boss than anything to do with actual environmental benefit.

The purpose of the DEP should be to help the industry to operate in an environmentally sound, efficient and productive manner, not to harass it to death.

I understand that this is all being driven by so-called "environmentalists" who get their technical advice from celebrities and media bias and scoff at those who have devoted their entire lives to acquiring genuine expertise. One has to really question the actual motives behind these people. Why should state government give them more credibility than the hard working people who are doing their best to make a living and provide necessary and valuable resources that have made life better for all?

When the big corporations who are no longer in the picture, had large secondary recovery projects in operation they had single point discharges of thousands of barrels a day of produced water. Some of them actually kept the streams flowing in dry weather and some of the streams are renowned for their trout fishing. The government didn't have a problem with that but now a hard-working little guy trying to make a living is a felon for discharging gallons of produced water which is often beneficial to the vegetation by providing traces of nutrients.

In spite of this it is deemed right and proper for the State, itself, by the State itself, to annually dump hundreds of thousands of tons of unrefined deep-mined salt on the highways. You don't see or hear the so-called environmental groups up in arms about this but it doesn't bother them to constantly cite untruths, half-truths, misrepresentations and non-disasters to further their goal. Isn't there something wrong with this picture?

If the Penn Grade Crude production industry is destroyed not only will it

mean the loss of employment and prosperity to many but a tremendous source of a valuable resource will be lost that may never be regained.

Shallow conventional wells must be considered separately from deep unconventional wells. The regulations that were already in place pursuant to Act 223 were more than adequate to address the conventional industry.

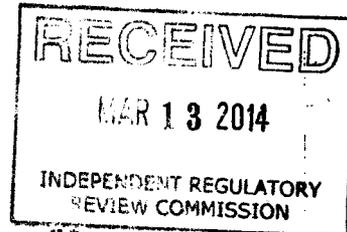
To the members of the Environmental Quality Board I ask that you base your decisions on truth and justice and not on narrow-minded opinion.

Thank you.

Thomas A. Miller
560 Route 16 South
Olean, NY 14760

January 6, 2014

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Brian COPE supports



Berks Gas Truth * Clean Water Action * Delaware Riverkeeper Network * Earthworks * Clean Air Council *
Damascus Citizens for Sustainability, Inc * Sierra Club, Pennsylvania Chapter * PennEnvironment

Proposed changes to Pennsylvania's oil and gas regulations *Key concerns*

In mid-December, the Department of Environmental Protection (DEP) issued proposed changes to the state's oil and gas regulations, known as Chapter 78 of the Pennsylvania Code. Act 13, the oil and gas law passed in 2012, requires DEP to make these changes. They are also necessary because regulations for conventional drilling are outdated and inadequate given the large amount of land and water used and waste and pollution produced in shale gas development.

Public participation is essential to making regulations stronger and more protective of air, water, and health! You have until February 12 to submit written comments or testify at hearings. You can use the analysis and talking points below (which cover key parts of the regulations) to prepare your comments. The regulations and public comment information are at:
www.portal.state.pa.us/portal/server.pt/community/public_resources/20303/surface_regulations/1587188

Please make sure to request that the comment period be extended to 120 days to allow sufficient time for public review and that DEP schedules additional hearings in locations with extensive gas development.

1. Pre-drill water testing and the restoration and replacement of contaminated water supplies (Sections 78.51 and 78.52). We learned through DEP's determination letters that natural gas drilling operations have impacted at least 161 water supplies statewide. The natural gas industry has fought to have water restored to only pre-contamination conditions—even if it is not safe to drink. In addition, DEP leaves it up to the driller to decide when, where, and how to conduct water quality tests before drilling starts. DEP should require:

Operators to restore contaminated drinking water to a quality that meets Safe Drinking Water Act standards. no matter what the quality of the water prior to drilling. If the quality of a water supply prior to drilling was above these standards, the operator must restore the water to that higher standard; otherwise, good water supplies will be degraded.

All drillers to use a consistent list of parameters for pre-drill water testing, which DEP must establish before the proposed regulatory changes are adopted. The parameters should be as comprehensive as possible, but at a minimum match what DEP uses when it conducts full contamination investigations and to ensure that complete baseline data is available.

All drillers make pre-drill data available to the public, while protecting individual homeowners' privacy, through an online platform, which DEP must establish before the proposed regulatory changes are adopted.

2. Standards for frack pits and impoundments (Sections 78.56, 78.57, 78.58, and 78.59). Mounting violations and the potential for water and air pollution have already led some companies to transition away from pits and standardize the use of closed loop systems which utilize tanks to store wastewater. DEP should:

Prohibit operators from using open pits for storage of regulated substances, including wastewater, drill cuttings, and substances (like gels and cement) that return to the surface after fracking. Many spills, leaks, and other problems involving pits have occurred statewide that contaminate water, soil and air. Waste should be stored only in closed systems.

January 6, 2014

Prohibit the onsite processing of shale drill cuttings, which often contain hazardous substances and radioactive materials and require thorough analysis and special handling.

Define "freshwater" that is used in oil & gas operations. Water leftover from fracking and contaminated fluids being recycled for fracking (such as from mining or sewage) is often mixed with clean water for additional operations. The lack of a clear definition allows operators to avoid regulations on the use and disposal of polluted substances.

3. Disposal of brine, drill cuttings, and residual waste (Sections 78.60, 78.61, 78.62, and 78.63, and 78.70) Operators currently escape the strict federal regulation of hazardous substances that other industries have to follow. Yet drilling and fracking generate large amounts of solid and liquid waste that can harm water supplies, air quality, land, health, and wildlife. Pennsylvania should apply U.S. Resource Recovery and Conservation Act standards to regulate all aspects of the storage, transport, and use of hazardous materials contained in pits, centralized impoundments, and tanks. In addition, DEP's proposed Chapter 78 changes don't address the risks posed by hazardous waste and do little to improve current regulations or ensure safe disposal. DEP should:

Prohibit the burial or land application of drill cuttings, which can contain polluting and radioactive substances. DEP proposes different conditions for disposal of drill cuttings from above and below the well casing, but neither makes the practice safe. Cuttings from deep underground may contain more pollutants, but chemical additives and contaminated fluids are also found in drill cuttings from shallower areas.

Prohibit the onsite burial of waste pits. Buried pits can leak and pollute groundwater over time, yet burial allows operators to walk away from any responsibility after completing operations.

Prohibit the use of brine for dust suppression, de-icing, and road stabilization. Stormwater runoff carries brine into nearby waterways and wetlands. Not allowing the use of brine from shale gas wells is a positive step, but brine from conventional wells can also push salinity loads far above any naturally occurring conditions.

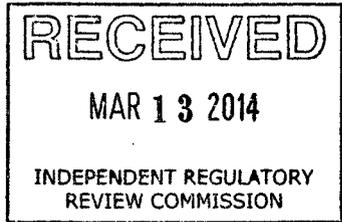
Prohibit the land application of tophole water, pit water, fill, or dredged material. These substances can contain chemicals and sediments bound with pollutants that pose risks to water, air and soil.

4. Identification of orphaned and abandoned gas and oil wells (Section 78.52(a)). This is an important change and should be supported. About 200,000 abandoned wells exist statewide. As drilling spreads and intensifies, so does the chance of accidents, blowouts, and pollution from the intersection of new wells with old ones. DEP should expand these changes and require operators to:

Identify existing wells before site and well construction and drilling (not just fracking), so that the location of a new well can be changed if needed.

Plug and seal or otherwise appropriately address abandoned and orphaned wells according to state safety standards *prior* to well site construction. The state lacks funding to address the large number of old wells, so drillers should be responsible for preventing pollution of adjacent water wells and air pollution from accidents when they occur.

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Please extend the comment
period to 120 days.

Amy R. Haviland
1916 Rockwell Rd.
Abington PA 19001

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1728 Lincoln Way
White Oak 15131

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Thompson

Hello, my name is Melissa [redacted] was born and raised in Potter County where the Allegheny River begins, and now reside in Allegheny County, where the Allegheny River forms the Ohio. I'm going to talk a lot about water, surface water, but also groundwater since there is no real separation between the two in the water cycle.

comment on surface development in general

But first I'd like to request the board extend the typical 60-day comment period to 120 days, given the well documented impacts from oil and gas drilling and hydraulic fracturing and the expansive nature of this industry in our Commonwealth. I once heard Dr. Terry Engelder, the "Godfather" of the Marcellus Shale, say that the full scale implementation of this oil and gas rush over the next decade or so will consume fifty percent of our beautiful, resource-rich Commonwealth. Fifty percent, and yet there still is no comprehensive plan about how the state will orchestrate this consumption of the Commonwealth's water, land, soil, and fossil fuel resources. No overall plan. But hey, who needs a plan when you have regulations as amazing as this? Let me quote from the proposed new rules:

"A person who wishes to document the quality of a water supply to support a future claim that the drilling or alteration of the well affected the water supply by pollution may conduct a predrilling or prealteration survey in accordance with this section."

This regulation needs to be clearer about what "a predrilling or prealteration survey" is. For example, is it one test? Two or maybe four tests conducted during different seasons, given that seasonal high groundwater tables fluctuate? I spent two years interviewing Pennsylvanian's whose water has been contaminated since nearby oil and gas drilling. I did so professionally, as a journalist, for an investigation that led to the documentary *Triple Divide*. Evidence from our findings, also in the film, deal with all of the key provisions of this proposed regulation. Here's what we found regarding predrill testing and surface water protection:

Predrill tests conducted on private water supplies by operators before drilling and fracking have been allowed to be dismissed during water contamination investigations by the state. The documentary *Triple Divide* covers two such cases, but in our investigations we found others. In one case, a predrill test was dismissed because it was a "one-time" test rather than a series of tests. Another predrill test failed to protect a water supply owner because her complaint came six months after the well was drilled.

The industry has been allowed to provide an alternate source of water for some impacted homeowners 'off the books.' DEP makes the determination that the company "is not responsible" for the polluted water supply and the case is not counted as part of the total number of water contamination cases in the state - even though they have a predrill test that shows their water was clean before drilling.

Predrill testing is all the documentation there is to protect Pennsylvania water supplies, and the proposed regulations under section 78.52 need to be made more specific and robust.

As your summary for these regulations aptly points out, "Pennsylvania has more water resources than any other state except Alaska." That's right! We do! I mean, we don't learn that in school and I can't remember where I first heard that - but Pennsylvania has more freshwater resources than another other state...except Alaska. America is rapidly losing its fresh water sources as demonstrated by California Gov. Jerry Brown's drought emergency declaration just days ago, and the chemical spill in Charleston, West Virginia that's contaminating it's way to the Gulf of Mexico. We live in a time when water has become the reason for wars across the world. And here, in Pennsylvania, pristine, fresh water bubbles out of the ground all over this state, so much that we take it for granted.

The summary regulation states: "One focus of this regulation is to protect the vast water resources throughout

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MAR 13 2014
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Pennsylvania." But in my opinion, this regulation no more protects the vast water resources throughout our Commonwealth than a "heavy-duty" cardboard box will protect donuts from a black bear.

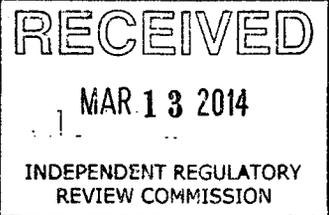
Finally, I'd like to submit this copy of *Triple Divide* as evidence of the gross mishandling and blatant negligence afforded our water resources, and of the characteristic inadequacy of these proposed "updates" to our Commonwealth's laws.

And I can't leave without failing to mention that right now, DEP and the administration of this state are fighting to prevent citizens from deciding where oil and gas drilling and fracking happen in their own communities. The state is literally trying to usurp our right to regulate development where we live. This is the worst abomination of all - a totalitarian attempt to limit the freedom, democracy and independence that was fought for and drafted into the United States Constitution right here in Pennsylvania. And to that, all I can say it, 'Citizens, it's time to rewrite the Constitution of this Commonwealth to include the inalienable rights of all communities to govern themselves and to establish the rights of Nature herself, without whom we would not exist.'

Natural gas may be touted as a bridge to a renewable, clean future, but who needs a bridge, if there's no water?

Thank you.

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If you could extend the comment period to 120 days I think we all could work something out. But the fact that you are putting dangerous chemicals into the ground is affecting our water and anybody could be drinking that water even young children now do you want kids to get sick from now on? Look I'm not the best at persuading people but if you could just extend the comment period for a bit longer I'm you and the people could work something out.

Liam Finlan
250 Tulpehocken Ave
ELKINS PARK, PA 19027

3042



Dear Environmental Quality Board members,

I am, Wayne Valouch and I'm writing to you about the Environmental Protection Performance Standards at Oil and Gas Well Sites. My family and I agree in not allow these companies to affect our watershed areas. I can tell you one major reason why.

My one major reason is because after it's done, we have open air fresh pits that can leak toxic chemicals into our groundwater and soil. I'm not sure if you heard but some states are losing their water supply to many reasons including Gas drilling. Our state has a lot of great resources and animals we have to protect especially upstate. Another thing it mentions is soil. A website called "Conserve Energy Future" says soil pollution has gone up tremendously due to Agricultural Activities. Soil pollution occurs when chemicals get mixed with water and air. Once that happens the land is polluted period. Soil pollution has major consequences to our health. Soil pollution could actually explain the surge in small and terminal illnesses. It also has effects on plant growth, of course soil fertility and toxic dust. I know the positives for gas drilling but you must find a safer way before destroying our environment.

Gas drilling has had so much effect on different states in the US, including Texas, Ohio, West Virginia and others. Pittsburgh in Pa also received hundreds of complaints about Gas Drilling. Don't add Philadelphia and the rest of Pa to this list and keep our land clean. I would chose our water over gas. We could burn coal and need to keep warm. There's also a quote from Hal Lindsey that says "Man can live about 40 days without food."
TURN OFF R.

about 3 days without water and 8 minutes without air... but only for one

second without hope" it doesn't say anything about gas. Protect Our Land.

Please let Pa burn coal and wood. It will not damage the environment and
will only be burned in the coldest time of the year and only for heating purposes. ^{by}
Only time we should use commercial heat is for the elderly, sick, or disabled.

Pa residents

Sincerely, Yours

This is only a house-hold opinion and
OR, anyone at this house hold will be
responsible for any & all facts written. !!

at;

8 McFADDEN DR.

Hewitt, UL Y. Pa. 19006

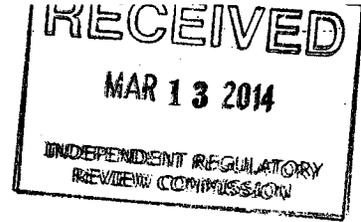
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1. Stop all fracking until
research indicates it is safe.

FRED ROTTENBERG
639 CROSSWICK RD.
RYDAL, PA 19046

3042



I am against Fracking in all
its aspects and tired of the
problems it is causing for the
environment.

Please consider an
anti-fracking bill!

Sincerely,

F. O. Walden

Florence Walden

America the Beautiful

Environment & Quality Board Member
11/9/2014

Please take care of our water supply
by stopping the use of open air fracturing.

Unfortunately the Government in PA
has no regard for our environment. We,
the citizens pay our taxes & deserve our
water supply and our overall environment
to be safe.

Please do your part to make it happen
for us & the future.

Thank you.

Losaki Forey
1516 Arline Ave.
Lancaster PA 17001

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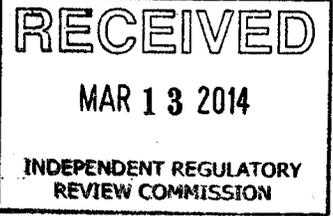
EQB Members:

Please stop contaminating groundwater and soil
through ~~oil~~ fracking. Restore what you have already
damaged.

Thanks,

Teresa Montano
439 Newbold Rd
Jenkintown, PA 19046

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Environmental Quality Board,

Extend the comment period
to 120 days.

Sincerely,
Mr. Shawn Sharkey
1381 St. Charles Pl.
Roslyn PA 19001

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MAR 13 2014

INDEPENDENT REGULATORY
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Date: Saturday,
March 8, 2013

To:

Environmental Quality Board Members

RE: Environmental Protection Performance
Standards at Oil; Gas Well Sites

PO Box 8477

Harrisburg PA 17105-8477

From: NANCY ADAMS

606 MORRIS LN

WALLINGFORD PA 19086

As a former resident of Ohio
(another state dealing with the
environmental impact of "fracking"
by the gas industry), I have been
following the news of gas industry
operations here in PA as well as
government responses and citizen
opinion.

Now that DEP has an opportunity
to establish new regulations for
such operations, I hope your
department will act to STRENGTHEN
RULES for drilling to include:

(1) prohibiting open frack pits

(over)

- (2) requiring operators to restore contaminated water supplies to safe standards (would not mean providing just water bottle supplies)
- (3) requiring pre-drilling testing of nearby water supplies.

Of course, the threat of water supply contamination would be eliminated if this fracking technique were banned. I am appalled by the realization that the hundreds of thousands of gallons of our precious fresh water used to drill these wells will never be able to be used again by humans and will need to be isolated from our living spaces.

Our state citizen needs for pure, fresh drinking water should be our state's and DEP's first priority in decision making.

Sincerely,
Nancy Adams

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3-6-2014

Municipal authorities and its citizens know the environmental ~~and~~ impact of gas and oil drilling in their community and want to keep standards to protect their right to clean air, pure water and preservation of material, scenic, historic and esthetic values of the Moraine State Park area. We are to be good stewards of these resources and maintain them as a public trust. Act 13 denies local communities & citizens this right. Since Pennsylvania's main industry is agriculture this is unacceptable. Some members of Franklin Township have fought in wars to keep laws like act 13 from taking away our right to protect and defend our way of life and peace of mind.

Please understand our right to protect and defend the precious Moraine State Park area and its natural resources. We don't want this Franklin Township dotted with industrial eyesores for the next 20-30 years.

If these short term "gains" continue the future of our way of life is jeopardized for the long term.

Ronald Tokarchik

Ron Tokarchik
216 Election House Rd.
Butler, PA 16001
724 865-2989



Ronald J. Tokarchik
216 Election House Rd.
Butler, PA 16001

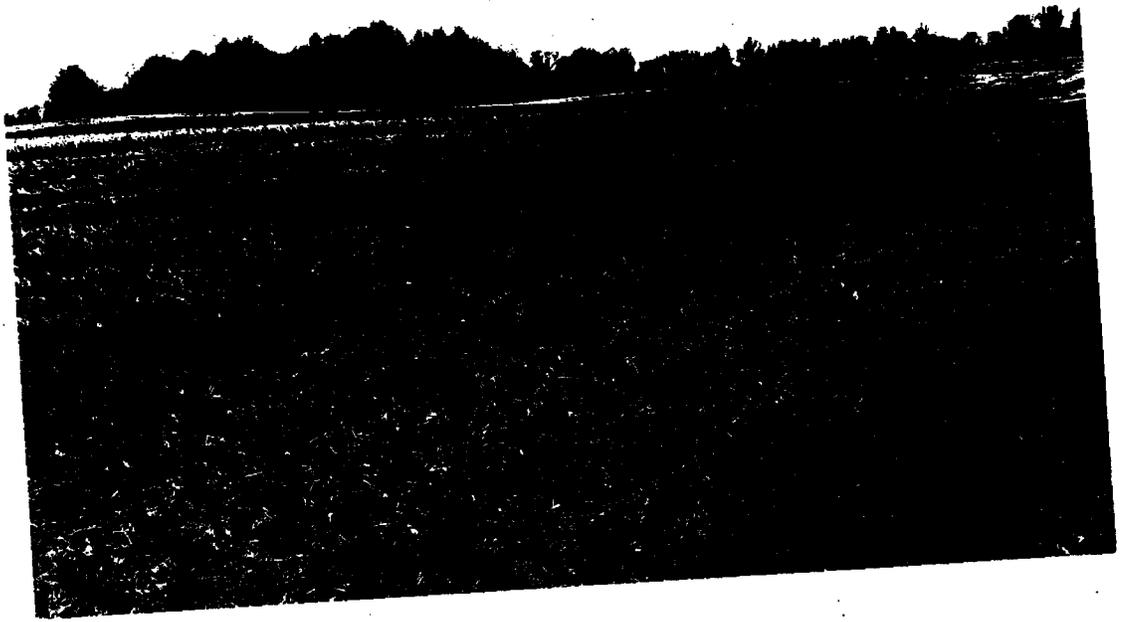
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Photos attached





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Cooper, Kathy

From: RegComments@pa.gov
Sent: Thursday, March 13, 2014 9:50 AM
To: Environment-Committee@pasenate.com; apankake@pasen.gov; IRRC; RegComments@pa.gov; eregop@pahousegop.com; environmentalcommittee@pahouse.net
Cc: ra-epmsdevelopment@pa.gov
Subject: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites

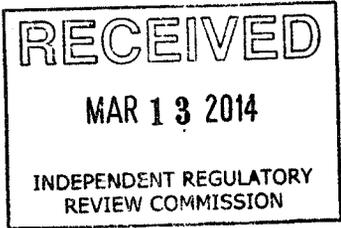


Re: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites

The Environmental Quality Board (EQB) has received the following comments regarding the above-referenced proposed rulemaking.

Commentor Information:

Evann Garrison
 (garriseg@westminster.edu)
 225 Beechwood Rd
 New Wilmington, PA 16142 US



Comments entered:

We, the Garrison family (Roman, Evann, Jessica, and John) all strongly oppose any permits to open and maintain frack waste pits.

Fracking threatens environmental health. Please create strict protection policies and monitor the fracking industry with all diligence to ensure we preserve and protect our state.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
 Hayley Book

Hayley Book
 Director, Office of Policy
 PA Department of Environmental Protection
 Rachel Carson State Office Building
 P.O. Box 2063