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Form Letter: **Strengthen Proposed Regulations**

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

Thank you for the opportunity to submit comments on the final revisions to Pennsylvania's oil and gas regulations.

I appreciate the improvements that DEP has made over the last draft of the regulations. But the proposed changes must go further to stem the damage being done to our communities and environment from gas and oil development.

Please strengthen key parts of the proposed regulations:

1. Standards for pits and impoundments (Sections 78.56, 78.57, 78.58, and 78.59).

I appreciate and support DEP's prohibition the use of production pits at unconventional shale gas well sites. But DEP should prohibit BOTH conventional and unconventional operators from using ANY open-air pits and tanks, regardless of size or location, for storage, treatment, and disposal of regulated wastes. DEP should also require operators to close all centralized waste impoundments immediately upon the effective date of the regulations. Wastewater, drill cuttings, fluids, and other substances should be stored and treated only in closed, aboveground systems and removed from the site for proper disposal.

2. Definition of public resource (Section 78.15, 78.57, 78a.15, 78.57a) I appreciate and support DEP adding schools to the list of public resources that require additional consideration when permitting oil and gas wells and longer setbacks of waste storage from school buildings, parks, and playgrounds. But the distances in the regulations (200 feet and 300 yards) are far too little to offer even limited protection from pollution, noise, and light and safety from traffic, accidents, and explosions. Industry, not DEP, should bear the burden of proof on any protective permit conditions.

DEP should require, at minimum, a one-mile setback of oil and gas wells, waste storage facilities, and any other infrastructure from the property boundary of school property. This setback should also be applied to locations where other vulnerable populations reside, including nursing homes, hospitals, day care centers, and communities at a disproportionate risk of health impacts (such as environmental justice areas).

3. Separation of unconventional and conventional regulations DEP is required by law to issue two sets of regulations—but that's no excuse to put health and the environment at risk. Conventional wells also use water and chemicals, create waste, and disturb land. Conventional operators also cause spills, accidents, and pollution. DEP should require all operators of all types of oil and gas wells to develop water management plans that specify the source and volume of the water used in construction, drilling, hydraulic fracturing, and restoration. DEP should also prohibit the road-spreading of brine as a de-icer and dust suppressant. DEP has never issued a permit for this practice, not provided evidence that road-spreading is safe for water, vegetation, and wildlife.

Please consider my input on these important regulatory changes. Thank you for your time and attention.