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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Oil and Gas Management



Proposed Regulation for Oil and Gas Surface Activities Webinar

Dial-in number for Audio: 1-877-668-4493

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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



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Agenda

- Website Information
- Background
- Proposed Revisions
- Public Participation Opportunities
- Question and Answer Session



- Site Documents News
-
- Log In
- About DEP
- Newsroom
- DEP Programs A - Z
- Air
- Energy
- Environmental Cleanup & Brownfields
- Mining
- Oil and Gas
- Radiation Protection
- Waste
- Water
- Program Integration
- Public Participation Center
- Permits, Licensing & Certifications
- Report an Incident
- Regional Resources
- Grants, Loans and Rebates
- Environmental Education
- Tools
- Public Records

Welcome to the Pennsylvania Department of Environmental Protection

DEP is largely responsible for administering Pennsylvania's environmental laws and regulations. Each day, the department works to reduce air pollution; make sure our drinking water is safe; protect the water quality in our rivers and streams; make sure that waste is handled properly; support community renewal and revitalization; promote advanced energy technology and help the commonwealth's citizens prevent pollution and comply with Pennsylvania's environmental regulations.



Public Participation Center

Application Consultation Tool

Proposed Oil and Gas Regulations

Natural Gas Vehicle Program

Permit Decision Guarantee

- Latest News
- [Newsroom](#)
- [Public Participation](#)
- [For Government](#)

- 12/18/2013 [DEP Reminds Pennsylvanians 'Tis the Season to Recycle Electronics](#)
- 12/18/2013 [DEP to Hold Webinars on Permit Revision for Temporary Road Crossings](#)
- 12/16/2013 [Governor Corbett Awards Incentive Grants for Innovative Projects](#)
- 12/13/2013 [Lake Erie International Coastal Cleanup Improves 25 Miles of Shoreline](#)
- 12/12/2013 [Environmental Quality Board Opens Public Comment Period on Proposed Oil and Gas Regulations, Will Hold Public Hearings](#)



Healthy PA
ACCESS · AFFORDABILITY · QUALITY

Click here to see
Governor Corbett's plan

Citizen's Guide to DEP Regulations

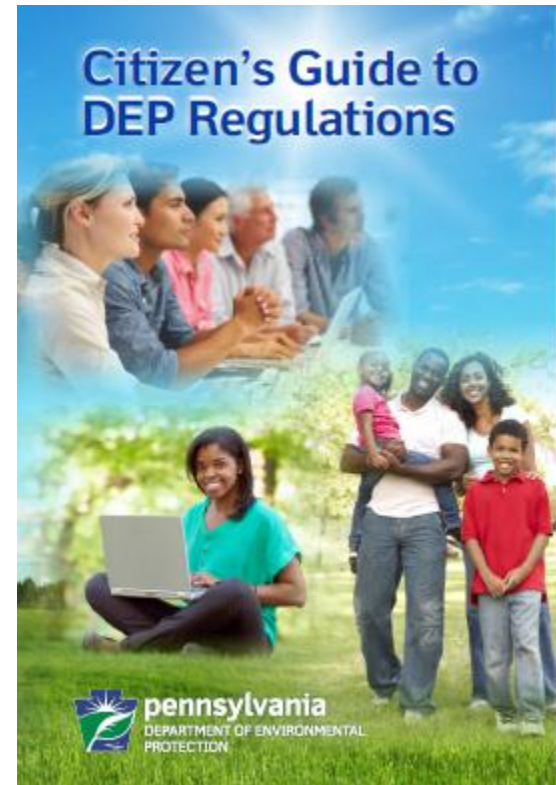
- Developed with input by the Citizens Advisory Council
- Available online in the Be Informed Section

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

Chapter 78 –Background

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

▶ Chapter 78 Revisions – Subchapter C

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

▶ Chapter 78 Revisions – Subchapter C

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

Chapter 78 Revisions – Subchapter C

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

▶ Chapter 78 Revisions – Subchapter C

Beyond the Well Site

- Codify Centralized Impoundment Permit
- Establish rock pit and freshwater impoundment construction and restoration standards

▶ Chapter 78 Revisions – Subchapter C

Beyond the Well Site

- Temporary Line Construction Standards
 - Pressure testing
 - Valve locations
 - Stream crossings
 - Inspection requirements

▶ Chapter 78 Revisions – Subchapter C

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

▶ Chapter 78 Revisions – Subchapter C

Beyond the Well Site

- Codify current water management planning requirements
- Follow Susquehanna River Basin Commission standards for groundwater use, sign, metering and reporting requirements

▶ Chapter 78 Revisions – Subchapter C

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 Participation Opportunities

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 Participation Opportunities

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 Enter Comments for Proposed Rulemaking

Details of proposed rulemakings can be found on the [PA Bulletin](#)

***Proposed Rulemaking:**

***First Name:**

***Last Name:**

Affiliation:

***E-mail Address:**

***Street1 Address:**

Street2 Address:

***City:**

***State:**

***Zip Code:**

***Country:**

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:

Attached Comments:

Public Participation Opportunities

- 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



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Questions?

Please type them into the chat window.



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Additional Questions?

Kurt Klapkowski, Director

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Planning and Program Management

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