



**PA Council of Trout Unlimited
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The Honorable Kathleen McGinty
Secretary, Pennsylvania Department of Environmental Protection
16th Floor, Rachel Carson Office Building
P.O. Box 2063, Harrisburg, PA. 17105-2063

Dear Secretary McGinty:

The 12,000-plus members of the Pennsylvania Council of Trout Unlimited are very concerned with the exponential increase of oil and gas permits issued in recent years and the Department's ability to assure that each and every site is adequately inspected. For example, in 1990 fewer than 200 permits were issued by the Bureau of Oil and Gas Management. During 2006-2007, more than 14,500 permits were issued.

While we applaud your efforts to hire additional staff to assure that permitting requirements are met, we believe that the Department's limited resources fall far short of what is needed to assure that active oil and gas sites are in compliance with environmental protection standards. Given the number of active sites, we see the existing workload for the present inspection staff to be overwhelming. Presently, NWRO has 17 field staff. SWRO has 13 field personnel. Given just the permits issued during 2006-2007, this equates to nearly 500 sites for each available field person.

Our concerns rest not only with the possible impacts from brines and associated heavy metals, but also with the proper management of drilling muds and, more importantly, runoff from drilling sites, access roads and pipelines. We also call for assurance that, following abandonment of active sites, these sites are properly closed, pads and roads are stabilized, and drilling muds are properly managed and stabilized to prevent offsite problems at the time of abandonment and into the future.

We respectfully request a description of timely actions being taken to assure that adequate staff is on board to protect our streams and rivers. Surely the revenues flowing into the General Fund via royalties should justify the additional staff that DEP needs to prevent wholesale degradation of the Commonwealth's valuable water resources. To this end, please inform us of your efforts while working with the House, Senate and Governor's Office to address the need for increased inspection staff for the Bureau of Oil and Gas Management.

We look forward to hearing from you regarding the Department's consideration of our concerns.

Sincerely,

Ken Undercoffer, President
PA Council of Trout Unlimited

Enclosure: PA COUNCIL OF TROUT UNLIMITED POLICY ON OIL AND GAS ACTIVITIES

PA COUNCIL OF TROUT UNLIMITED
POLICY ON OIL AND GAS ACTIVITIES
APRIL 2008

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Pennsylvania Council recognizes that our water resources sustain all life and are important to human survival and well-being. Pennsylvania Council also recognizes that exploration and production of oil and gas are important to the economy of the Commonwealth. Historically, damage has been done to our surface and ground water resources by oil and gas exploration and production. Although more recently, laws and regulations have been adopted to prevent such damage, our legacy of over 150 years of drilling activity has resulted in the abandonment of pre-regulatory wells and production facilities that have a potential for polluting streams and aquifers.

Currently there are approximately 63,000 active oil and gas wells in Pennsylvania. An additional 6,500 wells have been registered by operators as orphans, and 2,100 abandoned wells have been identified by PADEP staff. Although PADEP has a program to plug orphan and abandoned wells, additional wells are being added to the inventory at a rate comparable to wells being plugged. The accuracy of the abandoned well inventory is questionable due to incomplete production reporting by operators. Present PADEP resources are not sufficient to accurately identify all abandoned wells or to plug all wells on the inventory within a reasonable period of time.

In recent years, due to the increased price of oil and natural gas, there has been a significant increase in the number of drilling permits issued. There is a correlation between the number of wells drilled and the number of complaints and incidents occurring. PADEP received 311 complaints regarding oil and gas activities during 2005. Twenty five of those complaints were related to surface water issues, such as erosion and sedimentation controls, spills, and other non-permitted discharges. While PADEP has increased staffing in response to the increase in drilling activity, no recent workload analysis has been done to determine current staffing needs.

Produced water, or brine, is usually a by-product of oil and gas production. Brine strength generally increases with the depths of the producing formations. Although sometimes considered a beneficial by-product and used for dust control on dirt and gravel roads or for snow and ice control on paved roads, it is more commonly disposed as a waste. There are 8 permitted brine treatment plants where brine is treated prior to discharge to a river or stream. There are 2 small treatment facilities where brine is discharged under a stripper oil well general permit. Brine disposal also is permitted at 26 disposal wells, 12 municipal sewage treatment plants, and 2 industrial waste treatment facilities. No discharges of brine are permitted to Exceptional Value or High Quality streams.

To ensure that Pennsylvania's water resources are not degraded by oil and gas exploration and production, Pennsylvania Council recommends the following policy guidelines:

1. All currently producing, plugged and abandoned wells should be inventoried and included in the Geographic Information System (GIS) inventory of the Commonwealth. PADEP should prioritize the abandoned wells for inclusion on the well plugging inventory, and explore additional alternatives, resource needs and strategies to assure that all problem wells are plugged as they are identified, and to assure that all wells on the inventory are plugged.
2. In order to fully accomplish its responsibilities for permitting, inspecting and otherwise regulating oil and gas exploration and production activities, PADEP

should undertake a workload analysis to determine needed staffing resources.

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3. PADEP should continue to prohibit surface discharges of brine into High Quality and Exceptional Value watersheds. PADEP should apply and enforce Chapter 93 water quality standards in all other watersheds where oil and gas development discharges are permitted.
4. Full-cost bonding should be required to ensure that all permitted wells, when production is suspended or terminated, are closed using the most current Best Management Practices (BMPs) in accordance with Commonwealth rules and regulations.
5. On Commonwealth-owned land, where Commonwealth agencies own the land in fee, oil and gas development should be prohibited in Exceptional Value watersheds and increased oversight should be applied in High Quality watersheds.