

EXHIBIT B-10

Comments Submitted to EPA by Sandra K. Yerman

West Bay Exploration Company (WBEC), Haystead #9 SWD
(Permit #MI-079-2D-0010)

**Administrative Record
Item # 61**

May 10, 2013

Sandra K. Yerman

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Fax Cover Sheet

Date MAY 10, 2013Number of pages 5 (including cover page)**To:**Name USEPA TIM ELKINSCompany WO-16T-UTC

Telephone _____

Fax 312-385-5301**From:**Name SANDRA K. YERMANCompany 6600 RIVERSIDE RDTelephone BROOKLYN, MI 49230517-358-2315

Comments PLEASE SEND ME ALL HANDOUTS FROM USEPA
PUBLIC HEARING - APR 30 2013, I COULD NOT
ATTEND. THANK YOU.



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U.S. EPA (WU-16J)

THUR. MAY 9, 2013

TIM ECKINS - BY FAX AND 1ST CLASS MAIL 312-385-5301

77 W. JACKSON BLVD.

CHICAGO, IL 60604-3590.

Q/Written comments re: # MI-075-2D-0010.
WEST BAY EXPLORATION CO, HAYSTEAD NO 9 WELL.

1. Q. IF WEST BAY REINJECTS FRACTURING FLUIDS INTO ITS CLASS II DISPOSAL WELL, WILL THE SAND INHERENT IN FRACTURING FLUIDS REINJECTED UNDER PRESSURE, HOLD OPEN ANY FISSURES IN THE ROCK LAYER OF THE CONFINING ZONE AND EVENTUALLY ALLOW INJECTION TO MIGRATE UP TO THE USDWS? IF SO - EXPLAIN; IF NOT - WHY NOT EXPLAIN.
2. Q. WHAT IS THE HALLIBURTON LOOPHOLE THAT I BELIEVE CONGRESS MANDATED IN (FILL IN) WHICH I BELIEVE PREVENTS THE USEPA FROM APPLYING & MONITORING THE SDWA IF OIL AND/OR GAS OPERATIONS ARE INVOLVED? EXPLAIN. DEFINITION.
3. Q. WITH THE HALLIBURTON LOOPHOLE, IN ANY WAY SHAPE, OR FORM PREVENT THE U.S. EPA FROM APPLYING OR MONITORING THE SDWA IN RE: WEST BAY'S HAYSTEAD NO. 9 CLASS II INJECTION WELL IF THAT WELL EVER ACCEPTS FRACTURING FLUIDS FOR INJECTION - WHETHER RIGHT AWAY UNDER THIS PERMIT - OR DECADES LATER UNDER A MODIFICATION TO THIS PERMIT AS ABOVE? (* SPENT FRACTURING FLUIDS.) OR A NEW PERMIT #
4. Q. WHAT IS THE DIFFERENCE RE: THE CONFINING ZONE(S) "THE NIAGARA GROUP" AND THE "NIAGARAN" WEST BAY #22 ST. OF BASIS / HAYSTEAD NO. 9. ST. OF BASIS RESPECTIVELY EXPLAIN. WHY DID THE U.S. EPA CHANGE THE "WORDING" BETWEEN 2 ALMOST IDENTICAL UIC PERMITS OF WEST BAY'S? (RE: THE CONFINING ZONE.) i.e.

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CONTINUED -

Q/Written comments re: # MI-015-20-0010 :

5. Q. WHAT IS "PERMIT BY RULE", EXPLAIN, w/DEFINITION -
UNDER 40 CFR?

6. Q. ^A WOULD "PERMIT BY RULE" ALLOW THE U.S. EPA TO (SOMEHOW) APPLY THE DECISION-MAKING / PERMIT APPROVALS FROM THE HAYSTACK NO. 9 WELL TO THE WEST BAY # 22 WELL, SINCE BOTH WELL PERMITS ARE ALMOST IDENTICAL, ^B COULD THE WEST BAY # 22 WELL BE ISSUED DRAFT / FINAL PERMITS UNDER "PERMIT BY RULE" THUS DEPRIVING CITIZENS OF A PUBLIC COMMENT PERIOD / APPEAL OPPORTUNITY FOR THE WEST BAY # 22 WELL? THIS IS A TWO PART Q. -
A+B.

7. Q. HAS THE U.S. EPA EVER ISSUED A UIC PERMIT TO ANY FACILITY / INJECTION WELL OF ANY CLASS UNDER "PERMIT BY RULE"? LIST, AND EXPLAIN.

8. Q./COMMENT. UNDER PART I.B. PERMIT ACTIONS i.e. REVOCATION / TERMINATION. WHAT IS REQUIRED OF A COMMENTER / INTERESTED PERSON TO MAKE A REQUEST UNDER 40 CFR 124.5 TO THE REGIONAL ADMINISTRATOR? EXPLAIN, INCL. TIME PERIOD REQUIRED.

9. Q./COMMENT. UNDER PART I.B. PERMIT ACTIONS... HAS THERE EVER BEEN A SUCCESSFUL PART 124.5 REQUEST DONE BY A COMMENTER / INTERESTED PERSON FOR "REVOCATION AND REISSUANCE" OR "TERMINATION" OF A UIC PERMIT OF ANY CLASS? EXPLAIN.

10. Q./COMMENT. UNDER PART I.D. CONFIDENTIALITY. I BELIEVE AT LEAST SIX ITEMS NEED TO BE ADDED, i.e. THESE SIX ITEMS SHOULD NOT BE CONFIDENTIAL.

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Q/Written comments re: # MC-075-2D-0010:

10. Q. / comment. PART I.D. CONFIDENTIALITY - (NOT!) six items:

- ① PART I.D.(3) INFO. WHICH DEALS WITH THE EXISTENCE, ABSENCE OR LEVEL OF FRACTURES OR FISSURES IN THE CONFINING ZONE LAYER OF ROCK. (NOTE: FROM I.D.(3) TO I.D.(8) THESE ARE MY ADDITIONS TO, AFTER I.D.(2).
- ② PART I.D.(4) INFORMATION WHICH DEALS WITH AN INCREASE IN THE MAXIMUM INJECTION PRESSURE.
- ③ PART I.D.(5) INFO. WHICH DEALS WITH NON-COMPLIANCE BY THE PERMITTEE.
- ④ PART I.D.(6) INFO WHICH DEALS WITH A TRANSFER OF OWNERSHIP.
- ⑤ PART I.D.(7) INFO. WHICH DEALS WITH A MODIFICATION TO THE PERMIT FOR ENHANCED OIL RECOVERY.
- ⑥ PART I.D.(8) INFO WHICH DEALS WITH ALL OTHER MODIFICATIONS TO THE PERMIT. (ALL 6 COULD BE FOIA'ed!)

11. Q. WHAT IS "ENHANCED OIL RECOVERY"? EXPLAIN FULLY.12. Q. DOES ENHANCED OIL RECOVERY INVOLVE FRACTURING FLUIDS - WHETHER SPENT FLUIDS, OR PRE-INJECTION? & EXPLAIN.

comment

13. Q. PART I.E.(2) PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS - PUT LAST SENTENCE IN BOLD TYPE. IE "ANY PERSON WHO WILLFULLY VIOLATES A PERMIT CONDITION IS SUBJECT TO CRIMINAL PROSECUTION." (A WARNING!)

comment

14. Q. PART I.E.(3) NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE. ADD THIS: PART I.E.(3)(a): "IT SHALL NOT BE A DEFENSE FOR A PERMITTEE IN AN ENFORCEMENT ACTION TO STATE THAT THEY (PERMITTEE) WERE ONLY FOLLOWING ORDERS OF THE REGIONAL ADMINISTRATOR/DIRECTOR IF THE PERMITTEE

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14. Q. CONTINUED... KNOWS SAID ACTIVITY VIOLATES ANY CONDITION OF THIS PERMIT." (ANOTHER WARNING!)

15. Q/COMMENT. PART I.E. (8) RECORDS

STRIKE: AT 3RD SENTENCE DOWN FROM THE TOP
"AT LEAST THREE YEARS" THRU "REPORT."

ADD: "THE LIFE OF THE WELL," AFTER "PERIOD OF"
IE "THE PERMITTEE SHALL RETAIN RECORDS OF ALL MONITORING INFORMATION, INCLUDING ALL CALIBRATION AND MAINTENANCE RECORDS, AND COPIES OF ALL RECORDS REQUIRED BY THIS PERMIT FOR A PERIOD OF THE LIFE OF THE WELL. (INSTITUTES FULL RESPONSIBILITY!)"

16. Q/COMMENTS PART I.E. (9)(b) ANTICIPATED NON-COMPLIANCE. STRIKE: THE WHOLE PERMIT CONDITION - PART I.E. (9)(b). (NON-COMPLIANCE SHOULD NOT BE ALLOWED.)

17. Q/COMMENT. PART III CORRECTIVE ACTION PLAN.

ADD: OHIO DNR (ODNR) INJECTION WELL REFORMS -

HIGHLIGHTED PORTIONS ONLY FROM PG 1. AND PG 2.

IE FROM PERMIT 1501:9-3-06, FROM 09-21-2012.

SUBSTITUTE DIRECTOR FOR "CHIEF" 17 X, LEAVE THE WORD PROPOSED X2 COPY WORD-FOR-WORD-BEGINNING (C) THEN (1) (2) (3) (4) (5) (6) (7) (8) THEN (D.) THEN (E.) STOP AFTER E. (LIST CORR. ACTIONS) BEFORE PROBLEM APPEARS!

18 Q/COMMENT ADD TO THE ADMINISTRATIVE RECORD:

ODNR PERMIT 1501:9-3-06; PRELIM. RPT NORTHEAST 1 CLASS II

125. WELL & SEISMIC EVENTS - YOUNGSTOWN, OHIO AREA MAR. 2013

PS PLEASE SEND ALL HANDOUTS TO: SANDRA K. YERMAN

FROM APR 30 2013 HEARING 6600 RIVERSIDE RD.

QEW: 517-358-2315 BROOKLYN MI 49230

X Sandra K. Yerman