

FREQUENTLY ASKED QUESTIONS

Environmental Protection Performance Standards at Oil and Gas Well Sites

Secondary containment (§ 78a.64a)

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) What is the secondary containment coefficient of permeability?

In accordance with section 78a.64a(c)(2), secondary containment must have coefficient of permeability no greater than 1×10^{-10} cm/sec. (posted 09/26/16)

- 2) Will the secondary containment resistance requirement need to follow the same ASTM standard for permeation of chemical protective clothing?

Section 78a64a(c)(3) provides:

The physical and chemical characteristics of all liners, coatings or other materials used as part of the secondary containment, that could potentially come into direct contact with regulated substances being stored, must be compatible with the regulated substance and be resistant to physical, chemical and other failure during handling, installation and use. Liner compatibility shall satisfy compatibility test methods as approved by the Department.

While liner compatibility may be demonstrated by satisfying American Society for Testing and Materials (ASTM) Method D5747 Compatibility Test for Wastes and Membrane Liners, ASTM D543 wet patch at 140°F for 72 hours, Section 78a.64a(d)(3) accommodates other tests methods to demonstrate liner compatibility). (posted 09/26/16)

- 3) In Section 78a.64a there is a permeability standard for secondary containment on well sites. What is the difference between this section and what is described as secondary containment in Sections 78a.57 and 78a.58?

The requirements of Section 78a.64a apply to the secondary containment requirements in Sections 78a.57 and 78a.58. (posted 09/26/16)

- 4) What does a record of repair for secondary containment look like?

Section 78a.64a(e) requires operators to maintain records of repairs until the well site is restored. A record of repair may be a signed and dated narrative description of repair work or a contactor receipt, photo, completed work order, or an inspection report. (posted 09/26/16)

- 5) Does an operator need to keep records of weekly secondary containment inspections? Maintaining containment inspections at the actual well site may not be practical, can these be provided to Department upon request for unmanned sites?

Yes, Section 78a.64a(e) states that “The well operator shall maintain records of any repairs until the well site is restored.” Under Section 78a.64a(h), “Inspection reports and maintenance records shall be available at the well site for review by the Department.” (posted 09/26/16)

- 6) Will the DEP develop a weekly inspection checklist or guidance for secondary containment inspections like they did for monthly tank inspections?

Site-specific situations and broad range of secondary containment applications along with wide variations of containing/use/transfer of regulated substances on the well site create too many variables for standard checklists at this time. (posted 09/26/16) (posted 09/26/16)

- 7) Why are tanks inspected monthly and secondary containment weekly?

Tanks and secondary containment serve different purposes on a well site and different inspection timeframes are appropriate. Tanks provide primary storage of regulated substances designed for long-term operation with use with secondary containment. For these reasons, monthly inspections are appropriate for tanks. Secondary containment is designed to minimize releases into the environment from primary containment, to prevent comingling of incompatible released regulated substances and to minimize the area of potential contamination, to the extent practicable. Secondary containment must also be drained of precipitation in accordance with Section 78a.64a(d). Because of these functions and requirements for containment, it is appropriate to inspect secondary containment weekly, at a “minimum.” (posted 09/26/16)

- 8) Are dry materials subject to the requirements of secondary containment? For example the dry additives used as part of the mud system.

Yes, Section 78a.64a(b) requires “All regulated substances, including solid wastes and other regulated substances in equipment or vehicles, shall be managed within secondary containment.” The states of fluids/solids as regulated substances are irrelevant. (posted 09/26/16)

- 9) How is “equipment required for drilling or completing a well” defined for the purposes of Section 78a.64a(c)(1)? For example, drill pipe, casing, tubing, etc.

Equipment is not a defined term, but it is defined in the context of this provision. It is equipment used for any phase of drilling, casing, cementing, hydraulic fracturing or flowback operations brought on a well site and when regulated substances including

drilling, mud additives, hydraulic oil, diesel fuel, hydraulic fracturing additives, or flowback are brought onto or generated at the well site. (posted 09/26/16)