

3042

**Comments on Proposed Regulations 25 PA Code Chapter 78 (Oil and Gas Wells)**

**These laws and regulations need to cover Class II Disposal Injection wells also.** As unconventional Marcellus drilling increases in PA, there will be more need to dispose of frack flowback, produced fluids, drilling mud, possible radioactive waste and other liquid waste from oil and gas operations.

Very few of the rules provide protection to citizens who must live near disposal injection wells, as the rules already partially protect those living near Marcellus drilling operations.

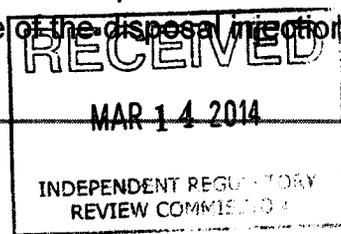
Any well driller who conducts a pre-drilling drinking water supply survey to protect himself should have to include a test for methane. A majority of well water contamination that results from drilling is caused by methane.

Notification must be given to all drinking water supply owners between 30 days and 60 days before the date a well is spudded, so that they can conduct their own pre-drilling certified water testing.

Disposal injection wells will cause high pressure underground for many years, unlike unconventional gas drilling operations using fracking that takes place during a matter of days or weeks. Because Class II Disposal injection wells will operate for many years, people living near injection wells need even MORE protection than those living near Marcellus wells. An injection well operates at high pressure for a long time. Marcellus wells are fracked under high pressure for only a short period of time. The injection well's high pressure for years means a longer time frame when water contamination or other damages are likely to occur.

Language that will provide protections and rights for those living near Class II Disposal injection wells needs to be incorporated into the regulations and laws.

Since Class II Disposal injection wells operate for many years, the setback distance needs to be larger than for unconventional horizontal gas wells. The Area of Review for those wells should not extend beyond the boundary of the surface tract on which the well operator has permission to construct the disposal well. Owners of drinking water wells within 1 mile of the disposal injection well should receive notice of well construction.



Sections 78.51 and .52:

Pre-drilling water testing and the replacement and cleaning up of contaminated water supplies:

- Operators should be required 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 should be required to use a consistent list of parameters for pre-drill water testing. 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. Testing for methane should especially be required.

Owners of drinking water wells should be notified no less than 30 days before well spudding and not more than 60 days before well spudding so that they have time to have their own certified water tests.

All drillers must make pre-drill data available to the public, while protecting individual homeowners' privacy, through an online platform, which DEP must establish immediately.

---

Sections 78.56, .57, .58, .59:

Open pits, impoundments and processing of drill cuttings:

- No open pits, or "frack pits", should be allowed on well sites; no hazardous substances in pits.
  - No onsite processing of drill cuttings; these cuttings can contain toxic and radioactive materials.
  - No mixing and storage in open impoundments of "reused" or "recycled" water from fracking and drilling with clean water for use in additional operations; "freshwater" is not defined, leading to "freshwater" impoundments with regulations that do not address their hazardous contents.
- 

Sections 78.60, .61, .62, .63 and 78.70:

Disposal of drill cuttings, "brine", and residual waste:

- No burial or land application of drill cuttings. We are creating the opportunity for thousands upon thousands of future "superfund" sites if we allow this toxic and often radioactive waste to be buried on well sites.
  - No burial of waste pits for the same reason.
  - No spreading of brine or flowback for dust suppression, de-icing or road stabilization. Spreading these dangerous and often radioactive fluids on roads provides a pathway for pollution of our streams and groundwater and can poison wildlife and kill vegetation.
  - No land application of tophole water, pit water, fill, or dredged material from drilling and fracking. The chemicals and sediments in this material should not be allowed to emit to the air we breathe, be mixed with the soil we grow our food in and our children play in, or to mix with our drinking water and streams.
- 

Section 78.52(a)

Orphaned and abandoned gas and oil wells:

I agree these wells should be identified but they must be identified before any site disturbance and recorded publicly, plugged and sealed according to state safety standards PRIOR to well site construction and testing of area water wells and intakes should be done by the operator to assess any pollution caused by the orphaned or abandoned well. These wells are a serious safety hazard in Pennsylvania and there should be every precaution taken to find them, avoid communication between new wells and old to avoid blowouts, accidents and well casing failure. These old wells that are pollution threats should be plugged.

Marianne Atkinson    221 Deer Lane    DuBois, PA 15801    Marianne5@windstream.net