

3042

Cooper, Kathy

**From:** RegComments@pa.gov  
**Sent:** Monday, February 10, 2014 9:19 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:

Mary Smith  
 (smithmarym@yahoo.com)  
 2001 S Clinton Ave  
 Rochester, NY 14618 US

2014 FEB 10 AM 10:17

RECEIVED  
IRRC

Comments entered:

I feel, as many other New Yorkers do, that Americans much protect our environment for others, as well as ourselves. Because there is the potential of water, air and soil contamination resulting from oil and gas well sites' problems, spills, leaks, not performing up-to-standards, etc ... I urge Pennsylvania to have adequate certified inspectors to oversee all aspects of oil and gas well sites from their location to the disposition of their waste. Please do not put the profits of drilling companies ahead of the health and wellbeing of Pennsylvania residents.

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  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
[RegComments@pa.gov](mailto:RegComments@pa.gov)

3042

**Cooper, Kathy**

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**From:** RegComments@pa.gov  
**Sent:** Friday, February 07, 2014 7:00 PM  
**To:** Environment-Committee@pasenate.com; apankake@pasen.gov; IRRRC;  
 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:

Christopher Minich  
 Mr. ([mystryman7@yahoo.com](mailto:mystryman7@yahoo.com))  
 313 Roberts Rd.  
 Lewis Run, PA 16738 US

RECEIVED  
 IRRRC  
 FEB 10 11 58 AM '14

Comments entered:

I do not believe with the past performance of abandoning gas and oil wells and with the shape my area of Pennsylvania has been left in where wells were left to leak oil, polluted water and gas materials, abandoned pipelines and equipment in countless unknown locations (you run across them if you hike or hunt) and with the previous destruction of water tables in this area by the Oil & Gas Industry that these entities have any business with "fracking methods" or injection wells.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
 Hayley Book

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

Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
[RegComments@pa.gov](mailto:RegComments@pa.gov)

3042

**Cooper, Kathy**

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**From:** RegComments@pa.gov  
**Sent:** Saturday, February 08, 2014 2:26 AM  
**To:** Environment-Committee@pasenate.com; apankake@pasen.gov; IRRIC;  
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:

Mercedes Lackey  
([helloelsie@gmail.com](mailto:helloelsie@gmail.com))  
16525 E 470 Rd  
Claremore, OK 74017 US

RECEIVED  
FEB 10 10 09 AM '14

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Comments entered:

I live in Oklahoma where these fracking pits abound. I can tell you from personal experience that they devastate wildlife (which mistakes it for safe water), but also contaminate soil, contaminate surface and ground water when they overflow and leak, and send toxins into the air that can affect people and animals for miles downwind.

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Hayley Book

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Hayley Book  
Director, Office of Policy  
PA Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

Office: 717-783-8727  
Fax: 717-783-8926  
[RegComments@pa.gov](mailto:RegComments@pa.gov)

3042

**Cooper, Kathy**

**From:** RegComments@pa.gov  
**Sent:** Saturday, February 08, 2014 11:57 AM  
**To:** Environment-Committee@pasenate.com; apankake@pasen.gov; IRRRC;  
 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:

Shannon Pendleton  
 Citizen (sandersondesign@gmail.com)  
 PO BOX 306  
 Bryn Athyn, PA 19009 US

2014 FEB 10 AM 9:49  
 RECEIVED  
 ENVIRONMENTAL PROTECTION DEPARTMENT

Comments entered:

February 8, 2014

Dear Members of the Committee ~

I would like to see the following changes made to Pennsylvania's oil and gas regulations known as Chapter 78 of the Pennsylvania Code. Act 13, the oil and gas law passed in 2012.

**FOREMOST** - Please extend the public comment period should to 120 days minimum and set more hearings in affected counties. More time is needed for people to participate in a meaningful way. 59 Pennsylvania organizations and thousands of people have signed a petition calling for more time.

1. Pre-drill water testing and the restoration and replacement of contaminated water supplies (Sections 78.51 and 78.52).  
 DEP should require: Operators to restore contaminated drinking water to a quality that meets Safe Drinking Water Act standards. 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. 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. Identified wells should be mapped on a



publicly available web platform.

Plug and seal 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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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Hayley Book

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Hayley Book  
Director, Office of Policy  
PA Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
RegComments@pa.gov

3042

**Cooper, Kathy**

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**From:** RegComments@pa.gov  
**Sent:** Saturday, February 08, 2014 2:01 PM  
**To:** Environment-Committee@pasenate.com; apankake@pasen.gov; IRRRC;  
 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:

Paul Palla  
(paulpalla69@yahoo.com)  
30 Cottage St  
Waynesboro, PA 17268 US

RECEIVED  
IRRRC  
FEB 10 10 06 09

Comments entered:

The public comment period should be expanded to 120 days minimum and more hearings should be set in affected counties. This is important and far-reaching rule making and more time is needed for people to participate in a meaningful way. 59 Pennsylvania organizations and thousands of people have signed a petition calling for more time.

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. Identified wells should be mapped on a publicly available web platform.

Plug and seal 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.

AND NO MATTER WHAT YOU OR ANY OTHER FOSSIL FUEL INDUSTRY PUPPETS SAY, FOSSIL FUELS = DEATH!!

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Hayley Book

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Hayley Book  
Director, Office of Policy  
PA Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
RegComments@pa.gov

3042

Cooper, Kathy

**From:** RegComments@pa.gov  
**Sent:** Saturday, February 08, 2014 4:07 PM  
**To:** Environment-Committee@pasenate.com; apankake@pasen.gov; IRRRC; 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.**

RECEIVED  
 IRRRC  
 2014 FEB 10 AM 08:19

**Commentor Information:**

Lawrence Kennedy  
 (lawrencekennedy@comcast.net)  
 4300 Church Road  
 Doylestown, PA 18902 US

**Comments entered:**

1. The public comment period should be expanded to 120 days minimum and more hearings should be set in affected counties. This is an important and far-reaching rulemaking and more time is needed for people to participate in a meaningful way.
2. Operators need 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.
3. All drillers need to use a consistent list of parameters for pre-drill water testing, which DEP must establish before the proposed regulatory changes are adopted. As a minimum, these 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.
4. All drillers need to 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.
5. DEP must 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.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Hayley Book

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Hayley Book  
Director, Office of Policy  
PA Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
[RegComments@pa.gov](mailto:RegComments@pa.gov)

3042

Cooper, Kathy

**From:** RegComments@pa.gov  
**Sent:** Sunday, February 09, 2014 5:43 PM  
**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:

Miriam Burstein  
 (punkin5170@gmail.com)  
 27 East Central Avenue  
 Paoli, PA 19301 US

2014 FEB 10 AM 8:49

RECEIVED INFO

Comments entered:

I'm concerned about adequate water testing. The EPA should establish a comprehensive list of pre-drill water testing parameters that match what will be used in a contamination investigation. The data from this testing should be made available online to the public.

Also, please take measures to prevent pollution from frack pits. Waste should be stored in closed systems not open pits. Drill cuttings should not be processed onsite and onsite burial of the cuttings should not be permitted. Also, orphan wells must be identified and sealed.

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  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
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[RegComments@pa.gov](mailto:RegComments@pa.gov)