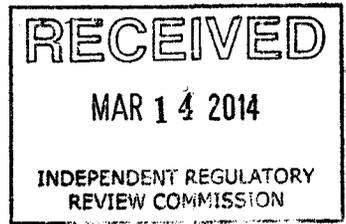


3042

Sierra Club Pennsylvania Chapter  
Summary of comments on proposed Chapter 78 regulations



The Pennsylvania regulations governing oil and gas wells have far reaching impacts that affect our communities, our environment, and the future of our Commonwealth. The Sierra Club has joined with others in providing detailed technical comments (See Earthjustice letter, March 14, 2014).

We are very concerned because the proposed changes do not go far enough to limit the damage our communities and environment are experiencing at oil and gas industry wells, frack pits, impoundments, pipelines, unpaved roads and related operations across the entire state. I support the tighter controls, but this proposal contain too few and simply does not go far enough to correct the harm that is being done. We have joined with other organizations in submitted detailed technical comments.

The "conventional" oil and gas industry should be subject to the proposed regulations. There are currently more than 129,000 conventional wells classified as "active" by the PADEP. This industry is also responsible for tens of thousands of orphaned and abandoned wells throughout the Commonwealth. Many of these wells are leaking gas and contaminated water. The proposed regulations would, in most cases, exclude application of best technology advances for conventional wells. Like unconventional wells, conventional wells use chemicals, water resources, disturb land, produce polluting waste, and require reservoir stimulation (including use of hydraulic fracturing in some cases). Conventional wells have also been involved in spills, accidents, and contamination (e.g., from methane migration).

The best protective measures should apply across the board to all operations in this industry:

- No open pits, or frack pits, should be allowed at well sites. Do not allow the use of pits for long-term storage and the burial of solid waste and other substances at well sites. Operators should not be allowed to bury waste on-site. Pits can leak and fail, and cause a substantially larger area impact than temporary tank use. Wastewater, flowback, and other fluids generated or used by oil and gas drilling should be stored in closed systems only.
- Centralized impoundments should be prohibited because they are inefficient, cause large-scale surface disturbance, pose a risk of surface and ground water contamination, and contribute to local air pollution.
- Orphan and abandoned oil and gas wells should be comprehensively identified, plugged and sealed before any site construction is allowed. 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 wells to avoid blowouts, gas migration, and accidents.
- Oil and gas operators should be required to use a consistent list of parameters for pre-drill water testing. The test parameters should include methane and should be comprehensive and at a minimum match what DEP uses when it conducts full contamination investigations and to ensure that complete baseline data is available.
- Oil and gas 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.

Submitted by: Thomas Y. Au, conservation chair, Pennsylvania Sierra Club (March 14, 2014)