

# FREQUENTLY ASKED QUESTIONS

## Environmental Protection Performance

### Standards at Oil and Gas Well Sites

#### Control, storage and disposal of production fluids

(§ 78a.57)

*The purpose of this Frequently Asked Questions (FAQ) document is to highlight changes in and address questions about the new regulations. This FAQ should not be used in lieu of reference to the 2012 Oil and Gas Act, 25 Pa.Code Chapter 78a and other applicable laws and regulations. The answers outlined in this FAQ are intended to supplement existing requirements. Nothing in this document shall affect statutory or regulatory requirements.*

*This document is not an adjudication or a regulation. There is no intent on the part of the Department to give this document that weight or deference. The Department may supplement or amend this document at any time as necessary without notice.*

- 1) Would you describe at degree of "deficiency" in tank inspection requires notification to the Department?

When substantial modifications are required to correct the deficiency or the deficiency is significant enough that failure could cause a spill or release, notification to DEP should occur. The Department will be releasing additional guidance on this in the future as specific situations are addressed. (posted 10/19/16)

- 2) What are some examples of "reasonable measures to prevent unauthorized access by third parties" for both temporary tanks and permanent production storage tanks at an unmanned site? Please also provide some examples of what would not be acceptable?

This is an equipment specific, site-specific question. Operators need to assess their operations and equipment to take appropriate steps to prevent unauthorized access by third parties at their particular sites. Generally, these measures would include those that prevent simple interaction with tanks, valves, ladders, etc. This could include fencing, locks, bull plugs, removable handles, retractable ladders, etc. DEP will work with vendors and operators to come up with further examples, but it will not be an exhaustive list to allow operators flexibility to handle situations that apply at their sites. (posted 10/19/16)

- 3) Does secondary containment as outlined in sections 78a.57(c) and 78a.58(c) need to meet the 1 X 10<sup>-10</sup> cm/sec permeability standard specified in section 78a.64a(c)(2)?

REVIEW Secondary containment is defined under section 78a.1 Definitions. It is defined as "A physical barrier specifically designed to minimize releases into the environment of regulated substances from primary containment or well development pipelines, to prevent comingling of incompatible released regulated substances and to minimize the area of potential contamination, to the extent practicable." (posted 10/19/16)

- 4) Does corrosion inspection require internal inspection as in API standard?

Section 3218.4(b) of the 2012 Oil and Gas Act and section 78a.57(f) require that all new, refurbished or replaced aboveground storage tanks that store brine or other production fluids must meet the corrosion requirements found under sections 245.531 – 245.534 (relating to corrosion and deterioration prevention), with the exception of use of Department-certified inspectors to inspect interior linings.

Also, section 3218.4(b) and section 78a.57(g) require that all new, refurbished or replaced underground storage tanks that store brine or other production fluids must meet the corrosion requirements found under section 245.432 (relating to operation and maintenance including corrosion protection), with the exception of use of Department-certified inspectors to inspect interior linings.

Those sections reference API standards relating to corrosion prevention, and include internal inspection of tank liners as appropriate. (posted 10/19/16)

- 5) If the tank is on a platform in secondary containment at a production facility, will we need to have a certified inspector?

Section 78a.57(i) requires operators to inspect tanks storing brine or other production fluids at least once per calendar month. Assuming this is an aboveground production storage tank, part of the inspection is to verify the tank is meeting the corrosion requirements found in sections 245.531 –245.534. Department-certified inspectors are only required to be used for inspections of storage tanks regulated under the Storage Tank and Spill Prevention Act. (posted 10/19/16)