



Oil and Gas Management

***Proposed Amendments to DEP's Standards and Guidelines for Identifying, Tracking, and Resolving Oil and Gas Violations (550-3000-001)***

***CITIZEN'S ADVISORY COUNCIL  
October 21, 2014***



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Oil and Gas Management

# Speaker

- Kurt Klapkowski, DEP Bureau Director, Oil and Gas Planning and Program Management



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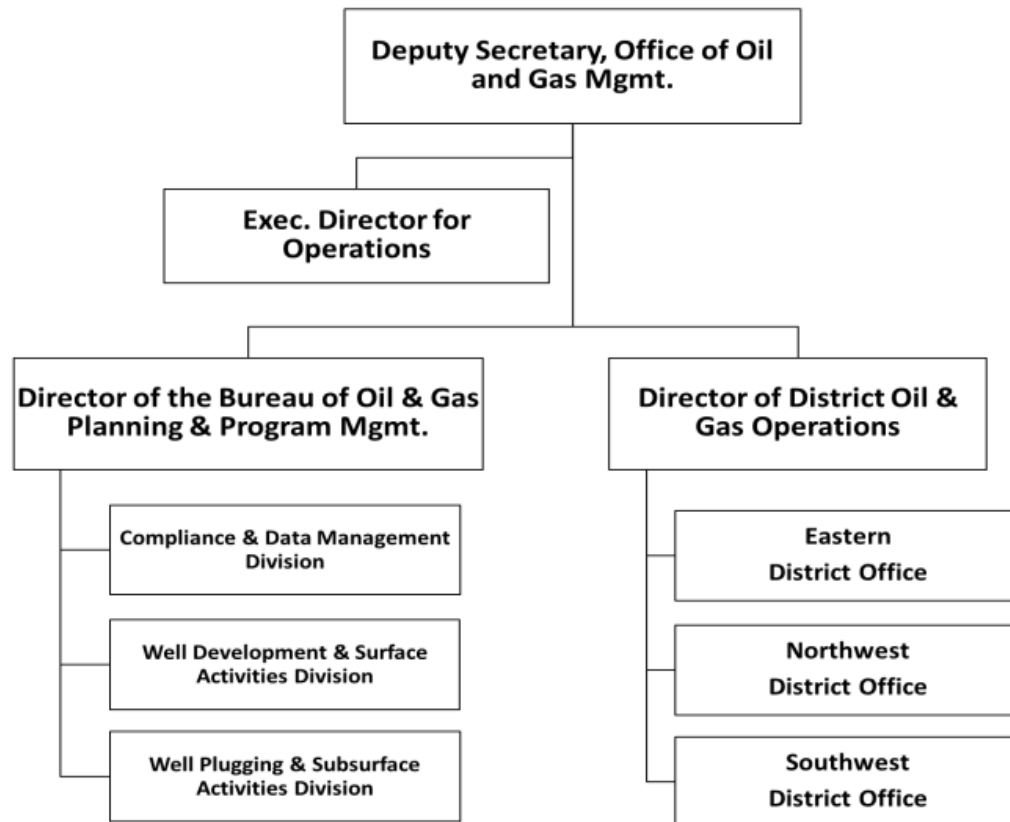
# Roadmap

- Background
- Enforcement Actions
- Identifying a violation – Inspections
- Water Supply Investigation Requests

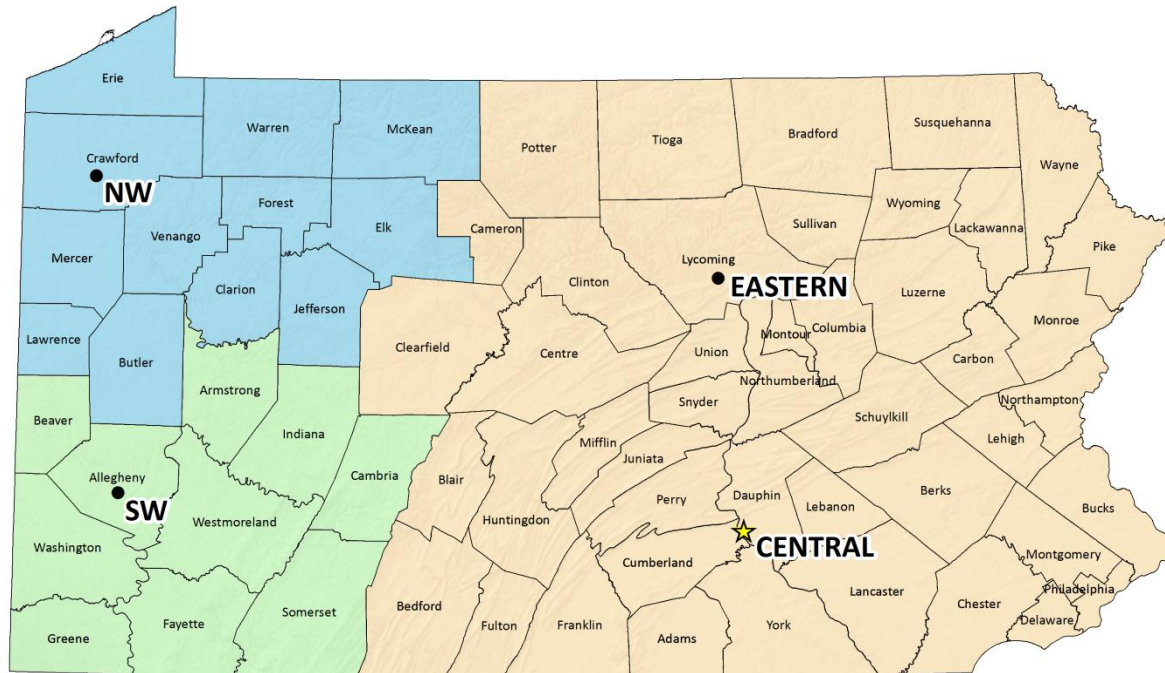
# Background

- 2002 Policy, updated in 2005
- Unconventional well development
- 2012 Oil and Gas Act
- Statement of Policy, § § 78.901-78.906 (1987)
- Recent developments

# Office of Oil and Gas Management



# Office of Oil and Gas Management



● District Offices    ★ Central Office    Eastern District    Northwest District    Southwest District

# Enforcement Actions

- Follows current Oil and Gas Violations Policy
- Principles
- Process
- Progressive Enforcement Actions
- Corrective Actions and penalties
- Recordation in eFACTS within 10 days

# Enforcement

- Primary objective = attain and maintain a high degree of compliance with the laws governing oil and gas development
- Voluntary compliance through technical assistance and education is preferred BUT...
- ...the Department is authorized by statute to take enforcement action to assure compliance!



# Enforcement

- Basic Principles of Enforcement
  - Appropriate enforcement action
  - Minimum response = written notification
  - Follow-up action based on progressive enforcement
  - Penalties may be assessed when appropriate

# Enforcement Actions

- Notice of violation
- Administrative Conference
- Administrative Order
- Consent Assessment of Civil Penalty
- Suspension or revocation of permit
- Civil Penalties
- Bond Forfeiture
- Equity Actions
- Criminal Referral

# Inspections - Inspectors

- Biologists/Water Quality Specialists – Surface Activities
- Geologists/Engineers – Subsurface Activities
- Inspection Trends

# Inspections - Notifications

- Spud date (commencement of drilling)
- Resumption of drilling
  - 30-day (or longer) break in drilling
- Cementing of all casing strings
- Conducting pressure tests of the production casing
- Stimulation of a well
- Abandoning or plugging of a well

# Types of Inspections

## Well Pad Inspections (Surface)

- Water Quality Specialists
  - Erosion and Sedimentation Controls (mandatory; before drilling)
  - Inspect waste containment

## Well Drilling Inspections (Sub-surface)

- Oil and Gas Inspectors
  - Perform inspections when well drilling commences and ongoing drilling activities
  - (setting casings, cementing jobs, etc.)
  - Inspect well fracturing operations

## Other DEP Inspections

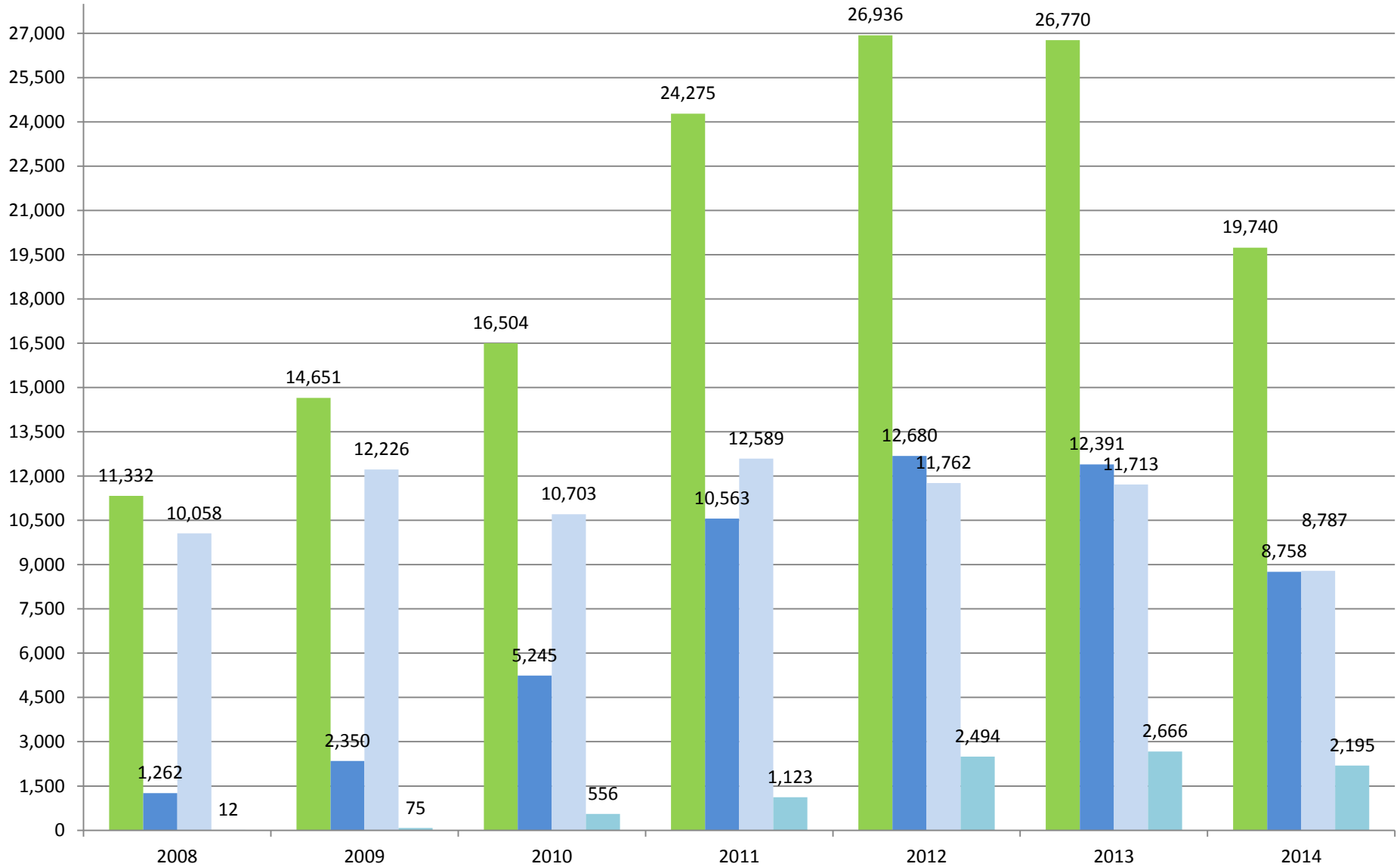
- Air Quality
- Waste Management
- Water Management (Water Quality)

# ▶ Identifying a violation - Inspections

- Types of Inspections (internal tracking)
- Frequency of Inspections
- Preparing for Inspections
- Conducting Inspections
- Coordination with Other Programs

# Compliance Inspections January - September

■ Total Inspections    ■ Unconventional Inspections    ■ Conventional Inspections    ■ Client/Site Inspections



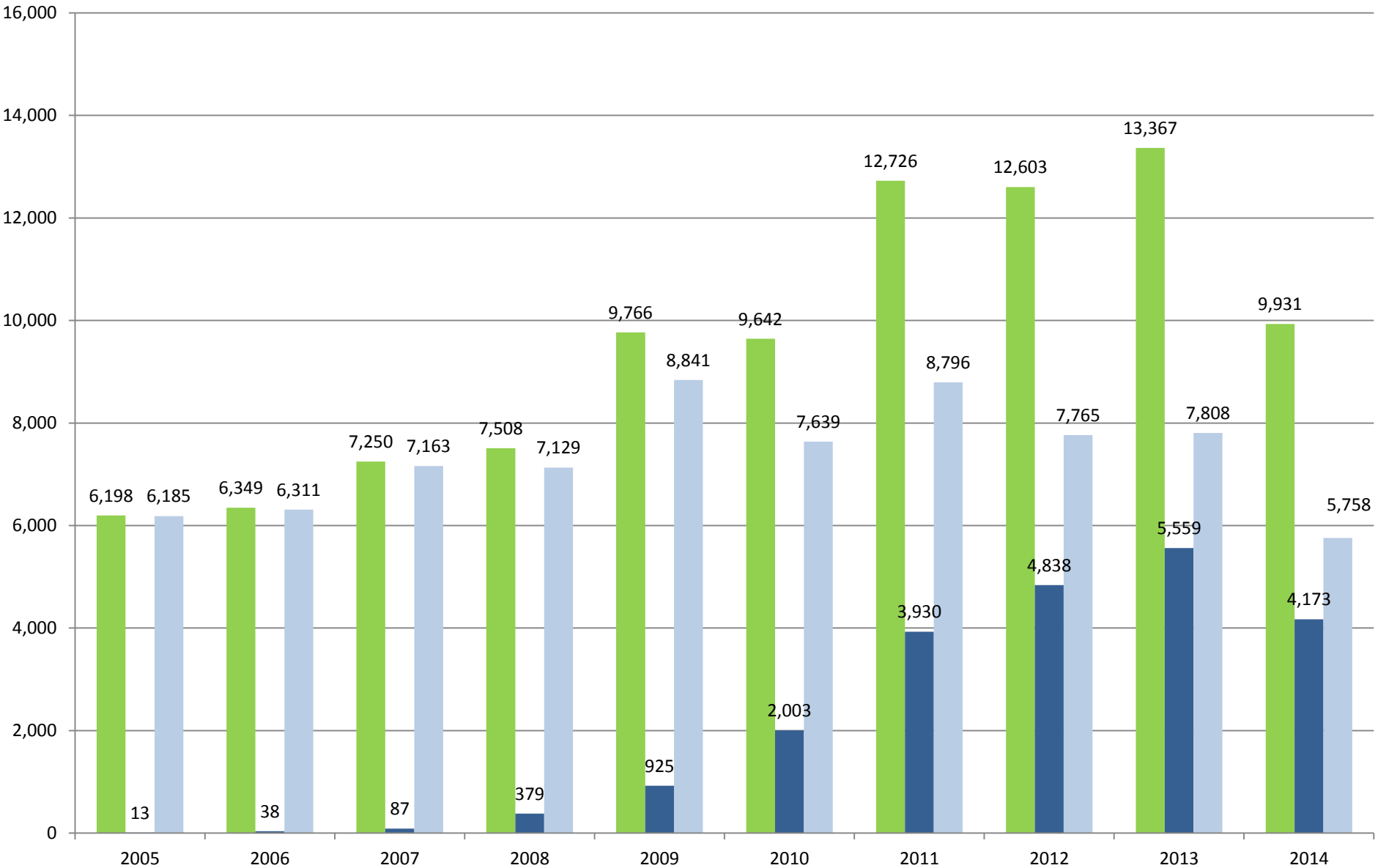
# Wells Inspected January - September

10/07/2014

Total Wells Inspected

Unconventional Wells Inspected

Conventional Wells Inspected

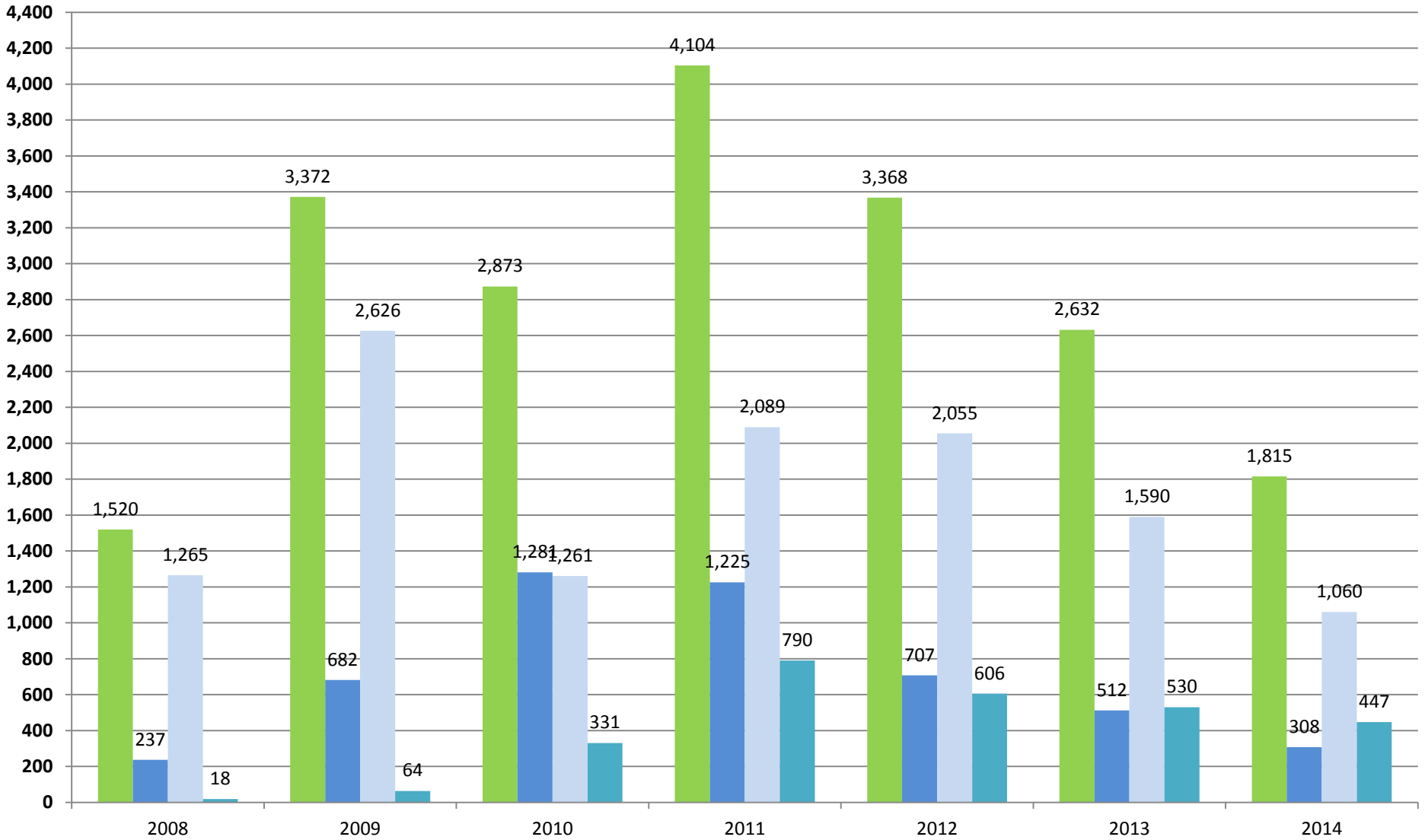




# Compliance Violations January - September

10/07/2014

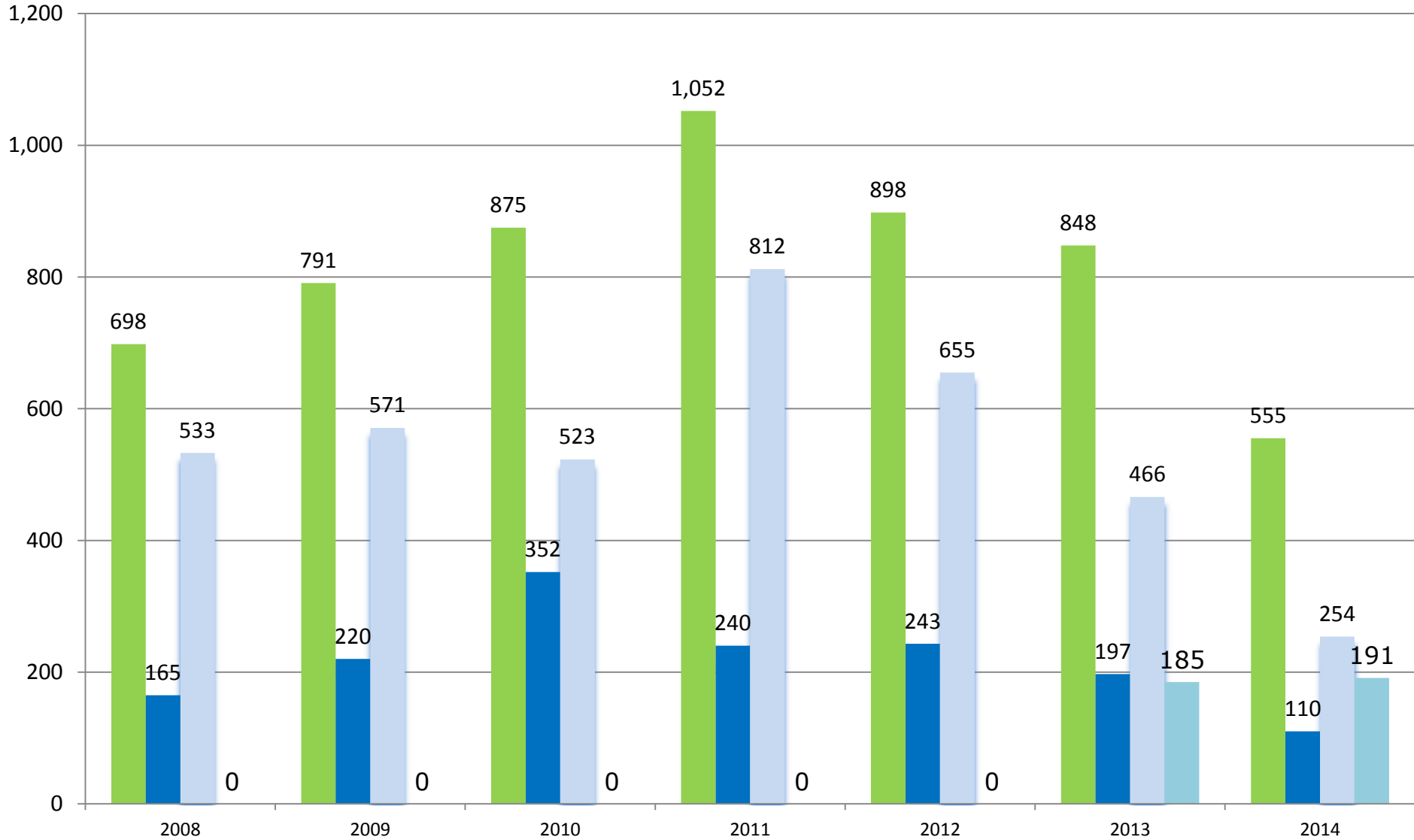
■ Total Violations ■ Unconventional Violations ■ Conventional Violations ■ Client/Site Violations



# Compliance Enforcements January - September

10/07/2014

■ Total Enforcements   ■ Unconventional Enforcements   ■ Conventional Enforcements   ■ Client/Site Enforcements



# Data Reported to the Department

- Permits, Authorizations and Approvals
- Incident Reporting
- Notifications
- Plans
- Reports and Records
- Other Data
- Review and Recordation of Data

# Water Supply Investigations

- Background
  - Statutory Provisions
  - Rebuttable Presumption
- Water Supply Investigation Requests
  - Outside of the Rebuttable Presumption Area
  - Within the Rebuttable Presumption Area

# Water Supply Investigations

- Outside of the Rebuttable Presumption Area
  - Basic Info – entry into water supply investigation tracking system
  - Same day contact
  - Within two days – site inspection and sampling
  - Referral to Geologist for Investigation
  - Investigation concluded within 45 days
  - Sample results provided within seven days

# Water Supply Investigations

- Outside of the Rebuttable Presumption Area
- Determination = Not Impacted
  - Notify requestor in writing of findings
- Determination = Impacted
  - Notify requestor in writing of findings
  - Require operator to provide temporary water within 24 hours
  - Issue NOV within 30 days, 10 days for response

# Water Supply Investigations

- Determination = Impacted (cont'd)
  - Within 30 days, issue order requiring replacement UNLESS
    - (1) the water supply has already been restored;
    - (2) the request has been withdrawn;
    - (3) operator/supply owner agreement pursuant to 25 Pa. Code § 78.51(g); or
    - (4) the water supply is no longer polluted or diminished.

# Water Supply Investigations

- Within the Rebuttable Presumption Area
  - Basic Info – entry into water supply investigation tracking system
  - Same day contact
  - Within two days – site inspection and sampling
  - If observed potential impact, require temporary water within 24 hours
  - If no temporary water, issue order and initiate investigation as above
  - If operator offers evidence, initiate investigation as above





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# Questions?

**Kurt Klapkowski**

**Director, Bureau of Oil & Gas**

**Planning and Program Management**

**[kklapkowski@pa.gov](mailto:kklapkowski@pa.gov)**

**717-772-2199**