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NAME:
ADDRESS:
PHONE NUMBER:
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EMAIL:

HARRY Peoples
382 Highland St. Ext DoBois
PA. 15801
814-371-3539

RE: Windfall Oil & Gas, Inc.
PERMIT #: PAS2D020BCLE
PERMITTED FACILITY: Class II-D injection well, Zelman #1

November 5, 2014

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

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ENVIR. APPEALS BOARD

Dear Environmental Appeals Board,

This is a petition for review (appeal) of the EPA permit for Windfall Oil & Gas for a disposal injection well in Brady Township. This petition for review will provide sufficient evidence that the permit be denied for this proposed location. It is our opinion, the permit decision and the permit's conditions appealed are objectionable because of: 1) factual error and 2) the EAB should review a policy consideration. For ease of filing this appeal we will mostly cite the binder submitted by Darlene Marshall on behalf of all concerned citizens or information presented at the public hearing.

This appeal will show many concerns for two regulations that will give a basis to deny the permit. 40 C.F.R. §146.22 (a) All new Class II wells shall be sited in such a fashion that they inject into a formation which is separated from any USDW by a confining zone that is free of known open faults or fractures within the area of review. 40 C.F.R. §146.22 (c) (2) & (d) (2) Well injection will not result in the movement of fluids into an underground source of drinking water so as to create a significant risk to the health of persons.

The new Government Accountability Office report findings from June 2014 on the "EPA Program to Protect Underground Sources from Injection of Fluids Associated With Oil and Gas Production Needs Improvement leading to pollution of underground sources of drinking water (USDWs)" demonstrates our concerns. This residential area depends on private water wells and is unable to afford or accept any risk.

First, we want to note that the 1/4 mile area of review may be different than drawn on all the permit maps. All permit map calculations are based on +/- noted. These +/- affects the location of each gas well on the maps.

At the public hearing, Rick Atkinson, provided a zone of endangering influence calculation that demonstrated at the December public hearing that assumed non-transmissive faults would change the zone of endangering influence making it larger so that the area of review should be extended. The Carlson gas well should be considered as it is in the same formation as the injection zone and is a source of concern for neighbors as mentioned in testimony because the casing is suspect due to fumes it emits. (See binder from Darlene Marshall comment #8 & #13)

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the surface or affected USDWs in cases residents cited. We cite these because we believe this could happen if this disposal well is permitted here due to so many known gas wells penetrating the zone proposed for the disposal of waste.

Response Summary page 12 #10 even though Clearfield has two other injection wells doesn't mean this site should be permitted since all these sites are different and a mile away would be very different than this site. Residents presented data on fractures, faults and concerns with old deep gas wells in the same formation near or inside the 1/4 mile & we continue to request review of these other deep gas wells. Residents request the permit be denied based on these facts.

Response Summary page 15 #13 the zone of endangering influence even being 400 feet has potential to affect our area if anything happens or a fracture exists in the confining layer above the injection well, especially with a shallower gas well right above the proposed site that had fracturing done. Residents request the permit be denied.

Many reviews of the maps on file at the library show no one mile radius topographic map. The EPA permit requested a one mile topographic map from the boundary lines. The library had the maps noted and none of them show a one mile boundary.

We request monitoring of other gas wells to protect citizens based on all the comments submitted to protect resident's water supplies. We requested a comprehensive monitoring plan if this permit is not denied. A gas well exists that is not plugged and could be used.

This issue has been followed by our entire community through the news media coverage for over three years now and our community is opposed to this disposal injection well. The December 2012 public hearing had full newspaper coverage and explained in-depth most of the concerns presented by residents. These residents worked hard to review the permit application and research the local facts to present a valid case at the public hearing as it related to the underground sources of drinking water (USDWs). Almost 300 people attended the public hearing demonstrating the concern.

The recharging zone for this area is located right where the disposal injection well is proposed. Residents cited many concerns & request further study that will deny the permit. Residents need assurances of future protection like insurance & a \$1 million+ bond. We feel this disposal injection well, if not denied, may fail due to concerns we see from industry wise individuals, so we ask the EAB to give us more protection & ensure water will be provided. Spending \$1 million+ to put this disposal injection well into operation means that a \$1 million+ bond is insignificant to the operator & it should stay in place until the plugging has been completed.

Sincerely,

