



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Oil and Gas Management



Proposed Rulemaking: Environmental Protection Performance Standards for Oil and Gas Development (Chapter 78 Subchapter C)

Environmental Quality Board
August 27, 2013

Chapter 78 - Background

Significant Public Involvement

- TAB Involvement Since April 2011
- Marcellus Shale Advisory Commission
- NGO, Industry, Local Government Consultation
- STRONGER Review
- TAB Workgroups

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 Review
- Waste Management at Well Sites
- Beyond the Well Site
 - Impoundments, Pipelines, Rock Pits, Brine Spreading

Ch. 78 - Permitting

- Electronic Submission Required
- Public Resource Protection
 - Jurisdictional Agency Comment
 - Condition if Probable Harmful Impact Criteria is Met
 - Consider Rights of Operator

Ch. 78 Pre-Hydraulic Fracturing Review

- Identify Abandoned Wells Prior to Hydraulic Fracturing
- GIS Initiative
- Monitor During Stimulation
- Plug if Altered

Ch. 78 - 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

Ch. 78 - 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

Ch. 78 - Beyond the Well Site

Support Facilities

- Codify Centralized Impoundment Permit
- Establish Rock Pit and Freshwater

Impoundment Construction and Restoration
Standards

Ch. 78 - Beyond the Well Site

- Temporary Line Construction Standards
 - Pressure Testing
 - Valve Locations
 - Stream Crossings
 - Inspection Requirements

Ch. 78 - Beyond the Well Site

Gathering Lines

- Notice prior to Horizontal Directional Drilling for Pipeline
- Additives other than bentonite require DEP approval (ANSI/NSF Standard 60)
- Inadvertent Return Contingency Plan

Ch. 78 - Beyond the Well Site

- Codify Current Water Management Planning Requirements
- Follow SRBC standards for Groundwater Use, Sign, Metering, and Reporting Requirements

Ch. 78 - Beyond the Well Site

- Roadspreading and De-Icing
 - Prohibit use of Shale Gas Wastewater
 - Codify Current Spreading Standards and Practices

Department Recommendations

- DEP recommends the Board approve the proposal to amend Chapter 78 for publication as proposed rulemaking.
- DEP recommends a 60-day public comment period with 6 public hearings.



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