

IN RE: PROPOSED PERMIT UNDER
FEDERAL UIC PROGRAM,
GRANT TOWNSHIP, PENNSYLVANIA

PROCEEDINGS: PUBLIC HEARING
DATE: October 28, 2013
TIME: 7:03 p.m. to 7:53 p.m.
PLACE: Grant Township Municipal Building
100 East Run Road
Marion Center, Pennsylvania 15759
BEFORE: Tameia G. Sheeler, RPR, CLR
Notary Public

ASAP COURT REPORTING
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1 APPEARANCES:
2
3 KAREN JOHNSON, EPA,
4 Chief of Ground Water and Enforcement Branch
5
6 STEVE PLATT, EPA,
7 Senior Hydrologist
8
9 MIKE ELLER, EPA,
10 Geologist
11
12 DAVID RECTENWALD, EPA,
13 Oil and Gas Inspector
14
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4

P R O C E E D I N G S

2
3 MS. JOHNSON: So I would like to
4 open up the hearing. Good evening ladies and
5 gentlemen, I would like to call this public
6 hearing to order.
7 Thank you for your attendance
8 tonight. This is a formal public hearing on a
9 proposed permit under the Federal Underground
10 Injection Control Program, or the UIC Program.
11 For project consisting of one brine disposal well
12 known as the Pennsylvania General Energy Company,
13 L.L.C., disposal well, Marjorie C. Yanity,
14 No. 1025 in Grant Township, Indiana County,
15 Pennsylvania.
16 Public notices for this permit were
17 distributed to state and local government
18 officials. Interested parties who have written
19 or called EPA and also published in the Indiana
20 Gazette on September 18th, 2013.
21 I ask for your cooperation in
22 adhering to the procedures I will outline for you
23 shortly so that we may make the most of this
24 opportunity for public comment.
25 First, however, I will introduce
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1 myself and other members of the Agency in
2 attendance. My name is Karen Johnson, I'm the
3 Chief of the Ground Water Enforcement Branch of
4 the Safe Drinking Water Act Program in
Philadelphia.

6 With me are Steve Platt, our Senior
7 Permit Coordinator, expert in and oil and gas.

8 Also with me are Dave Rectenwald
9 who is our Inspector that lives in Titusville.

10 And also Mike Eller, who is a
11 Geologist with EPA. So there are four of us here
12 from EPA this evening.

13 For those of you who came here out
14 of general environmental interest and concern, I
15 would like to acquaint you with the basic goals
16 of the UIC Program which EPA is administering in
17 the Commonwealth of Pennsylvania. The Federal
18 Safe Drinking Water Act of 1974 and its
19 subsequent amendments recognize the importance of
20 safeguarding our nation's drinking water supplies
21 in a number of ways.

22 One program authorized by the Act
23 is the Public Water System Supervision Program
24 which is designed to ensure that public water
25 supplies delivers safe drinking water to their

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1 provides the highest level of protection to
2 underground sources of drinking water.
3 Underground sources of drinking
4 water, or USDWs, are basically defined as those
5 aquifers which supply or could supply, drinking
6 water for human consumption. The regulatory
7 definition of underground source of drinking
8 water also includes consideration of both the
9 quantity of water available and its quality. It
10 protects all ground water with less than 10,000
11 milligrams per liter total dissolved solids in
12 order to allow for future use of this resource.

13 Let me clarify for you that 10,000
14 milligrams total dissolved solids is very
15 protective of your drinking water. Generally,
16 the State of Pennsylvania discusses fresh water
17 is less than 1,000 milligrams per liter or
18 tasting salty. So we protect to 10,000
19 milligrams per liter total dissolved solids as
20 being protected for future uses.

21 Any and all new injection wells
22 constructed after June of 1984 are required to
23 apply for an EPA permit to ensure compliance with
24 the construction and operational requirements to
25 safeguard our ground water resources. It is our

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1 users. This program is currently being operated
2 by the Pennsylvania Department of Environmental
3 Protection. Congress also recognized at the time
4 of the law's enactment that our ground water
5 resources, which supply approximately half of our
6 national drinking water resources, also needed
7 protection from potentially harmful practices
8 such as underground injection of fluids.

9 Section 1421 through 1424 of the
10 Safe Drinking Water Act addresses the provisions
11 which authorize the UIC Program and covers the
12 procedures under which EPA must implement a
13 federally administered program in those states,
14 such as Pennsylvania, whenever a state will not
15 or cannot assume primary enforcement for the
16 program.

17 Since June 25th, 1984, EPA has been
18 enforcing the Federal Underground Injection
19 Control Program in Pennsylvania. The program
20 addresses a variety of different types or classes
21 of injection wells including nearly 1,500 active
22 oil and gas related wells in Pennsylvania.

23 The objective of the program and
permits authorized under it are to ensure that
25 the construction and operation of these wells

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1 intent to enforce the provisions of the UIC
2 Program for Pennsylvania, to enhance and protect
3 the Commonwealth's ground water resources by
4 assuring that injection operations meet
5 protective standards mandated by the UIC Program.

6 I would like to clarify the need
7 for a federal program on this issue and the
8 relationship to state and local authorities.
9 Existing programs within the state had not
10 historically addressed injection operations in
11 the preventative sense as does the federal
12 program. EPA's program is designed to protect
13 ground water resources through stringent
14 cementing, casing, testing and continuous
15 monitoring requirements. It is a program which
16 seeks to address many of the concerns you have
17 for the prevention of water supply contamination
18 as well as protection of other natural resources.

19 The UIC Program, however, does not
20 address or have jurisdiction to enforce against
21 issues such as noise, air emissions, truck
22 traffic, or siting related to residential
23 buildings, et cetera, that you may also have
24 concerns about.

25 The UIC permit does contain a
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1 condition that requires an operator to meet all
2 required local and state laws. A UIC permit does
3 not override local or state regulations.

4 The purpose of the UIC permitting
5 process for new wells is to control and prevent
6 any injected fluid from endangering underground
7 sources of drinking water. All injection
8 operations must comply with the construction,
9 operation, monitoring, and reporting requirements
10 specified in the UIC regulations.

11 The specific technical requirements
12 for construction of the well, maximum injection
13 pressure limitations and the corrective action
14 plan in the area of review, which is required to
15 address any unplugged wells which penetrate the
16 injection formulation and which may serve as
17 conduits for fluid migration, are all designed to
18 ensure that injected fluids are contained within
19 the well and the intended injection zone.

20 The EPA has several mechanisms for
21 identifying noncompliance and has made a
22 commitment to strong enforcement of permit
23 conditions and the overall program provisions.
24 EPA routinely inspects all facilities to assist
25 in evaluating compliance for regulated

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1 facilities.

2 There are penalties for
3 noncompliance. The severity of a penalty will be
4 based on the seriousness of the violation.
5 Violators of the UIC regulations are subject to
6 either civil or criminal penalties ranging up to
7 \$7,500 per day for civil penalties and \$16,000
8 per day for criminal penalties per violation.
9 Parallel state enforcement authorities under the
10 Commonwealth's Oil and Gas Regulations may also
11 afford additional protections.

12 Now having supplied you with a
13 brief overview of the UIC Program and the purpose
14 for this public hearing, I would like to briefly
15 explain the protocol and procedures which govern
16 this hearing.

17 Persons wishing to testify will be
18 called according to the following order:

19 Elected officials representing

20 federal, state or local governments.

21 Representatives of federal, state
22 or local agencies.

23 Private citizens and
24 representatives of public and/or environmental
25 groups.

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1 Finally, representatives of
2 industry and the regulated community.

3 We will adhere as closely as
4 possible to the order in which you expressed your
5 interest in presenting testimony either by your
6 advanced notice to EPA or by the order you
7 registered for the hearing.

8 If you wish to present testimony
9 today but have not signed the register, please do
10 so now.

11 Is there anybody here who has not
12 signed the register?

13 MS. LONG: May I check to make sure
14 that I put an X in the right box?

15 MS. JOHNSON: Sure.

16 COURT REPORTER: Your name, please?

17 MS. LONG: Stacy Long.

18 MS. JOHNSON: In presenting oral
19 testimony we ask that you clearly identify
20 yourself and your organization or affiliation of
21 anything. Please spell your last name for the
22 benefit of our stenographer.

23 We also request that you limit your
24 testimony -- we're fine there.

25 For those of you who are submitting
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1 written testimony this evening, we ask that you
2 supply us with a copy of it for the record of the
3 hearing. And if possible, we would also
4 appreciate a summary of your points.

5 I stress the fact that this hearing
6 is not a debate or a dialogue. We will not be
7 responding to your comments or questions.
8 Because our purpose for being here is to formally
9 solicit your input on the permit proposal before
10 us.

11 Any additional comments that you
12 may care to make after this hearing may be made
13 in writing no later than one week from today.
14 We'll extend the public comment period until
15 November 4th. In care of Steven Platt, US EPA
16 Region III, 1650 Arch Street, Philadelphia
17 Pennsylvania.

18 We have already received several
19 questions from residents prior to this hearing
20 and we'll address those during an informal
21 question and answer session following the public
22 hearing. This will be an opportunity to ask
23 questions and more fully understand the UIC
24 Program and permitting action before us today.

25 With that I'd like to ask, are
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1 there any elected officials representing state,
 2 federal or local?
 3 What is your name?
 4 - - -
 MIKE McCOY
 - - -
 7 MR. McCOY: Mike McCoy.
 8 MS. JOHNSON: Would you want to
 9 make a statement?
 10 MR. McCOY: Whatever people want, I
 11 agree with.
 12 MS. JOHNSON: Okay.
 13 Are there any -- then with that
 14 we'll ...
 15 MR. RETENWALD: Mike, what is your
 16 affiliation?
 17 MR. McCOY: Township supervisor.
 18 MS. JOHNSON: Township supervisor
 19 of Grant Township?
 20 MR. McCOY: Yes.
 21 MS. JOHNSON: Okay.
 22 I know some of the sheets were
 23 slightly out of order when people signed in, but
 24 I think we're in good shape here.
 25 Judy Wanchisn.
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1 - - -
 2 JUDY WANCHISN
 3 - - -
 4 MS. JUDY WANCHISN: That's me.
 5 MS. JOHNSON: Would you like to
 6 make a statement?
 7 MS. JUDY WANCHISN: Oh, yes. How
 8 long do I have?
 9 (Laughter.)
 10 MS. JOHNSON: We want it about
 11 three to five minutes maximum. So if you have
 12 written statements and you want to turn that in,
 13 that would be great.
 14 MS. JUDY WANCHISN: I don't think
 15 you would want it, it is all over-marked.
 16 MS. JOHNSON: Okay, that's all
 17 right.
 18 MS. JUDY WANCHISN: I already
 19 wrote to Steve Platt on -- can you hear me? On
 20 October 16 and he also addressed that those will
 21 be answered.
 22 So these are some of the concerns
 23 that I have. In that Statement of Basis or that
 Draft Permit, the words "continuously monitor," I
 25 didn't understand what that meant. It said
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1 continuously monitor the mechanical integrity
 2 injection pressure sensor (phonetic). This tells
 3 us nothing about the time frame of doing the
 4 monitoring. I can only see the words five years
 5 for an MIT and annually ten years for the life of
 6 this --
 7 MS. JOHNSON: Excuse me, ma'am, can
 8 you slow down?
 9 MS. JUDY WANCHISN: -- the permit
 10 inspected and reviewed.
 11 So, okay, now, the words, "any
 12 known faults or fractures," this is very
 13 open-ended and not reassuring. Also the words
 14 "does not conclusively demonstrate the absence of
 15 whether any faults exist," blah, blah, blah,
 16 "low." Again, not reassuring.
 17 Paragraph 4 of the Statement of
 18 Basis on the injection fluid regarding the
 19 analysis of such fluid, Part 2 Paragraph c.3 of
 20 the Draft Permit, this does not exist on my
 21 Statement of Basis paper. So I don't know what
 22 the analysis of that fluid is. So that's one of
 23 my questions.
 24 I found capital R41760 UIC
 25 Regulations Congressional Research Service on
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1 Page 15. Quotes, other tests annual fluid
 2 chemistry in a form of an attachment on the
 3 application.
 4 Now, it was not on my copy of my
 5 Draft Permit. So I don't know if this is
 6 confidential or I just can't read.
 7 Now, this is my big concern. The
 8 steps in the application require a determination
 9 if federal laws apply listed in 40 CFR 144.4.
 10 Which significantly affects the UIC Permit.
 11 These federal laws are, the Wild
 12 and Scenic Rivers Act, Section 7. The National
 13 Historic Preservation Act, 1966, Section 106.
 14 The Endangered Species Act, Section 7. Costal
 15 Zone Management Act, 307(c). And the Fish and
 16 Wildlife Coordination Act, 307(c).
 17 Quote, if any of these acts are
 18 applicable to this project, additional
 19 interagency coordination will be necessary.
 20 These are not listed in the application and
 21 mostly overlooked, end of quotes. And this I got
 22 from the USPA DWA Introduction to UIC Permitting.
 23 I feel at least two of these
 24 federal laws will apply, maybe there is more.
 25 The Endangered Species Act and the Fish and
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1 Wildlife Coordination Act because of the Little
2 Mahoning Watershed. Pennsylvania Department of
3 Environment Protection classifies the Little
4 Mahoning as a high quality cold water fishery
because of the mussels, the fish, the aquatic
insects and the Eastern Hellbender Salamander.

7 I contacted Jim Resh of the Indiana
8 County Conservation District by e-mail and
9 stated -- and he stated that the Little Mahoning
10 Watershed is classified as a high quality
11 watershed with stringent requirements. And that
12 the East Run Creek and Mill Run flows into that
13 watershed.

14 The Endangered Species Acts,
15 Section 7, protects the endangered or threatened
16 species. Now, the Eastern Hellbender Salamander
17 lives in a 4.3 mile stretch between Rochester
18 Mills and Nashville on the Little Mahoning and
19 beyond. Mill Run and East Run Creek run into
20 that Little Mahoning.

21 Also, there should be an attachment
22 E in the application which would give a listing
23 of all the USDW affected and may require
24 evaluation of formation extending some distance,
25 which I don't know what that means, from the site

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1 as well as private wells existing in the search
2 radius. And I'm not sure if it is one-fourth a
3 mile or one mile, we had two different things.

4 Now, the Eastern Hellbender
5 Salamander is one of nine species to be added to
6 the threatened endangered species list according
7 to a 2013 legal agreement on the protection
8 decision.

9 May I get my water?
10 On September 23rd -- wait, I lost
11 track.

12 On September 23rd, 2013, the
13 US Fish and Wildlife Service agreed to a
14 binding deadline on a protected decision of the
15 Eastern -- Eastern Hellbender Salamander and nine
16 other species. And I have the case number, do
17 you want all of that?

18 MS. JOHNSON: It would be very
19 helpful if you did turn in your notes, because
20 then we can look up some of these, as well.

21 MS. JUDY WANCHISN: Well, you can't
22 read these notes.

23 MR. PLATT: You also have a week,
you know, if you want to summarize.

25 MS. JUDY WANCHISN: I'll summarize
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1 the rest of it.

2 According to this settlement
3 reached on 9/23/13, the Wildlife Service will
4 make a decision about whether to declare such
5 species to be threatened or endangered.

6 So I'm requesting that EPA
7 investigate these federal laws to see if they
8 apply. Okay? I won't read my reg flags.

9 In 1988 the EPA had a landmark
10 exemption saying benzene from the fertilizing
11 industry is not considered -- is considered
12 hazardous but when in a gas and oil well, it is
13 not.

14 There is other stuff that's -- this
15 is very -- I got to read this. Do you mind?

16 MS. JOHNSON: No.

17 MS. JUDY WANCHISN: I will write
18 this up neatly and send it to you.

19 MS. JOHNSON: That will be fine or
20 just send it as it is, we can probably figure it
21 out.

22 MS. JUDY WANCHISN: No, you can't.

23 MS. JOHNSON: You haven't seen my
24 writing.

25 MS. JUDY WANCHISN: The reason for
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1 my concern is the primary mission of the EPA UIC
2 Program is to protect our drinking water from
3 contamination by proper construction, operation,
4 maintenance and closure. And they have the
5 authority to impose permit conditions on a
6 case-by-case basis to protect our water.

7 And if this is so, we ask that they
8 do so since we have little protection from DEP
9 due to HR 1950 Act 13. I would like these areas
10 addressed.

11 If EPA does not get this permit
12 right, we are left defenseless with very little
13 protection from the State under Act 13 HR 1950,
14 which guides the DEP. This being the case, we
15 would like clarification of the testing area as
16 to whether it is one-fourth of a mile or one
17 mile.

18 Now, the Bear Lake and Bittering
19 Wells in Warren County, that was one of the
20 confusion issues on the appeal process. One
21 place it said a quarter-mile and at another place
22 it said one mile.

23 Now, the federal laws I just
24 mentioned, they apply to ensure injection
25 operations do not adversely affect other

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1 important nearby resources and sensitive areas as
 2 in the Little Mahoning Watershed and Eastern
 3 Hellbender Salamander.
 4 I'll skip that.
 Monitoring of the well head
 o pressure cannot detect migration contamination of
 7 the USDW and only monitors well integrity
 8 problems. Meaning that pollution can leak out
 9 undetected if the wells are operated at an unsafe
 10 pressure.
 11 I'm not an expert. And how do we
 12 know?
 13 So we need a geologist to look over
 14 our permit to see if all attachments, procedures
 15 and requirements for USDW are met.
 16 I'll stop there, because I have so
 17 much stuff that -- is that all right?
 18 Oh, there was one thing. The
 19 closeness of the Purchase Line School District
 20 and the elementary school, that was a source of
 21 concern, too.
 22 And the fact that we have eight
 23 wells in Pennsylvania, five are used, two are
 24 under appeal, two are plugged, one is shut down
 25 in Clearfield because the operator failed to
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1 report a problem for four months who was fined
 2 approximately \$160,000. And that well only took
 3 in 4,260 barrels of stuff a month, brine. And as
 4 I understand from my thing that it will take more
 5 than that, almost ten times as much, if that has
 6 been changed.
 7 And most of these quotes that I
 8 didn't read to you -- I won't even tell you where
 9 they came from since I didn't read them to you.
 10 But my biggest concern is that
 11 Hellbender, the Eastern Hellbender Salamander.
 12 And if that has been checked into by the EPA,
 13 under the federal laws that are supposed --
 14 because that is, a lot of times, overlooked,
 15 because it is not in the application process. So
 16 that's my big concern.
 17 MS. JOHNSON: Thank you.
 18 (Applause.)
 19 MS. JOHNSON: Again, if you want to
 20 clean those up and send in the total text, we do
 21 have your questions from before, but we'll just
 22 add that to it.
 23 Thank you for your detailed
 information.
 25 Robert Haldin.
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1 ---
 2 ROBERT HALDIN
 3 ---
 4 MR. HALDIN: I just -- Judy pretty
 5 well covered my notes that I had.
 6 But, like, this map, why doesn't it
 7 show faults on it?
 8 I know there are faults within that
 9 one-mile area. And there has been no definition,
 10 just saying that they've been defined. But where
 11 are they defined?
 12 I know there's been coal drilling
 13 on our property. And a neighbor down the road
 14 has faults on his, which could be in the same
 15 vein. And they're within that one-mile radius.
 16 And also these meetings are, I
 17 don't know how they're -- you put it in the
 18 paper, everybody doesn't get the Indiana paper.
 19 I think if you're within that radius, you should
 20 be sent a written notice about the meeting and
 21 the hearing.
 22 And that's about what I have. Judy
 23 pretty well covered everything else.
 24 MS. JOHNSON: Thank you.
 25 Suzanne Watkins.
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1 ---
 2 SUZANNE WATKINS
 3 ---
 4 MS. WATKINS: I defer to the next
 5 speaker.
 6 MS. JOHNSON: Okay, thank you.
 7 Stacy Long.
 8 ---
 9 STACY LONG
 10 ---
 11 MS. LONG: Hello, I'm Stacy Long,
 12 L-O-N-G.
 13 I would like to -- Mr. Steven
 14 Platt, which one are you?
 15 MR. PLATT: Here.
 16 MS. LONG: Hello, it's so nice to
 17 meet you.
 18 I e-mailed last week. And I would
 19 like to formally submit the questions I e-mailed
 20 to you for public record. May I do that?
 21 MS. JOHNSON: If you've already
 22 submitted them to Steve that's --
 23 MS. LONG: I did, I'll just do it
 24 again.
 25 I like the EPA. Myself, along with
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1 many of my neighbors, are concerned about safe
 2 drinking water. And this is a big issue.
 3 In the Draft Injection Control
 4 Permit, No. PAS2DO13BIND Authorization To Operate
 Class II-R Injection Wells, it is noted that the
 5 Pennsylvania General Energy Company, L.L.C., has
 6 a duty to mitigate. And under this provision
 7 permittee shall take all reasonable steps to
 8 minimize or correct any adverse impact on the
 9 environment resulting from noncompliance with
 10 this permit.

11 Prevention is far better than a
 12 cure that may not work and put public health at
 13 risk. The cost of such mitigation may bankrupt
 14 the PGE. And that in turn will endanger their
 15 financial stability. The EPA must be, must be,
 16 more proactive in safeguarding our drinking
 17 water.

18 By definition, waste from oil and
 19 gas operations are deemed non-hazardous. This is
 20 not an excuse for not monitoring them. For
 21 example, benzene, a highly toxic agent, is
 22 considered hazardous when used in fertilizers for
 23 agriculture while non-hazardous as a fracking
 24 fluid when disposed of in an injection well.

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1 I urge you, the EPA, to investigate
 2 further the nature and composition of the
 3 chemicals emerging from natural gas extraction
 4 from the Marcellus Shale, the said fluid that
 5 will be put into this well. By paying attention
 6 to these substances, the EPA can add further
 7 protection to the citizens of this community and
 8 their drinking water.

9 Thank you.

10 Grant Township has a land area of
 11 27 square miles with a population density of 26
 12 people per square mile. The 2000 census has
 13 documented that our township has less than 700
 14 residents. There is no public water supply.
 15 There is no access to public water. Every
 16 resident in Grant Township relies on a well for
 17 drinking water. And if a water supply were to
 18 become contaminated, there is no Plan B for any
 19 resident in Grant Township.

20 That is my formal testimony.

21 MS. JOHNSON: Thank you.

22 MS. LONG: You're welcome.

23 (Applause.)

24 MS. JOHNSON: Next up is Sherene
 25 Hess.

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1 ---
 2 SHERENE HESS

3 ---
 4 MS. HESS: Good evening, I'm
 5 Sherene Hess. I'm president of the League of
 6 Women Voters of Indiana County. I am speaking
 7 tonight on behalf of the League of Women Voters
 8 of Pennsylvania. But I'm also a resident and
 9 have been a resident of White Township, Indiana
 10 County, for 21 years.

11 We are most appreciative of this
 12 opportunity to raise concerns and questions as
 13 part of the planned discussion of the above
 14 mentioned injection well.

15 What we don't know about injection
 16 wells may, in fact, hurt us. While such wells
 17 are projected to be safe based on computer
 18 models, in reality we do not know what the short-
 19 and long-term consequences may be.

20 In the rush to extract natural gas
 21 from the Marcellus Shale, the safe, effective
 22 treatment of related waste has not yet been fully
 23 explored. The Draft Permit in Indiana County
 24 would allow for the conversion of gas production
 25 well into a brine disposal well. While there is

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1 clearly a need for our Commonwealth to cope with
 2 the residue of the fracking process, is this the
 3 best way and is this site in Indiana County the
 4 best place?

5 After reviewing the EPA's Statement
 6 of Basis for this permit, we have prepared this
 7 detailed statement, a detailed statement which
 8 was submitted to Steve Platt. In the interest of
 9 time, I am going to share a summary of the key
 10 points and questions.

11 In the area of review section we
 12 are concerned that all wells, be they oil, gas or
 13 water, are considered, including those that are
 14 abandoned. Further, we would like assurance that
 15 the zone of endangered influence is both
 16 appropriate and adequate.

17 Following an analysis of the
 18 underground sources of drinking water section it
 19 appears that bare pipeline exists for about a
 20 mile below the aquifer where the casing stops and
 21 above the injection zone where additional casing
 22 begins. Does this not create increased risk for
 23 the rupture or collapse that will potentially
 24 impact the water?

25 We were also unable to determine
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1 the size of the pipeline and thus the thickness
2 of the concrete. The integrity of casings over
3 time is further questionable. Given that this is
4 a used production well that is being converted to
5 an injection well, degraded and inadequate cement
6 casings increase the potential of aquifer
7 contamination.

8 Will the injection and confining
9 zones be adequate for the storage of millions of
10 gallons of brine?

11 We have concerns about the
12 properties of the chert layer into which the
13 fluid will be injected. Does it have the
14 capacity to hold the projected volume of liquid?
15 What are the hazards from any fractures that may
16 exist currently or that may result from future
17 fracking into the Utica shale below this well.

18 Although the EPA does not expect
19 the pressure limitations to meet regulatory
20 criteria, what is the tested compressive and
21 tensile strength of the pipe that is projected to
22 hold fluids at maximum injection pressures of
23 7,000 pounds per square inch over time. Are
24 tolerances high enough that the integrity of the
25 well will be maintained for the foreseeable

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1 future?

2 The League commends EPA for its
3 geologic and seismic review of this Class II
4 well. Based on the data from numerous studies,
5 earthquakes pose a significant threat to both the
6 surface disturbances and migration of toxic
7 materials into aquifers.

8 Although this County is not prone
9 to such seismic activities, the tremors
10 associated with the 2011 earthquake that centered
11 in Virginia rattled this very area. Even
12 students at Indiana University of Pennsylvania
13 evacuated their building. We hope that the EPA
14 has considered this particular event in its
15 analysis.

16 Three questions focus on the
17 injection fluid. Although the public has no
18 right to know the composition of the brine, will
19 chemical tracers be added to the wastes. These
20 markers would serve to allow the EPA to more
21 effectively investigate any accidental leaks or
22 spills, rectify those problems and gather data
23 useful into future decision making.

24 Secondly, will the fluids be tested
25 for radio activity? Recent studies, particularly

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1 by Duke and this very County, have many concerned
2 about the long-term health implications of
3 radioactive brine.

4 Third, should the nature and
5 composition of injection fluids in the permit
6 list be expanded to include other toxins found in
7 fracking fluid?

8 The testing, monitoring and
9 reporting requirement section needs to be
10 enhanced through comprehensive and ongoing
11 testing by independent agencies.

12 While the five-year review is
13 helpful, will it be extended in perpetuity?

14 Will the public be informed of the
15 results of all tests and reviews?

16 Will opportunities be provided for
17 public comment concurrent with each review?

18 Given Pennsylvania's legacy of over
19 200,000 abandoned and orphan wells, the League is
20 concerned that injection wells will add to the
21 burden of Pennsylvania taxpayers who may be left
22 to clean up, yet, another private operation.

23 Funding reserves by the
24 Pennsylvania General Energy Company, L.L.C., must
25 be adequate to cover all of the plugging and

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1 abandonment costs, must reflect inflationary
2 pressures over time and should be held in escrow
3 by the Commonwealth for future use.

4 Will the \$60,000 specified in the
5 permit as a requirement for fiscal responsibility
6 cover those costs?

7 In addition to those areas covered
8 by the Statement of Basis, safeguards need to be
9 put in place to protect waters during transport
10 of the brine from the well pads to the injection
11 well. Vehicles and storing facilities must be
12 regulated and monitored. Emergency personnel
13 require training. Who will assume these
14 responsibilities?

15 In closing, I would like to quote
16 from the statewide position adopted by the League
17 of Women Voters after study and consensus.

18 The League of Women Voters of
19 Pennsylvania recognizes that natural gas
20 extraction from Marcellus Shale is a finite
21 resource and that its production significantly
22 affects the environment and the economy of the
23 Commonwealth.

24 The consensus of the League further
25 addresses the need for adequate oversight and

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1 protection. The League supports the maximum
2 protection of public health and the environment
3 in all aspects of Marcellus Shale natural gas
4 production, site restoration and delivery to the
customer by requiring the use of best practices
o and promoting comprehensive, regulation,
7 communication and adequate staffing across
8 government agencies.

9 The EPA has a critical role in
10 protecting human health and the environment. We
11 trust that you will consider the emerging
12 information about Class II injection wells. That
13 you will examine the specifics of this site.

14 Research evolving technologies to deal with such
15 waste. Reflect on the special exceptions enjoyed
16 by the gas and oil industry. Investigate
17 cumulative impacts of such operations. And act
18 in the public interests of those in Indiana
19 County and throughout our Commonwealth.

20 We hope our comments and those of
21 others will serve to guide the modifications to
22 the final permit.

23 Thank you.

24 MS. JOHNSON: Thank you.

25 (Applause.)

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1 Lisa Wanchisn.

2

- - -

3

LISA WANCHISN

4

- - -

5

MS. LISA WANCHISN: Wanchisn.

6

Hi, I'm Lisa, L-I-S-A,

7

W-A-N-C-H-I-S-N.

8

Yes, I am a resident of Grant

9

Township. I live in a home that was built in the

10

late 1800s. It's a farm that, according to all

11

of the folklore of the family was able to provide

12

water to eight different residents from one well.

13

It is my understanding that there was a huge

14

drought at some point and was able to maintain

15

the dairy farm from that well, or actually from

16

the spring.

17

And so given that most of the

18

things on my piece of paper have been addressed

19

already, thanks to Miss Hess, and to Mr. Haldin,

20

and my mom, and my sister, I guess my biggest

21

concern is that some of the well owners in the

22

area have been notified that the pressure of

23

their wells will be affected by this injection

24

well. And that's all well and good. But when I

25

e-mailed Mr. Platt, he made me aware that my

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1 MS. JOHNSON: Maria Jack.

2

- - -

3

MARIA JACK

4

- - -

5 MS. JACK: Hi, I don't live here,

6 my family owns property in this area.

7 I know the EPA tries to do what is

8 best for everybody. I think they're understaffed

9 and we as the common people just can't take their

10 word for what is best for us. And I think that

11 you'll find that a lot of people will come from a

12 lot of areas around here in support of the needs

13 of this land here. It's a beautiful place.

14 And there is emerging problems all

15 the time come up with the Marcellus Shale

16 industry that they themselves maybe don't know

17 about and so they're not addressed in any of

18 these legal documents.

19 So we have to educate ourselves and

20 we have to be there to fight together. And I

21 think that you'll find that there is going to be

22 a lot of people that are going to come forward

23 for you, too.

(Applause.)

25 MS. JOHNSON: The last indicated is

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1 water most likely would not be tested because I

2

was outside of the range of where the water is

3

deposited for the injection well head.

4

My concern is, is that well, the

5

gas wells, exceed that distance as well but yet

6

the pressure in those wells are affected.

7

And so my question is, is, you

8

know, if my water is now affected, maybe it's not

9

contaminated but perhaps I lose pressure, or that

10

it does something else to the quality of my

11

water, or my ability to get that water, that

12

causes me concern.

13

The other thing is, Mr. Township

14

Supervisor, we waited a very long time to get our

15

roads repaired in Grant Township and it's my

16

understanding that with increased traffic has PGE

17

done their due diligence in protecting our

18

resources as far as getting in and out of Grant

19

Township.

20

Then lastly my question is, the

21

State, I believe -- you're with the State?

22

MS. JOHNSON: No, we are all

23

federal.

24

MS. LISA WANCHISN: You're all

25

Feds?

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1 So given that I was wondering if
2 the state representatives with our -- because
3 it's -- the e-mail that I got from Mr. Platt
4 stated that many of my questions had to do with
state regulations. And so I wondered why the
o State is not present or offering a meeting. Or
7 if they are, when will that occur so that we can
8 ask them questions to clarify? As you so
9 eloquently put, the federal law does not --

10 MS. JOHNSON: Supersede.
11 MS. LISA WANSHISN: Thank you.
12 State ground rights.

13 So I feel we're not getting the
14 full picture as residents and neighbors of this
15 new neighbor that we're about to have.

16 I'm sure I could have said some
17 more, but at this time I'm going to stop and
18 thank you. I appreciate it.

19 MS. JOHNSON: Thank you.
20 (Applause.)

21 MS. JOHNSON: Are there any
22 additional folks?

23 Sir, you came in late? Do you want
24 to sign in?

25 MR. KUNDLA: Yes, I'll sign in.
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1 nothing in the application where you asked for a
2 copy of the original drilling permit.

3 And No. 2 is, on your -- first off,
4 you know, we are a very small township here. And
5 the application for the permit, we had to drive
6 almost 30 miles to take a look at the
7 application. I request that all further
8 programming be sent to the Township. That's
9 ridiculous. I made two trips, my wife made a
10 couple trips in. We finally did get -- we asked
11 PGE through the Township to send a copy of the
12 application. And they were good enough to do
13 that except they cut very short the comment
14 period from Mr. Platt to PGE asking them to
15 upgrade the permit application. This is your
16 questionnaire to them. And in that questionnaire
17 there was a -- I'll put this in writing and get
18 it to you.

19 MR. PLATT: Sure.

20 MR. CARLSON: A part about the area
21 of a quarter-mile or one-mile radius.

22 Now, in your application that you
23 have at the library there was a one-mile map.
24 But in the application that they give a copy of
25 to the Township, there was no maps of any kind
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1 MR. CARLSON: I'd like to --
2 MS. JOHNSON: Sure. I'm going to
3 open it up for additional folks.

4 Anybody else not signed in?
5 Sir, your name is?

6 MR. CARLSON: Fred Carlson.

7 MS. JOHNSON: Fred Carlson. I'm
8 going to put your name on the yes side.

9 COURT REPORTER: Sir, your name?

10 MR. KUNDLA: Jeff Kundla,
11 K-U-N-D-L-A.

12 MS. JOHNSON: Everybody else has
13 signed in?

14 MR. KUNDLA: I'm sorry to hold you
15 up.

16 MS. JOHNSON: That's all right.
17 Okay. Mr. Carlson, Fred Carlson.

18 - - -
19 FRED CARLSON

20 - - -
21 MR. CARLSON: Yes, that's correct.
22 Good evening, Fred Carlson. I just
23 have a few comments to make about the permitting
24 site. I saw nothing -- as I understand it EPA
25 does not trespass upon DEP's laws. And I saw

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1 like that.

2 Also, in regards to the question on
3 the geological structure, it says that PGE owns
4 90 -- 920 some acres around the Marjorie Yanity
5 property and that there would be no problem, they
6 have no idea of drilling that particular
7 Marcellus area.

8 I don't quite understand where the
9 water is going to be forced up to in the area now
10 as it's pushed down under pressure. It looks to
11 me like it's going to be pushed up into the
12 Marcellus Shale. I'm not sure, I'm not a
13 geologist.

14 Also, they say that there was only
15 one Marcellus well drilled in 3 point some odd
16 miles of the Marjorie Yanity property. Well,
17 we've decided there is now three wells, they also
18 said that it was found to be very poor Marcellus
19 wells. We also found out now that they drilled
20 two additional wells on the same site and the
21 wells are doing very well.

22 You don't have anything to do with
23 the Marcellus?

24 Then my other concern was how
25 much -- now, this would go to the permit

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1 application, how much allowable surface storage
2 would be allowed on that site?

3 I don't think it addressed that at
4 all. Are they allowed to bring in 150,000
5 barrels and store it there until they can pump it
6 in? I saw nothing in here that said that
7 they ...

8 And, of course, Judy covered very
9 well my other concerns on this thing.

10 So I thank you very much for coming
11 down and I appreciate it. Thank you very much.

12 MS. JOHNSON: Thank you.

13 (Applause.)

14 MS. JOHNSON: Is there anybody
15 further who wanted to make a formal comment
16 before we close the hearing.

17 MR. BLYSTONE: I guess, are we
18 allowed to speak?

19 MS. JOHNSON: Well, you need to
20 identify yourself and --

21 MR. BLYSTONE: Vernon Blystone.

22 COURT REPORTER: I'm sorry, I can't
23 hear you.

24 ///

25 ///

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1 remarks.

2 On behalf of the Environmental
3 Protection Agency, I would like to thank you all
4 for your participation here and your well thought
5 out comments on this permit proposal in Indiana
6 County under the Underground Injection Control
7 Program in Pennsylvania.

8 I assure you that all these
9 comments will be given serious attention as we
10 prepare a final permit decision in this permit
11 request.

12 I would also like to remind you
13 that the comment period for this proposal will
14 remain open until November 4th, 2013 if anyone
15 cares to submit written testimony to our
16 attention at EPA.

17 Again, thank you for your interest
18 in this proposal. This concludes the formal part
19 of this hearing. My staff and I will remain
20 available to discuss the issue raised and should
21 desire to answer general questions.

22 (Hearing Exhibit No. 1 entered into
23 the record, attached for reference.)

24 (Whereupon, the proceedings
25 concluded at 7:53 p.m.)

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1 - - -
2 VERNON BLYSTONE
3 - - -

4 MR. BLYSTONE: Vernon Blystone,
5 B-L-Y-S-T-O-N-E.

6 I have a suggestion. Instead of
7 putting we citizens at risk for these chemicals
8 being injected into our wells, in our
9 neighborhoods, into the abandoned gas wells, the
10 State owns thousands of acres in Pennsylvania,
11 why couldn't that be suggested they put it in the
12 State Game Lands somewhere. Say in the center.
13 There are no homes around those, I've been up
14 there hunting. And that would only be we the
15 hunters to convince that it's safe. I don't
16 believe these people in here think it's safe. So
17 that way you would only have to convince us
18 hunters it is safe.

19 MS. JOHNSON: Mr. Blystone, did you
20 sign in?

21 MR. BLYSTONE: Yes.

22 MS. JOHNSON: I can't find you. I
23 have all five.

24 Any other comments?
25 Then I'd like to make closing

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1 COMMONWEALTH OF PENNSYLVANIA :
2 : SS:
3 COUNTY OF ARMSTRONG :

4 I, TAMELA G. SHEELER, RPR, CLR and
5 Notary Public, Commonwealth of Pennsylvania,

6 DO HEREBY CERTIFY, that proceedings
7 were had in the captioned matter at the time and
8 place stated herein; that I was authorized to and
9 did report stenographically said proceedings and
10 testimony, and that the foregoing pages, numbered
11 1 through 44 inclusive, constitute a true and
12 correct transcription of said proceedings and
13 testimony as had.

14 WITNESS MY HAND this 5th day of
15 November, 2013, at Kittanning, Armstrong County,
16 Pennsylvania.

17

18

19

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21

22

23

24

25

TAMELA G. SHEELER, RPR, CLR
Notary Public
Commonwealth of Pennsylvania
My Commission Expires:
September 23, 2015

NOTARIAL SEAL
TAMELA G SHEELER
Notary Public
CITY OF KITTANNING, ARMSTRONG CNTY
My Commission Expires Sep 23, 2015
BUCKLER & ASSOCIATES

-AND-
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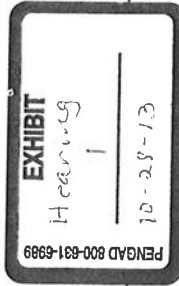
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