3042

Cooper, Kathy

From:	RegComments@pa.gov
Sent:	Monday, May 04, 2015 9:52 AM
To:	Environment-Committee@pasenate.com; apankake@pasen.gov; IRRC; RegComments@pa.gov; eregop@pahousegop.com; environmentalcommittee@pahouse.net; gvitali@pahouse.net
Cc:	ra-epmsdevelopment@pa.gov
Subject:	Comment notice for - Advanced Notice of Final Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites (7-484)

Re: Advanced Notice of Final Rulemaking - Environmental Protection Performance Standards at Oil and Gas Well Sites (7-484)

The following comments have been received regarding the above-referenced advanced notice of final rulemaking.

Commentator Information:

Dorina Hippauf
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1302 Mountain Vew Drive
Dallas, PA 18612 US

Comments entered:

Regarding the PA DEP review/revision of regulations pertaining to unconventional drilling for natural gas and/or oil.

78.56-78a.56 and 78.57-78a.57 would eliminate the use of temporary storage pits for production fluids generated at fracking sites, however it does not address the on-going problem of what to do with the toxic liquid waste. What comes out of a gas well is more toxic than what goes in. What is the remedy for closing of existing temporary storage pits? How will the disposal of the plastic liner be handled - bury it is not an option? What are the restoration plans for temporary storage pits? Will contaminated soil be removed, if so, where will it go? If not, what are the responsibilities and liabilites of the corporate owners and property owner where the temporary storage pits are located? Should the property be sold, will disclosure of the temporary storage pits be required?

78.59c and 78a.59c allows the use of centralized open-air impoundments for the storage of toxic liquid waste. Centralized toxic liquid waste pits merely combines many pits to one giant pit and does nothing to address the on-going problem of what to do with the toxic liquid waste. Small or large, open air pits are prone to leaking and overflow causing contamination of the surrounding soil, leaching into private water wells, and possible spills into waterways.

Open-air pits are a cheap method of storage and only benefits the natural gas industry. The health of citizens, the environment, and all organisms occupying the environment should take

preference over cost saving measures preferred by drillers.

78.61-78.63 and 78a.61-78a.63 allow for on-site disposal of fracking waste. Fracking waste solids per DEP's own regulations are considered hazardous material and must be disposed in an approved landfill which is capable of safely handlings such hazardous waste.

Allowing areas zoned for agriculture or residences to be used as toxic landfill sites is inviting those areas to become superfund sites and possible cancer cluster areas. Dumping toxic waste in agriculture or residential areas is a cheap method of disposal and benefits the natural gas industry. The health of citizens, the environment, and all organisms occupying the environment should take preference over cost saving measures preferred by drillers.

78.15-78a.15 proposes regulations for drilling well pads within 100 feet of streams or wetlands. The distance of 100 feet is absurdly inadequate to provide protection of streams and wetlands from the activities associated with high-volume hydraulic fracturing.

78.51-78a.51 requires drillers to restore impacted drinking water to pre-drilling quality.

A. Holding drillers responsible for contamination of drinking water has never been successfully done. Drillers and DEP has a historic record of blaming contaminated water on something other than the drilling/fracking process.

B. While drillers do offer a "pre-drill" water test, it is only one test and a snapshot of the water quality for that day. DEP and drillers often disregard the snapshot pre-drill test because water quality may vary due to the time of year. Former DEP Secretary John Hanger stated that at least 4 test should be performed at least every 3 months for 1 year prior to any drilling activity to establish a true water quality base line and every 3 months after drilling activity begins.

C. Act 13 holds drillers responsible for only 1 year after a well is plugged. Who is responsible after the 1 year date? Well casing failure is a long term KNOWN problem by the industry.

D. In instances where drillers were required to "impacted drinking water to pre-drilling quality" it involved water filtration systems, water buffaloes and/or delivery of potable water. This is NOT restoration of drinking water to pre-drilling quality and the homeowner is now responsible for maintenance of the system and the expense. Once the water has been contaminated it contaminated forever - there is NO restoration to "pre-drill" quality.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Patrick McDonnell

Patrick McDonnell
Director, Office of Policy