Proposed Regulation for Oil and Gas Surface Activities Webinar

Dial-in number for Audio:  1-877-668-4493
Event Number: 644 501 424
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Note: You will not hear any audio until the beginning of the webinar. To receive a call back, provide your phone number when you join the event.
Speakers

• Scott Perry, DEP Deputy Secretary of the Office of Oil and Gas Management
• Kurt Klapkowski, DEP Bureau Director of Oil and Gas Planning and Program Management
• Hayley Book, Director of DEP’s Policy Office
• Lisa Kasianowitz, Spokeswoman with DEP’s Communication Office
Agenda

• Website Information
• Background
• Proposed Revisions
• Public Participation Opportunities
• Question and Answer Session
Citizen’s Guide to DEP Regulations

- Developed with input by the Citizens Advisory Council
- Available online in the Be Informed Section

How to Submit Public Comments

The public comment period starts when the regulation is published in the Pennsylvania Bulletin. The comment deadline will be published in the Preamble of the proposed rulemaking along with specific directions about how to submit comments to the EQB. All comments submitted to the EQB during the official public comment period become part of the public record.

For additional information on DEP’s regulatory process, download our new publication, Citizen’s Guide to DEP Regulations (PDF).
Pennsylvania Supreme Court Ruling

Act 13 Ruling
Thursday, Dec. 19, 2013
Significant Public Involvement

• Marcellus Shale Advisory Commission recommendations

• Oil and Gas Technical Advisory Board involvement since April 2011, workgroups

• Environmental organizations, industry, local government consultation

• State Review of Oil & Natural Gas Environmental Regulations (STRONGER) – 2013 Review
Chapter 78 – Background

Thorough Cost Analysis

• Cost data provided by industry partners

• Impacts to small businesses considered
  – Appropriate distinction between conventional and unconventional operations

• Innovative rules that focus on performance over process
Chapter 78 – Significant Revisions

- Permitting
- Pre-hydraulic fracturing abandoned well review
- Waste management at well sites
- Beyond the well site
  - Impoundments, temporary pipelines, rock pits and conventional brine spreading
Permitting

• Electronic submission required

• Public Resource Protection (i.e., parks, forests)
  – Jurisdictional agency comment
  – Condition the permit if probable harmful impact criteria is met
  – Consider rights of operator
Chapter 78 Revisions – Subchapter C

Pre-Hydraulic Fracturing Review

• Identify abandoned and orphaned wells prior to hydraulic fracturing
  • Geographic Information System (GIS) initiative
  • Monitor during stimulation
  • Plug if altered
Waste Management

• Site containment systems and practices
• Approval of large volume modular “tanks”
• Eliminate use of produced water pits
• Use of buried tanks require DEP approval
Waste Management

• Prevent access or vandalism to pits (unconventional only) and tanks
• Secondary containment around produced water tanks (new and refurbished)
• Waste processing at well sites
Beyond the Well Site

• Codify Centralized Impoundment Permit

• Establish rock pit and freshwater impoundment construction and restoration standards
Beyond the Well Site

• Temporary Line Construction Standards
  – Pressure testing
  – Valve locations
  – Stream crossings
  – Inspection requirements
Beyond the Well Site

- Notice prior to horizontal directional drilling for pipeline
- Additives other than bentonite (clay) require DEP approval (ANSI/NSF Standard 60)
- Inadvertent Return Contingency Plan
Beyond the Well Site

• Codify current water management planning requirements

• Follow Susquehanna River Basin Commission standards for groundwater use, sign, metering and reporting requirements
Beyond the Well Site

• Codify current spreading standards and practices for roadspreading and de-icing from conventional wells only

• Prohibit use of unconventional shale gas wastewater
Public Comment Period

• Opened Saturday, Dec. 14, 2013
• Ends Wednesday, Feb. 12, 2014
• Thoughtful and thorough consideration of all comments in the finalization of this regulation
• All comments part of the public record
• Submit comments online, email or mail by Feb. 12, 2014
Public Comment Period

• Online Comment System:  
  http://www.ahs.dep.pa.gov/RegComments

• Email Comments:  RegComments@pa.gov

• Written Comments: Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477
Environmental Quality Board's (EQB) Regulatory Comment System

Environmental Quality Board
Enter Comments for Proposed Rulemaking
Details of proposed rulemakings can be found on the PA Bulletin

*Proposed Rulemaking: -Must Select A Proposed Rulemaking-
*First Name: 
*Last Name: 
Affiliation: 
*E-mail Address: 

*Street1 Address: 
Street2 Address: 
*City: 
*State: Pennsylvania 
*Zip Code: 
*Country: United States 

Your Comments (10K max.): 

Please note, as an alternative to providing your comments in the above comment box, you may provide your comments to the EQB by attaching your comments in a file, as provided below. Allowable file extensions for attachments include txt, doc, docx, pdf, jpg, png, and zip. The attachment containing your comments may not exceed 10 MB in size.

In addition to providing comments on the proposed rulemaking, interested individuals may also submit a summary of their comments to the EQB. The summary may not exceed one-page in length. The one-page summary will be provided to each member of the EQB in the agenda packet distributed prior to the meeting at which the final regulation will be considered. Allowable file extensions for the one-page attachment include txt, doc, docx, pdf, jpg, png, and zip.

One-Page Summary: Browse... 

Attached Comments: Browse... 

Submit Comments
• Along with the comments, a one-page summary of the comments can be sent to the EQB.

• If an acknowledgement email is not received for comments online within two business days, the comments should be re-sent to the EQB to ensure receipt.
Public Hearings

- People wishing to present verbal testimony at a hearing should call EQB at 717-787-4526 least one week before the hearing to reserve time.
- All testimony provided at the public hearing will also be entered into the public record.
- All public hearings will begin at 6 p.m.
Public Hearing Guidelines

• Up to five minutes of testimony
• Submit three written copies of your testimony to the hearing chairperson at the hearing
• Organizations are limited to one person to present testimony on their behalf at each hearing
• People in need of accommodations (American Disabilities Act): Contact the EQB to discuss their needs at 717-787-4526
Public Hearings

• **Wyoming County**: Jan. 7, 2014, Tunkhannock High School Auditorium, 135 Tiger Drive, Tunkhannock, PA 18657

• **Chester County**: Jan. 9, 2014, West Chester University of Pennsylvania’s Sykes Student Union Theater, 110 West Rosedale Avenue, West Chester, PA 19383
Public Hearings

- **Lycoming County:** Jan. 13, 2014, Pennsylvania College of Technology’s Klump Academic Center, One College Avenue, Williamsport, PA 17701

- **Crawford County:** Jan. 15, 2014, Meadville Area Senior High School Auditorium, 930 North Street, Meadville, PA 16335

- **Cumberland County:** Jan. 16, 2014, Good Hope Middle School Auditorium, 451 Skyport Road, Mechanicsburg, PA 17050
Public Hearings

- **Washington County**: Jan. 22, 2014, Washington and Jefferson College’s Rossin Campus Center / Allen Ballroom, 60 South Lincoln Street, Washington, PA 15301

- **Indiana County**: Jan. 23, 2014, Indiana University of Pennsylvania’s Convention and Athletic Complex, 711 Pratt Drive, Indiana, PA 15705
Questions?

Please type them into the chat window.
Additional Questions?

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