

EXHIBIT B-11

Addendum to Comments Submitted to EPA by S. Yerman

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

**Administrative Record
Item # 64**

May 14, 2013

Sandra K. Yerman

ADDENDUM - 1 PG
✓ MAY 14, 2013

US. EPA (WU-16J)

THUR. MAY 9, 2013

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

77 W. JACKSON BLDG.

CHICAGO, IL 60604-3590.

Q/Written comments re: # MI-075-21-0010.
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 UEDWS? IF SO - EXPLAIN; IF NOT - WHY NOT? EXPLAIN.
2. Q. WHAT IS THE HARBURTON LOOPHOLE THAT I BELIEVE CONGRESS MANDATED IN (FILL IN) (DATE) WHICH I BELIEVE PREVENTS THE USEPA FROM APPLYING & MONITORING THE SDWA IF OIL AND/OR GAS OPERATIONS ARE INVOLVED? EXPLAIN. DEF. INITION.
3. Q. WITH THE HARBURTON 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 VIC 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
APPROVAL(S) FROM THE HANSTEAD 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.
REVOCACTION / 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 "REVOCACTION 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: # MI-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? COMMENT & EXPLAIN.

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!)

14. Q. PART I.E.(3) NEED TO HURT 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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Q/Written Comments Re: #MI-015-21-0010:

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) (9) THEN (D.) THEN (E.) (STOP AFTER E. (LIST CORR. ACTIONS) BEFORE PROBLEM APPEARS!)

18. Q/COMMENT ADD TO THE ADMINISTRATIVE RECORDS:

ODNR PERMIT 1501:9-3-06; PRELIM. RPT NORTHSTAR I CURS II
1ST. WELL & SEISMIC EVENTS - YOUNGSTOWN, OHIO AREA. MAR. 2013

PS PLEASE SEND ALL HANDOUTS TO: SANDRA K. YERLMAN
FROM APR 30 2013 HEARING 6600 RIVERSIDE RD.
CEN: 517-358-2315 BROOKLYN, MI 49230

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ADDENDUM
TO...

US. EPA. (WU-16J)
TIM ERKINS - BY 1ST CLASS MAIL
77 W. JACKSON
CHICAGO, IL 60604 - 3590

MAY 14, 2013
LAST DAY COMMENTS

- CONT. Q. (WRITTEN) COMMENTS RE: #ML-075-2D-0010
WEST BAY EXPLORATION CO. HANSTEAD NO. 9. WELL
19. Q. TO MY Q. 1 RE: SAND IN FRACTURING FLUIDS, PLEASE
APPLY THE THEIS EQUATION / COMPUTER MODELING ETC. TO
VERTICAL (ZONE TO USDW) FISSURES CREATED BY MAX INT. PRESS-
URE, AND/OR INCREASE IN MAX. INT. PRESS. GIVE ME PRINT-OUT.
20. Q. TO CORRECTIVE ACTION PLAN, 17Q ADD: 20Q:
REQUIRE \$5M BOND FOR CLEAN-UPS & WATER SUBSTITUTE
WELLS; REGARDLESS THAT THE SDWA DOES NOT REQUIRE THIS.
21. Q. WHAT IS CONVENTIONAL OIL & GAS PRODUCTION EXACTLY?
WHAT DOES HYDRAULIC FRACTURING FALL UNDER? EXPLAIN.
22. Q. NOTE THAT, IN YOUNGSTOWN OHIO THERE WERE NO
EXISTING FISSURES / FRACTURES / SEISMIC EVENTS FOR
ANY CLASS II INJECTION WELLS UNTIL THE NORTHSTAR 1
BRINE DISPOSAL WELL, IN MARCH 2011. (SEE ADMIN RECORD-
Q. 18 FOR REFERENCE.)
23. Q. DOES BRINE EXEMPTION UNDER RCRA 40CFR 261.4(b)(5)
HAVE ANYTHING TO DO WITH HAWLBURTON LOOPHOLE?

Sandra K. Yerlan
SANDRA K. YERLAN
6600 RIVERSIDE RD
BROOKLYN, MI. 49230
577-358-2315

FYI - I GOT 2 PHONE CALLS TODAY FROM OIG,
CLAY BROWN 202-566-2476 @ 1:28 PM - 26 MIN 8 SEC &
2:42 PM 12 MIN 54 SEC, I MADE CONTEMPORANEOUS
NOTES ABOUT. BROWN STATED I FAXED YOU AN 18 PG
LETTER". I STATED "FALSE" ON ~~FRIDAY~~ THURS. MAY 9, 2013
I FAXED YOU A 4 PG LETTER W/NO ENCLOSURES. THIS IS PG 5!
& I TOLD BROWN I DID NOT FAX MY UIC APPRC NO. T3-2!

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