

11/11/14

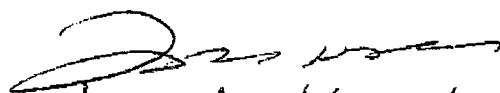
RECEIVED  
MAR 17 2014  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

3042

RECEIVED  
MAR 13 2014  
DEP Policy Office

Enclosed copies that could harm  
me and anyone in Gas Oil in PA. I was  
Pres. of Sterling Energy Inc with 156 wells  
in the Warren area & retired in '92. Receiving  
O.R.P. on certain leases. Decided to develop  
a lease that I've held since 1990 with 3  
permits I received last month, and received  
the enclosed. Since I was in the O&G I  
have found out that this state has  
incorporated foolish rules on leases and  
the developers. With this notice I am  
hesitating on developing the Warren  
lease. Think about this letter should  
you be involved in deciding.

Thank you

  
Louis Markopolos

3042

**Cooper, Kathy**

**From:** RegComments@pa.gov  
**Sent:** Monday, March 17, 2014 3:32 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

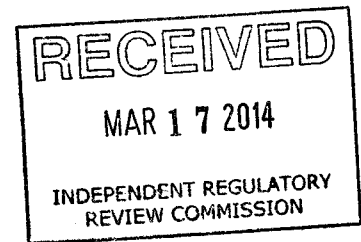


**Re: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites**

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

Commentor Information:

Laurie Barr  
 (saveourstreamspa@gmail.com)  
 275 Kim Hill Road  
 Roulette, PA 16746 US



Comments entered:

I submit the following comments on the proposed changes for the oil and gas surface activities.

In 2010 The Pennsylvania (PA) Department of Environmental Protection (DEP) volunteered to have its hydraulic fracturing program reviewed by The State Review of Oil and Natural Gas Environmental Regulations, Inc, (STRONGER).

One of the recommendations STRONGER made to the Pennsylvania Department of Environmental Protection was the following;

The review team recommends that DEP consider whether there are areas or situations in which wells (active and abandoned) in the vicinity of hydraulic fracturing operations provide pathways for fluid movement into groundwater. In such areas or situations, DEP should require operators to identify and eliminate these potential pathways for fluid movement into groundwater before conducting hydraulic fracturing operations.

"Require operators to identify" the potential pathways needs to be recognized for what it is: a recommendation to require operators to conduct surveys to identify nearby wells.

In order to comport with STRONGER recommendations; at minimum the Department of Environmental Protection's proposed changes to Act 78 should require a comprehensive environmental survey to be conducted.

Methods and standards of how the department will require operators to conduct environmental surveys need to be defined.

Locating wells, even for trained professionals can be difficult.

In some areas of Pennsylvania searching existing wells, such as areas of the Bradford Oil Field where early wells were cased with wood, many of the casings have disintegrated, leaving

unlined wellbores. Some have caved in, leaving wide open holes. Some are partially covered with vegetation or snow, surveying these areas can be extremely dangerous.

The department should consider this is not uncommon in some early oil fields and require professionals, trained in the field of environmental surveying to conduct environmental surveys in historic oil and gas fields.

STRONGER's recommendation was also to "eliminate these potential pathways for fluid movement into groundwater before conducting hydraulic fracturing operations."

Plugging is the only way to eliminate the potential pathways.

At minimum regulations should require orphan, abandoned and unplugged wells identified by surveys within 1000 feet of proposed wells and well bores to be plugged before authorizing new well permits.

During a comment period at the TAB meeting held in State College, Aug. 2013, a conventional well operator explained he had hydraulically fractured "shallow" horizontal wells. "At least 30."

Conventional well operators should also be required to perform environmental surveys and existing unplugged, orphan and abandoned wells should be plugged before new well permits are authorized, especially before authorizing permits for intentionally deviated shallow wells .

--

Laurie Barr

Wells don't heal themselves; they require plugging & re-plugging for the life of the planet.

Save Our Streams PA  
[www.saveourstreamspa.org](http://www.saveourstreamspa.org)

Phone: 814-203-9772  
Join Save Our Streams PA's Scavenger Hunt for  
Lost, Orphan and Abandoned Oil and Gas Wells!  
Support Save Our Streams PA

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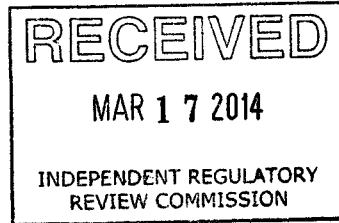
No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Hayley Book

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Pennsylvania D.E.P.  
Environmental Quality Board



March 13, 2014

3042

I would like to address two issues of the proposed oil and gas regulations:

**FLOW BACK AND WASTE PITS --** Four years ago, before retiring, I owned a manufacturing and wholesale canvas business. I learned of the gas industry's need for pit liners. I was familiar with liners of waste lagoons for dairy operations. And we had the equipment to handle rolls of films and fabric up to 3,000 lbs. This new opportunity seemed a natural for our business. In order to make an intelligent sales proposal, I studied lining design and materials. To my surprise, the Pennsylvania regs. were so lax compared with liners engineered for safety, like it was of consequence. The 30 mil and sometimes 20 mil, single layer, un-monitored, plastic liner is weak planning. But weaker still are the rules for cleaning up after drilling. In most cases, PA regs. Allow the operator to bury the drill cuttings, sludge of flow back chemical waste, and the liner on site in a shallow grave. I guess that is what is meant by, "cradle to grave" toxic material responsibility. Someone aptly compared this practice to creating thousands of little Love Canals.

**ORPHAN and ABANDONED WELL IDENTIFICATION and PLUGGING --** I am glad to see that article 13 acknowledged the communication or migration between the new and historic oil and gas wells. Are some areas, because of previous drilling or mining, unfit for new non-conventional drilling? If there is an interest to drill new wells in a pre-drilled area, who is responsible for finding and plugging the existing historic oil or gas well, or coal mine or salt well? I heard an argument from the industry as to that second question. That argument is, "no other industry has to clean up after a previous". That is weak. Would a rail-roader try to run a high speed train without doing extensive work on the road bed and tracks first? Would an auto mechanic change a water pump without replacing the weak hoses? Would you paint your house without preparing the surfaces to be painted? Would an army officer send his troops across a field or down a road without sweeping for mines? Besides, the gas industry today is beholding in many ways, to the pioneers of the industry. We should use the opportunity of today to clean up the environmental mess of the past.

Regards,

Leslie Rolfe

3042

**Cooper, Kathy**

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

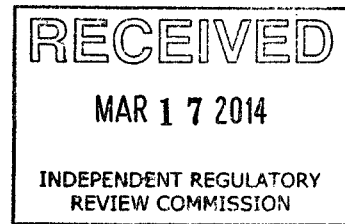


**Re: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites**

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

Commentor Information:

Rex Trimm  
(rxglass@yahoo.com)  
707 Laughing Ave  
Aliquippa, PA 15001 US



Comments entered:

The entire idea of an unregulated industry of any kind is bad for PA and stressful for the commonwealth. The environmental costs and impacts of the practice of fracking is ruining this great state. I have lived in PA now since 2001 and have watched perfectly good parts of the state that were fun to visit now nearly unrecognizable. I've watched the public become divided, municipalities become corrupted and people disenfranchised with the representation of their government officials who are sworn to uphold the constitution of the commonwealth. The very nature of the practice of fracking lends itself to outside foreign investment through hedge fund backed operations. Hedge fund based companies are not representative of a democratic process, nor do they play fair once they move into your area. I am currently living in an area where the law is being dismissed for profit. And who does it profit? The stock holders? The contractors? The massive amount of workers from other states? Pennsylvania relaxes restrictions and tax obligations of these giant corporate efforts and encourages citizens to forfeit their rights to participate in a free market economy by letting those with far more political and financial capitol to control the playing field.

In my own township, a distressed former steel mill town, the wealthiest of the residents are making all of the decisions and have placed their own people in key positions of the municipality in order to insure that they will make the most amount of money in this densely populated neighborhood with little to no regard for the rights of the majority of the citizens. My city is corrupted by factions of people who see this as a way to accumulate more wealth while not being accountable to the citizens or being able to make any guarantees of public health and safety let alone honoring citizens property rights. I believe people should be allowed a way to

make an honest living. And nothing about this practice allows for that.

It should be noted that while the gas advocates claim this is perfectly safe, they don't seem to have proof. The proof is far more on the side of the violations of the land and the painfully obvious problem this presents for stress on the watershed for generations to come. It would be a shame to poison such a beautiful landscape for the sake of making it possible for investment groups to make untold Trillions of dollars that never make it to the state coffers or benefit the communities. And that is exactly the path this carbon boom has set PA on. This behavior of fast action surveying and pushing for 6,000 new wells per year is fueled by speculations and not science or sound economics.

If Pennsylvania does not begin to strictly regulate and tax this industry and begin to study the environmental issues already imposed on the state, you will see more civil unrest and far more attention cast upon those in leadership who are simply unfit to lead the commonwealth in a constitutionally legal manner. I plan on making it a top priority to protect my land by studying the laws, economics and social problems associated with this situation and organizing an effort to educate more of the public to become aware of their rights as citizens. Because apparently this state does not have the leadership deserving to be the stewards of the land it needs to be.

Halt all fracking until it can be done in a safe manner.

Rex Trimm

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No attachments were included as part of this comment.

Please contact me if you have any questions.

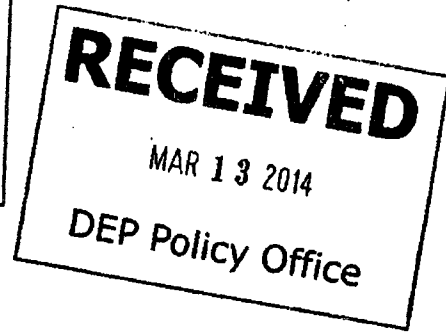
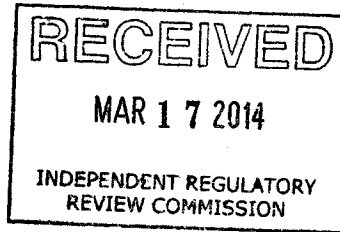
Sincerely,  
Hayley Book

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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

Environmental Quality Board  
P.O. Box 8477  
Harrisburg, Pa. 17105-8477



I am opposed to the new chapter 78 regulations being adopted into law. They were written to regulate the Marcellus wells, but they also include the conventional well operators.

The Marcellus shale wells and the conventional wells are two completely different industries. They should not have the same regulations.

These new regulations will do great harm to the conventional operators. The added cost of trying to comply with these new regulations will force many operators out of business. Which in turn will close our refinery. The refinery will not have enough Penn Grade Crude oil to keep running and make a profit.

The refinery along with the producers already operate with a small profit margin. The difficult economics are reflected in shrinking conventional oil and gas production, new conventional well completions have dropped from nearly 5000 wells six years ago to less than 1000 this past year. The conventional oil and gas industry is already in difficulty.

The conventional wells have been here for over 150 years and have left a very small foot print on the environment. They should have their own inspectors and revert back to the regulations of the Oil and Gas Act of 1984, as nothing has changed in that industry.

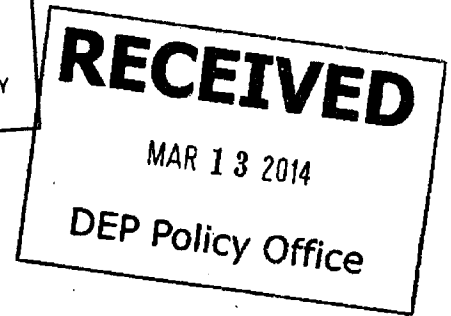
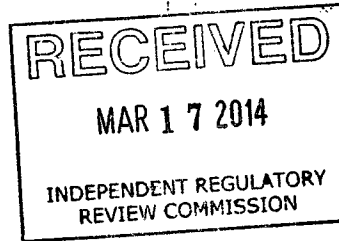
The regulations in both industries should be enforced with reasonable and knowledgeable enforcement.

Please vote no to these regulations until they exclude the conventional wells. Thank you.

Sincerely,

*Patrick J. Hopkins*  
Spartansburg, PA

3042



To: Board Members  
From: David and Janet Ellis  
Re: Proposed changes in regulations  
Date: 1-13-14

Currently we lease our land for oil and lease development and are concerned about the proposed DEP regulation changes. It is our understanding that such changes may prove expensive for those companies operating conventional oil and gas wells.

Our particular concerns address the significant changes to the conventional oil and gas industry. These changes surely will result in damage to the economy and will have detrimental effects to the community as a whole.

Please consider a change in the current form of the proposed regulations. A "NO" vote to these changes would reflect your concern about the economic well-being of the citizens of Pennsylvania.

Sincerely,

David and Janet Ellis

211 Orchard Lane  
Butler, PA 16001

tinniecoco@zoominternet.net



3047

Cooper, Kathy

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**From:** RegComments@pa.gov  
**Sent:** Monday, March 17, 2014 3:32 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

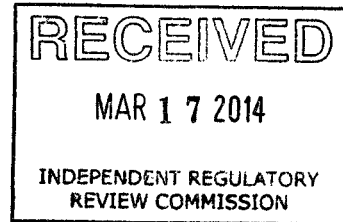


**Re: Proposed Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites**

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

Commentor Information:

Rosalyn Robitaille  
(robitaille.roz@gmail.com)  
603 Terrace Rd  
Ligonier, PA 15658 US



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Comments entered:

Members of Committee:

I have several concerns about the regulations in SB 411. I feel that they are not stringent enough to ensure the safety of air and water resources for the residents of Pennsylvania. No only is this detrimental to the health and welfare of residents, but will negatively affect the "livability" of the affected areas where hydraulic fracturing occurs.

To begin with, the history of regulation of hydraulic fracturing (fracking) gives me pause. The Federal Energy Policy Act of 2005 stripped the EPA of authority to regulate fracking despite the growing number of water pollution cases across the country at that time. Specifically, it exempted fracking from the Clean Water Drinking Act. We know this was a political decision influenced by then President Bush and Vice-President Cheney. Fracking has also been exempted from the federal Clean Air and Clean Water Acts. If fracking is so safe, why has it been exempted from regulations which other industries are subject to?

Because of the oil and gas industry's fear of regulation and due to the many environmental problems which have resulted from fracking in Pennsylvania and many other states, I would like to see very stringent regulations implemented in PA. I believe SB 411 can and should be strengthened as follows:

1. Ground, surface, and well water in proposed drilled areas must be tested prior to drilling, using consistent, comprehensive parameters established before these regulations are adopted.

The entire report of any water analysis must be available to landowners and the general public: no tested elements can be excluded from a report. Testing of the water should be continued long after the drilling process is completed. The reasoning behind this is that Pennsylvania continues to suffer from adverse water conditions due to fractured rock of the coal mining era.

2. Drillers, at their own expense, must restore the water to a quality which meets the Safe Water Drinking Act.

3. Frack pits and impoundments of fracture chemicals, water, drill cuttings and other toxic substances should not be left open and exposed to the air where particles may be released. Instead, they should be contained in closed loop systems and properly disposed of according to regulations which should be contained in SB411.

4. There should be regulations as to what type of water is used in fracking: fresh water, sewer or mining water, or any other contaminated water source.

5. There should be strict regulation regarding the disposal of brine, drill cuttings and other residual waste from drilling. Fracking operators should have to follow the regulations imposed on other industries regarding hazardous waste. After all, returned fracking fluid contains radioactive elements, benzene and other toxic chemicals, and brine. Brine should not be used for dust suppression or road de-icing due to the possibility the chemicals it contains will be dispersed into the air. Nor should residual waste be used as fill material for any purpose.

6. Pennsylvania has thousands of abandoned coal and gas wells, the location of which are unknown. The driller must locate these wells before drilling, so that the drilling process does not puncture them, contaminating drinking water supplies.

7. The regulations should take into account the accumulated harmful effects of many wells in an area. Where a single well may not present pollution which causes alarm, a concentration of wells in an area should be taken as a whole when evaluating air and water quality.

The above is not a complete list of suggestions. Several Pennsylvania organizations and/or individuals have presented other concerns for your consideration. I agree with all I have heard of or read.

I would like to urge you to take into consideration the danger imposed on the Commonwealth by the lightly or self-regulated hydraulic fracturing of the oil and gas industries, as they try to drill as quickly as possible before stricter regulations reign them in. Their main consideration is profit for the industry. Pennsylvania has been a very attractive state to do business, due to the political alliance of the current PA administration and lower "impact fee" rather than a tax imposed on them. Consequently, Pennsylvania is the cheapest state for them to do business.

But, please take into account the terrible environmental devastation they have brought to places in Colorado, West Virginia, Ohio, and Texas. With tens of thousands of hydraulic fractured wells planned for Pennsylvania, we desperately need strict regulations and oversight of this industry.

Thank you for the opportunity to comment.

Rosalyn P. Robitaille  
603 Terrace Rd.  
Ligonier, PA 15658  
724-238-5813