

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
Administrative	109	570	45	724
102.22 - Failure to achieve permanent stabilization of earth disturbance activity.		2		2
102.4(b)5 - EROSION AND SEDIMENT CONTROL REQUIREMENTS – The E & S Plan did not contain the required drawings and narrative.	23			23
102.4(b)8 - EROSION AND SEDIMENT CONTROL REQUIREMENTS – E & S plan, inspection reports and monitoring records were not available at the project site during all stages of earth disturbance activity.	15	6		21
102.7(a) - PERMIT TERMINATION – Permittee failed to submit a notice of termination (NOT) to the Department or conservation district after site restoration, including permanent stabilization and site restoration.	22			22
105.42(c) - TERMS AND CONDITIONS OF DEPARTMENT PERMITS AND APPROVALS - Permittee failed to make available a copy of the permit or other Department approval at the worksit for inspection upon request by an officer or agent of the Department or anothr Federal, State, county or municipal agency.	17			17
206C - Failure to restore well site within nine months after completion of drilling, failure to remove all pits, drilling supplies and equipment not needed for production.		1		1
206EQUIPRMVL - Failure to remove equipment within 9 months of completion of drilling or plugging		1		1
78.11(b) - PERMIT REQUIREMENTS - Operating a well without a permit or the well was not properly registered.	1	1		2
78.12 - COMPLIANCE WITH PERMITS - Failure to comply with terms and conditions of permit or registration while drilling, altering or operating an oil or gas well.		6		6
78.121(A) - WELL REPORTING – PRODUCTION REPORTING – Conventional operator failed to submit annual conventional production and status report for permitted or registered well.	9	134		143
78.121(B) - WELL REPORTING – PRODUCTION REPORTING – Operator failed to electronically submit production and status report to the Department through its web site.	1	36		37
78.122(A) - WELL REPORTING – WELL RECORD – Operator failed to keep a detailed drillers log at well site or submit a complete well record, on a form provided by the Department, within 30 days of cessation of drilling or altering.		1		1
78.124 - Failure to submit plugging certificate 30 days after well plugged		6		6

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78.124(A) - WELL REPORTING – CERTIFICATE OF PLUGGING – Owner or Operator failed to submit a certificate of plugging to the Department and each coal operator, lessee or owner who was sent notice, by certified mail, of intent to plug, within 30 days after well has been plugged.		4		4
78.51(h) - PROTECTION OF WATER SUPPLIES - Well operator failed to notify the Department within 24 hours of receiving notification from a landowner, water purveyor, or affected person that a water supply has been affected by pollution or diminution.	1			1
78.55(a) - CONTROL AND DISPOSAL PLANNING - Operator failed to prepare and implement a plan under 25 Pa. Code Section 91.34 for the control and disposal of fluids, residual waste and drill cuttings, including tophole water, brines, drilling fluids, additives, drilling muds, stimulation fluids, well servicing fluids, oil, and production fluids from the drilling, alteration, production, plugging or other activity associated with oil and gas wells.		2		2
78.56LINER - Improperly lined pit		1		1
78.65(3)v - SITE RESTORATION - Operator's well site restoration report failed to identify waste type and volume produced and name and address of the waste disposal facility and waste hauler.		1		1
78.83GRNDWTR - Improper casing to protect fresh groundwater			4	4
78.86* - Failure to report defective, insufficient, or improperly cemented casing w/in 24 hrs or submit plan to correct w/in 30 days.			3	3
78.88(a) - OPERATING WELLS - MECHANICAL INTEGRITY OF OPERATING WELLS - Operator failed to inspect each operating well quarterly for compliance with the well construction and operating requirements.	1	84		85
78.88(A)_ - OPERATING WELLS - MECHANICAL INTEGRITY OF OPERATING WELLS - Operator failed to record inspection results and retain records for at least 5 years for review by the Department.	2	8		10
78.88(e) - OPERATING WELLS - MECHANICAL INTEGRITY OF OPERATING WELLS - Operator failed to submit an annual report to the Department identifying the compliance status of each well with the mechanical integrity requirements for structurally sound wells in compliance with 25 Pa. Code Section 78.73(c).	4	70		74
78a121(a) - WELL REPORTING – PRODUCTION REPORTING – Well operator failed to electronically submit a monthly production and status report for each well on an individual basis, within 45 calendar days of the close of each monthly reporting period.			1	1

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78a121(b) - WELL REPORTING – PRODUCTION REPORTING – Well operator’s monthly production report failed to include information on the amount and type of waste produced and the method of waste disposal or reuse, including the specific facility or well site where the waste was managed.		1		1
78a55(a) - CONTROL AND DISPOSAL PLANNING - PPC Plan - Person conducting oil and gas operations failed to prepare and implement a site specific PPC plans according to 25 Pa. Code §§ 91.34 and 102.5(l).	1			1
78a55(i)4i - EMERGENCY RESPONSE – Sign - Failure of the operator to display a reflective sign at the entrance prior to construction of the access road.			1	1
78a55(i)4ii - EMERGENCY RESPONSE – Sign - Failure of the operator to meet requirements of site entrance sign fabrication, color, size, lettering, wording, numbering, format, information and location.			4	4
78a55(i)4vi - EMERGENCY RESPONSE – Sign - Failure of the operator to post sign without being obstructed from view by vegetation, equipment, vehicles or other obstruction.	1			1
78A57(A)_ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator failed to report the use of the pit for storage of production fluids to the Department within six months from October 8, 2016. Operator failed to properly close the pit used for production fluids storage in accordance with appropriate restoration standards within one year from October 8, 2016.	1			1
78A57(l)_ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Operator failed to document inspections on tanks storing brine or other fluids produced during operation of the well.			2	2
78A57(l)___ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Operator failed to report tank deficiencies identified during the inspection to the within 3 days of the inspection.			9	9
78a59b(b) - WELL DEVELOPMENT IMPOUNDMENTS – Operator failed to register, within 60 days from October 8, 2016, the location of the well development impoundment providing the Department, the GPS coordinates, township and county where the well development impoundment is located as well as certification as to whether the impoundment meets the requirements in 25 Pa. Code § 78a.59b subsections (d, e, and h).	1			1
78a64a(h) - SECONDARY CONTAINMENT – Inspection reports and maintenance records failed to be available at the well site for review by the Department.	1		3	4

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78a68a(c) - HORIZONTAL DRILLING FOR OIL AND GAS PIPELINES - Department was not electronically notified at least 24 hours prior to beginning of any horizontal directional drilling activities, including conventional boring, beneath any body of water or watercourse.	1			1
78a68a(j) - HORIZONTAL DRILLING FOR OIL AND GAS PIPELINES – Responsible person failed to electronically report any water supply complaints to the Department within 24 hours.	1			1
78a69(e)3 - WATER MANAGEMENT PLANS - Operational Requirements – Person failed to electronically submit reports to the Department consisting of daily withdrawal volumes, in-stream flow measurements and/or water source purchases as required by the Department	1			1
91.33A - Failure to notify DEP of pollution incident. No phone call made forthwith		1		1
OGA 3222(B3) - WELL REPORTING – COMPLETION REPORT – Operator failed to submit a completion report within 30 days after completion of the well.		1		1
OGA3211(F6) - WELL PERMITS - DRILLING - Failure to provide written intent to plug, well record, completion report, plugging certificate, and revised plat on skidded well.		2		2
OGA3211(G) - WELL PERMITS - POSTING - Failure to post the well permit number and the operator's name, address and phone number at the well site during construction of the access road, site preparation and during drilling, operating or alteration of well.	4	24	1	29
OGA3211(H) - WELL PERMITS - LABELING - Failure to install, in a permanent manner, the permit number on a completed well.	1	167	15	183
OGA3213(C) - WELL REGISTRATION AND IDENTIFICATION - INSTALLATION OF REGISTRATION NUMBER - Failure to install, in a permanent manner, registration number on well 60 days after issuance.		3		3
OGA3214(D) - INACTIVE STATUS - RETURN TO ACTIVE STATUS - Failure to notify the DEP of an inactive well being returned to active status.			2	2
OGA3220(D) - PLUGGING REQUIREMENTS - Failure to notify the DEP, the coal operator, lessee and owner 24 hour prior to plugging a well abandoned upon completion.		2		2
OGA3223 - NOTIFICATION AND EFFECT OF WELL TRANSFER - Failure to notify DEP sale / transfer of a well within 30 days.		4		4
OGA3252 - PUBLIC NUISANCES - Failure to comply with §§ 3217, 3218, 3219 or 3220 or a regulation, order, term or permit condition, constituting a public nuisance.		1		1

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Environmental Health & Safety	2639	1193	940	4772
102.11(a)1 - GENERAL REQUIREMENTS – BMP AND DESIGN STANDARDS - Person failed to design, implement and maintain E & S BMPs to minimize the potential for accelerated erosion and sedimentation to protect, maintain, reclaim and restore water quality and existing and designated uses.	242	21	4	267
102.11(A)2 - GENERAL REQUIREMENTS – BMP AND DESIGN STANDARDS - Person failed to design, implement and maintain PCSM BMPs to mimic preconstruction stormwater runoff conditions to protect, maintain, reclaim and restore water quality and existing and designated uses.	4	1	1	6
102.22(a) - SITE STABILIZATION – PERMANENT STABILIZATION – Permittee failed to have site permanently stabilized and protected from accelerated erosion and sedimentation upon final completion of earth disturbance activity.	57	25	4	86
102.22(a)1 - SITE STABILIZATION – PERMANENT STABILIZATION – Permittee failed to remove temporary E & S BMPs once permanent stabilization had been established.	5			5
102.22(b)1 - SITE STABILIZATION – TEMPORARY STABILIZATION – Permittee failed to temporarily stabilize the site to protect it from accelerated erosion and sedimentation where cessation of earth disturbance activities exceeded 4 days.	148	14	1	163
102.4 - Failure to minimize accelerated erosion, implement E&S plan, maintain E&S controls. Failure to stabilize site until total site restoration under OGA Sec 206(c)(d)		1		1
102.4(b)1 - EROSION AND SEDIMENT CONTROL REQUIREMENTS - Person conducting earth disturbance activity failed to implement and maintain E & S BMPs to minimize the potential for accelerated erosion and sedimentation.	247	34	4	285
102.4(b)2 - EROSION AND SEDIMENT CONTROL REQUIREMENTS - Person conducting earth disturbance activity failed to develop and implement a required written E & S Plan.	15	3		18
102.4(b)3 - EROSION AND SEDIMENT CONTROL REQUIREMENTS - Person conducting earth disturbance activity failed to have the E & S Plan prepared by a person trained and experienced in E & S control methods and techniques applicable to the size and scope of the project for earth disturbance activities not required to obtain a permit under 25 Pa. Code § 102.5(c).	1			1
102.4(b)4 - EROSION AND SEDIMENT CONTROL REQUIREMENTS - Person failed to plan and implement earth disturbance activities to minimize duration & extent of earth disturbance, minimize soil compaction, maximize protection of drainage features and vegetation, and utilize other measures or controls that prevent or minimize the generation of increased stormwater runoff.	88			88

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102.4(E) - EROSION AND SEDIMENT CONTROL REQUIREMENTS - Person conducted earth disturbance activity that requires permit coverage under § 102.5 failed to have permit coverage prior to commencing the earth disturbance activity.	2			2
102.5(c) - PERMIT REQUIREMENTS – Person conducting earth disturbance activity associated with oil and gas activities involving 5 acres or more of earth disturbance over the life of the project failed to obtain an E & S Permit prior to commencing the earth disturbance.	3			3
102.5(f) - PERMIT REQUIREMENTS – Person failed to implement the PCSM Plan.	18			18
102.5(l) - PERMIT REQUIREMENTS – Person failed to prepare and implement a PPC Plan when storing, using or transporting materials including: fuels, chemicals, solvents, pesticides, fertilizers, lime, petrochemicals, wastewater, wash water, core drilling wastewater, cement, sanitary wastes, solid wastes or hazardous materials onto, on or from the project site during earth disturbance activities.	1			1
102.5(m)4 - PERMIT REQUIREMENTS – GENERAL PERMITS – Person failed to comply with the terms and conditions of the E & S Control General Permit.	248		1	249
102.7(c) - PERMIT TERMINATION – Permittee failed to remain in compliance with permit terms and conditions on the project site until receiving written approval of the notice of termination (NOT) from the Department or conservation district.	11			11
102.8(m)1 - PCSM REQUIREMENTS – LONG TERM OPERATION AND MAINTENANCE REQUIREMENTS – Permittee or co-permittee failed to be responsible for long term O & M of PCSM BMPs and no different person was identified on the NOT.			1	1
105.11 - Person constructed, operated, maintained, modified, enlarged or abandoned a water obstruction or encroachment but failed to obtain Chapter 105 permit.	2			2
105.11(a) - PERMIT REQUIREMENTS – Person failed to obtain a permit from the Department prior to construction, operation, maintenance, modification, enlargement or abandonment of a water obstruction or encroachment.	34	5		39
105.171(a) - MAINTENANCE – Owner or permittee of a culvert or bridge failed to maintain the structure opening in good repair and assure that flood carrying capacity of the structure is maintained.		1		1
105.171(A)_ - MAINTENANCE – Owner or permittee of a culvert or bridge failed to remove silt and debris which might obstruct the flow of water through the structure.		1	1	2

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105.172(a) - INADEQUATE OR COLLAPSED STRUCTURES – Owner or permittee of a bridge or culvert failed to immediately notify the Department of the collapse of the structure or a portion thereof or of the existence of unusual conditions that threaten structural integrity of the bridge or culvert.			1	1
105.313(a) - PIPELINES UNDER STREAM BEDS – Owner or permittee failed to meet the minimum amount required for cover between the top of the pipe or encasement and the lowest point in the stream bed.	1			1
105.44(a) - IMPLEMENTATION OF WORK ACCORDING TO SPECIFICATIONS – Permittee failed to conduct work in accordance with the maps, plans, profiles and specifications as approved by the Department for work undertaken under a permit or other Department approval.	17			17
105.44(b) - IMPLEMENTATION OF WORK ACCORDING TO SPECIFICATIONS – Permittee failed to obtain written Department approval for changes in the maps, plans, profiles and specifications for work covered by a permit or other Department approval which would affect the waterway area or structural stability of the project.	7			7
105.449 - COMPLIANCE WITH PERMIT CONDITIONS, REGULATIONS AND LAWS – Person or permittee failed to comply with the general permit terms and conditions while constructing, maintaining, modifying, enlarging or abandoning a dam, water obstruction or encroachment.	4			4
105.46(a) - IMPLEMENTATION OF EROSION AND SEDIMENTATION CONTROL PLANS – During construction of water obstruction or encroachment, permittee failed to follow the erosion and sediment control plan prepared in accordance with Chapter 102 (relating to erosion and sediment control) and submitted as part of the application.	7			7
105.46(b) - IMPLEMENTATION OF EROSION AND SEDIMENTATION CONTROL PLANS – Permittee failed to conduct construction in a manner to minimize erosion of banks and bed of the stream and disturbance of the regimen of the stream.	18	2	1	21
105.51 - OPERATION AND MAINTENANCE - Permittee or owner of a water obstruction or encroachment failed to operate and maintain the facility and appurtenant structures in a safe condition in accordance with permit terms and conditions.	8		1	9
206REST - Failure to restore site w/in 9 months of completion of drilling or plugging of a well.		1		1

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78.51(a) - PROTECTION OF WATER SUPPLIES - Operator failed to restore or replace a private or public water supply affected by pollution or diminution with an alternate source of water adequate in quantity and quality for the purposes served by the supply as determined by the Department.	1			1
78.53 - EROSION AND SEDIMENT CONTROL - Operator failed to design, implement and maintain best management practices and an erosion and sediment control plan in accordance with 25 Pa. Code Chapter 102, during and after earthmoving or soil disturbing activities, including the activities related to siting, drilling, completing, producing, servicing and plugging, constructing, utilizing and restoring the site and access road.	11	40		51
78.54 - GENERAL REQUIREMENTS - Operator failed to control and dispose of fluids, residual waste and drill cuttings, including tophole water, brines, drilling fluids, drilling muds, stimulation fluids, well servicing fluids, oil, and production fluids in a manner that prevents pollution of the waters of the Commonwealth.	12	50	2	64
78.56(a) - PITS AND TANKS FOR TEMPORARY CONTAINMENT - Operator failed to contain polluttional substances and wastes from the drilling, altering, completing, recompleting, servicing and plugging the well, including brines, drill cuttings, drilling muds, oils, stimulation fluids, well treatment and servicing fluids, plugging and drilling fluids other than gases in a pit, tank or series of pits and tanks.		1	1	2
78.56(d) - PITS AND TANKS FOR TEMPORARY CONTAINMENT - Operator failed to remove or fill pit within 9 months after completion of drilling or in accordance with extension granted by the Department without a Clean Streams Law permit or other approval under 25 Pa. Code Sections 78.57 or 78.58.		1		1
78.57(a) - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator failed to collect the brine and other fluids produced during operation, service and plugging of the well in a tank, pit or a series of pits or tanks, or other device approved by the Department or Operator discharged brine or other fluids on or into the ground or into waters of the Commonwealth.	9	78	10	97
78.57(c)3ii - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator failed to properly backfill, stabilize and grade pit depression.		1		1
78.60(a) - DISCHARGE REQUIREMENTS - Operator discharged a substance into waters of the Commonwealth contrary to 25 Pa. Code Chapters 91, 93, 95 and 102, The Clean Streams Law and the 2012 Oil and Gas Act.	1	2		3

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78.64(a) - CONTAINMENT AROUND OIL TANKS - For a tank capacity of at least 660 gallons or tanks with a combined capacity of at least 1,320 gallons, the owner or operator failed to construct and maintain a dike or other method of secondary containment which satisfies requirements under 40 CFR 112.		6		6
78.64(c) - CONTAINMENT AROUND OIL TANKS - For a tank capacity of at least 660 gallons or tanks with a combined capacity of at least 1,320 gallons, the owner or operator failed to pick up and return to the tank or disposed of accumulations of oil in the containment area prior to drainage of accumulated precipitation from containment structures.		1		1
78.66(a) - REPORTING RELEASES - Owner or operator failed to comply with the reporting and corrective action requirements of 25 Pa. Code Section 91.33 when a release of a substance caused or threatened pollution to the Waters of the Commonwealth.	5	11		16
78.66(b) - REPORTING RELEASES - Owner or operator failed to report a reportable release of brine on or into the ground at the well site within 2 hours after detecting or discovering the releases.		2	5	7
78.66(e) - REPORTING RELEASES - Owner or operator failed to take necessary corrective actions during release to prevent substance from reaching waters of this Commonwealth, recover or remove the released substance, and properly dispose of the substance in accordance with this subchapter or as approved by the Department.	2	1		3
78.73(a) - GENERAL PROVISION FOR WELL CONSTRUCTION AND OPERATION - Operator failed to construct and operate the well in accordance with 25 Pa. Code Chapter 78 and ensure that the integrity of the well is maintained and health, safety, environment and property are protected.	2	14	2	18
78.73(b) - GENERAL PROVISION FOR WELL CONSTRUCTION AND OPERATION - Operator failed to prevent gas, oil, brine, completion and servicing fluids, and any other fluids or materials from below the casing seat from entering fresh groundwater, and prevent pollution or diminution of fresh groundwater.	1	1	6	8
78.74 - VENTING OF GAS - Operator vented gas to the atmosphere that produced a hazard to the public health and safety.		7	1	8
78.81(a)2 - CASING AND CEMENTING - GENERAL PROVISIONS - Operator conducted casing and cementing activities that failed to prevent migration of gas or other fluids into sources of fresh groundwater.	1		5	6

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78.81(a)3 - CASING AND CEMENTING - GENERAL PROVISIONS - Operator conducted casing and cementing activities that failed to prevent pollution or diminution of fresh groundwater.	1			1
78.83(d) - CASING AND CEMENTING - SURFACE AND COAL PROTECTIVE CASING AND CEMENTING PROCEDURES - Operator failed to permanently cement the surface casing by placing the cement in the casing and displacing it into the annular space between the wall of the hole and outside of the casing.			2	2
78.85(a)5 - CASING AND CEMENTING - CEMENT STANDARDS - The operator failed prevent gas flow in the annulus. In areas of known shallow gas producing zones, gas block additives and low fluid loss slurries shall be used.		2	6	8
78.85(c)2 - CASING AND CEMENTING - CEMENT STANDARDS - After casing cement was placed and cementing operations were completed, the operator disturbed casing within 8 hours by nipping up on or in conjunction to the casing.			2	2
78.86 - CASING AND CEMENTING - DEFECTIVE CASING OR CEMENTING - Operator failed to report defect in a well that has defective, insufficient or improperly cemented casing to the Department within 24 hours of discovery. Operator failed to correct defect or failed to submit a plan to correct the defect for approval by the Department within 30 days.	1	12	41	54
78.86_ - CASING AND CEMENTING - DEFECTIVE CASING OR CEMENTING - Operator failed to plug a well under 25 Pa. Code Sections 78.91 and 78.98 after the defect could not be corrected or an alternate method was not approved by the Department.			3	3
78.88(b)1-4 - OPERATING WELLS - MECHANICAL INTEGRITY OF OPERATING WELLS - Operator failed to meet minimum requirements for inspections to determine compliance with the well construction and operating requirements.		1		1
78.88(d) - OPERATING WELLS - MECHANICAL INTEGRITY OF OPERATING WELLS - Operator failed to immediately notify the Department and take corrective actions to repair or replace defective equipment or casing for wells exhibiting progressive corrosion, rusting or other signs of equipment deterioration that compromise the integrity of the well.		10		10
78.91(a) - PLUGGING - GENERAL PROVISIONS - Upon abandoning a well, the owner or operator failed to plug the well to stop the vertical flow of fluids or gas within the well bore under 25 Pa. Code §§ 78.92—78.98 or an approved alternate method.		19	6	25

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78.91(d) - PLUGGING - GENERAL PROVISIONS - Operator failed to follow requirements or other method approved by the Department to plug strata bearing or having borne oil, gas, or water for when the production casing could not be retrieved.			1	1
78.95(A) - PLUGGING – WELLS IN NONCOAL AREAS – SURFACE CASING IS CEMENTED – Owner or operator failed to follow requirements or other method approved by the Department to plug a well, where the surface casing is cemented and the production casing is not cemented or not present.		1		1
78.95(B) - PLUGGING – WELLS IN NONCOAL AREAS – SURFACE CASING IS CEMENTED – Owner or operator failed to follow requirements or other method approved by the Department to plug a well, where the surface casing and production casing are cemented.		1		1
78.96 - PLUGGING – MARKING THE LOCATION OF A PLUGGED WELL – Upon completion of plugging or replugging a well, the operator failed to erect a permanent marker with permit or registration number.		6		6
78a53 - EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT - Person proposing or conducting earth disturbance activities associated with oil and gas operations failed to comply with 25 Pa. Code § 102.	253		4	257
78a54 - GENERAL REQUIREMENTS - Operator failed to control and dispose of fluids, residual waste and drill cuttings, including tophole water, brines, drilling fluids, drilling muds, stimulation fluids, well servicing fluids, oil, and production fluids in a manner that prevents pollution of the waters of the Commonwealth and in accordance with 25 Pa. Code §§ 78a.55 – 78a.58 and 78a.60 – 78a.63.	49		44	93
78a55(i)5iB - EMERGENCY RESPONSE – Planning – Operator’s emergency response plan failed to include the emergency notification procedures that the operator shall utilize to contact emergency responders during an emergency.			1	1
78a55(i)5iC - EMERGENCY RESPONSE – Planning – Operator’s emergency response plan failed to include a description of the well site personnel’s response to fire, medical emergency, explosion or similar event, spill, security breach or other security event and any other incident that necessitates the presence of emergency responders.			1	1

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78a55(i)5iD - EMERGENCY RESPONSE – Planning – Operator’s emergency response plan failed to include a description of the procedure to be used to provide the most current information to emergency responders in the event of an emergency. Including the current Safety Data Sheet (SDS) required under law to be present at the well site, the location of the SDSs at the well site, the name of the position in the operator’s organization responsible for providing the information in sub clauses (I) and (II).			1	1
78a55(i)5iG - EMERGENCY RESPONSE – Planning – Operator’s emergency response plan failed to include a summary of the risks and hazards to the public within 1/2 mile of the well site and the associated planning assumptions.			1	1
78a55(i)5vi - EMERGENCY RESPONSE – Planning - Failure of the unconventional well operator to have a copy of the emergency response plan at the well site during all phases of operation.			3	3
78a55(i)5vii - EMERGENCY RESPONSE – Planning - Failure of the operator’s plan to address response actions for preparation of the access road & well site, drilling of the well, hydraulic fracturing and stimulation, production, plugging and well site restoration.			1	1
78a56(a) - TEMPORARY STORAGE - Operator failed to contain regulated substances and wastes used at or generated at a well site in a tank, series of tanks or other storage structures approved by the Department.	25		79	104
78a56(a)6 - TEMPORARY STORAGE – Operator’s tank or other approved storage structure failed to be designed, constructed and maintained to be structurally sound and reasonably protected from unauthorized acts of third parties.			2	2
78a56(a)8 - TEMPORARY STORAGE - Operator failed to display a sign on the tank or other approved storage structure identifying the contents and an appropriate warning of the contents such as flammable, corrosive or a similar warning.	1		1	2
78a57(a) - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator failed to collect brine and other fluids produced during operation of the well in a tank, series of tanks, or other device approved by the Department for subsequent disposal or reuse.	6		11	17
78A57(A) - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator used open top structure(s) to store brine and other fluids produced during operation of the well.	1			1

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78A57(A)___ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Operator failed to report and remediate spills or leaks in accordance with 25 Pa. Code § 78a.66 detected prior to closing production fluids pit.			1	1
78A57(A)___ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator discharged brine and other fluids on or into the ground or into the waters of this Commonwealth.	27		15	42
78A57(A)_____ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS - Operator stored wastes at the well site that were not generated at the well site or were not beneficially reused at the well site without being permitted under the Solid Waste Act.			1	1
78A57(C)_ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Operator’s secondary containment area failed to provide capacity sufficient to hold the volume of the largest single aboveground tank, plus an additional 10% of volume for precipitation.			1	1
78a57(d) - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Primary containment used to store brine or other fluids produced during operation of the well was not designed, constructed and maintained to be structurally sound in accordance with sound engineering practices adhering to nationally recognized industry standards and the manufacturer’s specifications.			15	15
78A57(l)___ - CONTROL, STORAGE AND DISPOSAL OF PRODUCTION FLUIDS – Operator failed to address and remedy deficiencies noted during an inspection prior to continued use of the tank. Substantial modification(s) to correct deficiencies are not in accordance with manufacturer’s specifications and applicable engineering design criteria.			9	9
78a60(a) - DISCHARGE REQUIREMENTS - Operator discharged a substance, fill or dredged material into waters of the Commonwealth contrary to 25 Pa. Code Chapters 91, 93, 95,102 and 105, The Clean Streams Law, Dam Safety and Encroachments Act and the 2012 Oil and Gas Act.	7			7
78a64a(a) - SECONDARY CONTAINMENT – Well site was not designed and constructed using secondary containment.	2		17	19
78a64a(b) - SECONDARY CONTAINMENT – All regulated substances, including solid wastes and other regulated substances in equipment or vehicles, failed to be managed within secondary containment on the well site.	15		29	44

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
78a64a(d) - SECONDARY CONTAINMENT - Secondary containment failed to have storage capacity sufficient to hold the volume of the largest single aboveground primary containment, plus an additional 10% of volume for precipitation.	2		3	5
78A64A(D)_ - SECONDARY CONTAINMENT – Tanks that were manifolded together failed to be designed in a manner to prevent the uncontrolled discharge of multiple manifolded tanks.	1			1
78a64a(e) - SECONDARY CONTAINMENT – Secondary containment was not inspected weekly to ensure integrity.			3	3
78A64A(E)_ - SECONDARY CONTAINMENT – Operator failed to repair damaged or compromised secondary containment as soon as practicable.	1			1
78A64A(E)_ SECONDARY CONTAINMENT – Operator failed to remove stormwater as soon as possible and prior to the capacity of secondary containment being reduced by 10% or more.	2			2
78a64a(f) - SECONDARY CONTAINMENT – Operator failed to remove regulated substances that escaped from primary containment or otherwise spilled onto secondary containment as soon as possible and inspect the secondary containment after removal.	1			1
78A64A(F)_ - SECONDARY CONTAINMENT – Operator failed to notify the Department and remediate the affected area in accordance with 25 Pa. Code § 78a.66, when secondary containment did not completely contain the material.	2			2
78a65(a)1 - SITE RESTORATION - Post Drilling - Owner or operator failed to restore the land surface within 9 months after completion of drilling a well, in accordance with a restoration plan and remove all drilling supplies, equipment, primary containment and secondary containment not necessary for production or needed to safely operate the well.	7		1	8
78a65(a)1i - SITE RESTORATION - Post Drilling - Owner or operator failed to restore the land surface within 9 months after completion of drilling all permitted wells on the well site or 9 months after the expiration of all existing well permits on the well site, which ever is later.	7			7
78a65(a)3 - SITE RESTORATION – Wells Not Drilled – Well site failed to be restored within 9 months after the expiration of the well permit and an extension for reasons of adverse weather or lack of essential fuel, equipment or labor was not approved by the Department.	5			5

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
78a65(b)2 - SITE RESTORATION – Restoration Plan – Operator’s restoration plan failed to be developed and implemented to address proposed site configuration after post-drilling restoration including the areas of the well site being restored.	1			1
78a65(b)6 - SITE RESTORATION – Restoration Plan – Operator’s restoration plan failed to be developed and implemented to address PCSM BMPs remaining in place and proof of compliance with 25 Pa. Code § 102.8(l) and (m), or a licensed professional certification of complete site restoration to approximate original contours and return to preconstruction stormwater runoff rate, volume and quality in accordance with 25 Pa. Code § 102.8(g).	1			1
78a65(b)7i - SITE RESTORATION – Restoration Plan – Operator’s restoration plan failed to be developed and implemented to address the permanent stabilization of the restored areas in accordance with 25 Pa Code § 102.22 (relating to site stabilization).	1			1
78a65(b)7ii - SITE RESTORATION – Restoration Plan – Operator’s restoration plan failed to be developed and implemented to address the permanent stabilization of the restored areas through implementation of PCSM BMPs as required by 25 Pa Code § 102.8, including § 102.8(a-m).	1			1
78a66(b)1 - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases – Operator or other responsible party failed to report spills and releases of regulated substances to the Department.	7		30	37
78a66(b)1i - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases – Operator or other responsible party failed to report a spill or release of a regulated substance causing or threatening pollution of the waters of this Commonwealth, in the manner required by 25 Pa. Code § 91.33 (relating to incidents causing or threatening	2		1	3
78a66(b)1ii - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases – Operator or other responsible party failed to report a spill or release of 5 gallons or more of a regulated substance over a 24-hour period that was not completely contained by secondary containment.	1			1
78a66(b)2 - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases - Operator or other responsible party failed to contact the appropriate regional Department office by telephone or call the Department’s Statewide toll free number as soon as practicable, but no later than 2 hours after discovering the spill or release.			4	4

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2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
78A66(B)2_ - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases – Operator or other responsible party failed to provide required information, to the extent known, during release reporting.	2			2
78a66(b)3 - REPORTING AND REMEDIATING SPILLS AND RELEASES – Reporting releases – Operator or other responsible party failed to take necessary interim corrective actions to prevent the regulated substance from polluting or threatening to pollute the waters of the Commonwealth, damage to property and Impacts to downstream users of waters of the Commonwealth.			1	1
78a66(c) - REPORTING AND REMEDIATING SPILLS AND RELEASES – Remediating releases - Operator or other responsible party failed to remediate the area polluted by a spill or			4	4
78a68(a) - OIL AND GAS GATHERING PIPELINES - Construction, installation, use, maintenance, repair and removal of oil and gas gathering pipelines failed to be conducted in accordance with the requirements of 25 Pa. Code Chapters 102 and 105.	132			132
78a68(b) - OIL AND GAS GATHERING PIPELINES - Highly visible flagging, markers or signs failed to be used to identify the shared boundaries of the limit of disturbance, wetlands and locations of threatened or endangered species habitat prior to land clearing.	24			24
78A68(B)_ - OIL AND GAS GATHERING PIPELINES - Highly visible flagging, markers or signs failed to be used and maintained throughout earth disturbance activities and restoration or PCSM activities.	9			9
78a68(c)2 - OIL AND GAS GATHERING PIPELINES – Operator failed to prevent topsoil and subsoil from entering watercourses and bodies of water.	67			67
78a68a(h) - HORIZONTAL DRILLING FOR OIL AND GAS PIPELINES - Horizontal directional drilling activities resulted in a discharge of drilling fluids to waters of the Commonwealth.	38			38
78a68a(i) - HORIZONTAL DRILLING FOR OIL AND GAS PIPELINES - Drilling fluid discharge or loss of drilling fluid circulation failed to be immediately reported to the Department upon discovery.	2			2
78a68a(k) - HORIZONTAL DRILLING FOR OIL AND GAS PIPELINES - Horizontal directional drilling fluid returns and drilling fluid discharges failed to be managed in accordance with 25 Pa. Code Subpart D, Article IX (relating to residual waste management).	5			5

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
78a68b(a) - WELL DEVELOPMENT PIPELINES - The construction, installation, use, maintenance, repair, and removal of well development pipelines failed to meet applicable requirements in 25 Pa. Code Chapters 102 and 105.	5			5
78a69(e)1 - WATER MANAGEMENT PLANS - Operational Requirements – Person failed to have a sign posted at the entrance to the water source withdrawal location, displaying required information prior to any withdrawal.	1			1
78a73(a) - GENERAL PROVISION FOR WELL CONSTRUCTION AND OPERATION - Operator failed to construct and operate the well in accordance with 25 Pa. Code Chapter 78a and ensure that the integrity of the well is maintained and health, safety, environment and property are protected.			2	2
78a73(b) - GENERAL PROVISION FOR WELL CONSTRUCTION AND OPERATION - Operator failed to prevent gas, oil, brine, completion and servicing fluids, and any other fluids or materials from below the casing seat from entering fresh groundwater, and prevent pollution or diminution of fresh groundwater.	1		31	32
78a74 - VENTING OF GAS - Operator vented gas to the atmosphere that produced a hazard to the public health and safety.	1		2	3
78a81(a)2 - CASING AND CEMENTING - GENERAL PROVISIONS - Operator conducted casing and cementing activities that failed to prevent migration of gas or other fluids into sources of fresh groundwater.	1		35	36
78a81(a)3 - CASING AND CEMENTING - GENERAL PROVISIONS - Operator conducted casing and cementing activities that failed to prevent pollution or diminution of fresh groundwater.	1		22	23
78a83(d) - CASING AND CEMENTING - SURFACE AND COAL PROTECTIVE CASING AND CEMENTING PROCEDURES - Operator failed to permanently cement the surface casing by placing the cement in the casing and displacing it into the annular space between the wall of the hole and outside of the casing.			1	1
78a85(a)5 - CASING AND CEMENTING - CEMENT STANDARDS - Operator failed to prevent gas flow in the annulus and use gas block additives and low fluid loss slurries in areas of known shallow gas producing zones.	1		42	43
78a86 - CASING AND CEMENTING - DEFECTIVE CASING OR CEMENTING - Operator failed to report defect in a well that has defective, insufficient or improperly cemented casing to the Department within 24 hours of discovery. Operator failed to correct defect or failed to submit a plan to correct the defect for approval by the Department within 30 days.	1		47	48

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
78a91(a) - PLUGGING - GENERAL PROVISIONS - Upon abandoning a well, the owner or operator failed to plug the well to stop the vertical flow of fluids or gas within the well bore under § 3221 of the 2012 Oil & Gas Act, 25 Pa. Code §§ 78a.92—78a.98 or an approved alternate method.		1	3	4
91.33(A) - INCIDENTS CAUSING OR THREATENING POLLUTION - Failure to notify the Department of an accident or other activity or incident, a toxic substance or another substance which would endanger downstream users of the waters, result in pollution or create a danger of pollution of the waters of this Commonwealth, or would damage	14	8	1	23
91.33(B)_ - INCIDENTS CAUSING OR THREATENING POLLUTION - Failure to remove from the ground and from the affected waters of this Commonwealth the residual substances contained thereon or therein within 15 days from a pollution or a danger of pollution	1			1
91.34(A) - ACTIVITIES UTILIZING POLLUTANTS - Failure to take necessary measures to prevent the substances from directly or indirectly reaching waters of this Commonwealth, through accident, carelessness, maliciousness, hazards of weather or from another cause.	19	14	16	49
CSL 301 - PROHIBITION AGAINST DISCHARGE OF INDUSTRIAL WASTES - Industrial waste discharged into Waters of the Commonwealth.	116	9	2	127
CSL 307(a) - INDUSTRIAL WASTE DISCHARGES - Industrial waste discharged, directly or indirectly, into Waters of the Commonwealth, without a permit, authorization, or contrary to rules and regulations of the Department.	87	22	1	110
CSL 401 - PROHIBITION AGAINST OTHER POLLUTIONS - Discharged substance of any kind or character resulting in pollution of Waters of the Commonwealth.	148	14	30	192
CSL 402(b) - POTENTIAL POLLUTION - Conducting an activity regulated by a permit issued pursuant to Section 402 of The Clean Streams Law to prevent the potential of pollution to waters of the Commonwealth without a permit or contrary to a permit issued under that authority by the Department.	141	29	111	281
CSL401 - CSL - Unauthorized, unpermitted discharge of polluting substances to waters of the Commonwealth resulting in pollution	1			1
OGA3211(A) - WELL PERMITS - PERMIT REQUIRED - Drilling or altering a well without a well permit or no copy of the well permit at the well site.		1		1
OGA3211(M) - WELL PERMITS - WATER MANAGEMENT - Failure to obtain an approved water management plan for withdrawing or using water during the drilling or hydraulic fracture stimulation of an unconventional well.	1			1

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
OGA3216(A) - WELL SITE RESTORATIONS - GENERAL RULE - Failure to restore disturbed land surface of a well site.	1	1		2
OGA3216(B) - WELL SITE RESTORATIONS - PLAN - Failure to follow E&S control plan during and after earthmoving or soil disturbing activities.	4			4
OGA3216(C) - WELL SITE RESTORATIONS - PITS, DRILLING SUPPLIES AND EQUIPMENT - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.	1	32		33
OGA3216(D) - WELL SITE RESTORATIONS - ITEMS RELATED TO PRODUCTION OR STORAGE - Failure to remove production/storage facilities, supplies and equipment and restore the well site within 9 months of plugging a well.			3	3
OGA3218.2(A) - CONTAINMENT FOR UNCONVENTIONAL WELLS - SITES - Failure to design and construct unconventional well site to prevent spills to the ground surface and off well site.	4		12	16
OGA3218.2(D) - CONTAINMENT FOR UNCONVENTIONAL WELLS - CAPACITY Containment system(s) does not meet 110% capacity requirement.	5		1	6
OGA3218.4(B) - CORROSION CONTROL REQUIREMENTS - OTHER STRUCTURES - Failure to comply with corrosion control requirements for permanent tanks.		1	7	8
OGA3218.4(D) - CORROSION CONTROL REQUIRMENTS - PROCEDURES - Failure to carry out or direct corrosion control requirements by a person qualified in corrosion methods.		1	7	8
OGA3219 - USE OF SAFETY DEVICES - Failure to use casing of sufficient strength and other safety devices to prevent blowouts, explosions and fires.			2	2
OGA3220(A) - PLUGGING REQUIREMENTS - Failure to plug the well upon abandoning it.	2	360	6	368
OGA3259(1) - UNLAWFUL CONDUCT - Drilling, altering or operating a well without a permit. Failure to comply with rules or regulations adopted under the 2012 Oil and Gas Act, DEP order, or a term or condition of the well permit.	5	45		50
OGA3259(2I) - UNLAWFUL CONDUCT - Conducting a drilling or production activity that is contrary to the 2012 Oil and Gas Act, 25 Pa. Code Chapter 78, DEP order, or a term or condition of the well permit.		4		4
SWMA 301 - MANAGEMENT OF RESIDUAL WASTE - Person operated a residual waste processing or disposal facility without obtaining a permit for such facility from DEP. Person stored, transported, processed, or disposed of residual waste inconsistent with or unauthorized by the rules and regulations of DEP.	106	114	143	363

2019 VIOLATIONS SUMMARY

2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
SWMA 302(A) - DISPOSAL, PROCESSING AND STORAGE OF RESIDUAL WASTE - Person disposed, processed, stored, or permitted the disposal, processing or storage of residual waste in a manner which is contrary to the rules and regulations of DEP or to any permit or to the terms or conditions of any permit or any order issued by DEP.	15	70	4	89
SWMA 302(B)1 - DISPOSAL, PROCESSING AND STORAGE OF RESIDUAL WASTE - Person failed to use methods or facilities necessary to control leachate, runoff, discharges and emissions from residual waste in accordance with DEP regulations.		4		4
SWMA 302(B)3 - DISPOSAL, PROCESSING AND STORAGE OF RESIDUAL WASTE - Person failed to design, construct, operate or maintain facilities and areas in a manner that do not adversely effect affect or endanger public health, safety and welfare or the environment or cause a public nuisance.	1	1	7	9
SWMA 401(A) - MANAGEMENT OF HAZARDOUS WASTE – Person operated a hazardous waste storage, treatment or disposal facility without obtaining a permit for the storage, treatment and disposal of hazardous waste from DEP. Person stored, transported, treated, or disposed of hazardous waste unauthorized by the rules and regulations of DEP. Person transported hazardous waste within the Commonwealth without obtaining a license for the transportation of hazardous waste from DEP.		2		2
SWMA 610(1) - UNLAWFUL CONDUCT - Person dumped or deposited, or permitted the dumping or depositing, of solid waste onto the surface of the ground or underground or into the waters of the Commonwealth, without a permit for the dumping of such solid wastes from DEP.	13	78	4	95
SWMA 610(2) - UNLAWFUL CONDUCT - Person constructed, altered, operated or utilized a solid waste storage, treatment, processing or disposal facility without a permit from DEP as required by the Solid Waste Management Act or in violation of the rules or regulations adopted under this act, or orders of DEP, or in violation of any term or condition of any permit issued by DEP.			1	1
SWMA 610(4) - UNLAWFUL CONDUCT - Person stored, collected, transported, processed, treated, beneficially used or disposed of, or assisted in the storage, collection, transportation, processing, treatment, or disposal of, solid waste contrary to the rules or regulations adopted under the Solid Waste Management Act, or orders of DEP, or terms or conditions of a permit, or in a manner creating a public nuisance or which adversely affected the public health, safety and welfare.		3		3

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2019 VIOLATIONS SUMMARY	ADMINISTRATIVE/ WELL SITE	CONVENTIONAL	UNCONVENTIONAL	Total
SWMA301 - Failure to properly store, transport, process or dispose of a residual waste.		2		2
Grand Total	2748	1763	985	5496