

Duane & Darlene Marshall  
1070 Highland Street Extension  
DuBois, PA 15801  
mrdewy@yahoo.com

December 1, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

Dear Mr. Platt,

We also request a public hearing for the **Injection well #38268 - Elk County, Highland Township, PA - Seneca Resources Corporation**. We have many friends in this area and we are concerned because they have water sources near the proposed site. Please hold the hearing so these residents can express their concerns and be heard. USDWs need to be protected in this area.

Sincerely,



Duane & Darlene Marshall

Duane & Darlene Marshall  
1070 Highland Street Extension  
DuBois, PA 15801  
(814) 583-7945  
mrdewy@yahoo.com

November 29, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)


Dear Mr. Platt,

This letter is to request the EPA Public Hearing be held on December 10, 2012 on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County. All my concerns deal directly with the potential contamination of the underground sources of drinking water (USDWs).

The water source and my drinking well are a private water well located directly outside the ¼ mile area of review. This disposal injection well has the potential to contaminate my water well through the disposal of waste underground near my home. Many neighbor's water wells are affected when work is done on the deep "Ginther" well, which is over 7000 feet into the Oriskany. My main concern is the Carlson Stewart deep well into the Oriskany behind my home that gives off gas smells constantly. This makes me believe it isn't plugged properly and its depth is drilled into the Oriskany. These two deep wells are just feet outside the ¼ mile area of review. These old deep well casings may also allow leakage of waste up into underground sources of water (USDWs).

We request you extend your area of review outside the ¼ mile because many additional residents have private water wells just feet outside the area of review near old deep gas wells. At least fourteen residents are closely located (just feet) directly outside the ¼ mile area of review and close to the Atkinson and Carlson Stewart deep gas wells. We rely on private water wells along with all the residents inside the ¼ mile area of review.

Sincerely,

  
*Duane & Darlene Marshall*  
Duane & Darlene Marshall

Rev. James Green  
815 Reynoldsville Sykesville Road  
Reynoldsville, PA 15851

November 30, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

Dear Mr. Platt,

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

This letter is testimony on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County due December 10, 2012. Thank you for holding the EPA hearing in Brady Township, Clearfield County on December 10, 2012 and consider this letter my request to hold this EPA hearing. My specific concerns deal with contamination of the underground sources of water:

#1 - My drinking water source is now the City of DuBois as my home is in Sykesville where they just brought water lines. Previously we've had well water. I'm concerned with the potential of this water source to be contaminated through the disposal of waste in Brady Township, Clearfield County.

#2 - Ground faults are located in the area close to the proposed disposal injection site. The proposed injection well may be located in an earthquake prone area. An earthquake near a disposal injection well would not be good because the casing would crack and leak.

#3 - Coal mines are located in the ¼ mile radius of review and any small fracture or leak has the potential to seep into these mines and carry waste under the City of DuBois. These mines are full of water and are all over our area, so these deep mines would transmit toxic fluid into water sources. These mines even come over into the Sykesville area where I live and down towards Reynoldsville where my church is located.

#4 - Abandoned wells could provide a pathway for methane migration into drinking water wells into the aquifer. Some of these abandoned wells may not be plugged.

#5 - Just a few feet outside the ¼ mile review at least 5 deep wells are located in the same formation (Oriskany) that are able to transmit toxic fluid into water wells.

#6 - The 1/4 mile area of review is not sufficient to understand the scope of the area and all the deep wells right outside the 1/4 mile review are potential sources of contamination to our drinking water. The City of DuBois being located so closely is another major consideration. Water supplies for many city and township residents are very close to this proposed site along with many private water wells. These water supplies extend to us between Sykesville and Reynoldsville

#7 - The cost to plug the disposal injection well should be much higher than \$30,000 and we feel this is insufficient. It is also important to ensure funds are available for any potential costs incurred if water becomes contaminated in the area.

Sincerely,

Rev. James Green



Sherry Green  
815 Reynoldsville Sykesville Road  
Reynoldsville, PA 15851

November 30, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

Dear Mr. Platt,

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

This letter is testimony on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County due December 10, 2012. Please hold the EPA hearing in Brady Township, Clearfield County on December 10, 2012. My concerns deal with contamination of the underground sources of water.

We have lived in the Reynoldsville area for many years with water wells. Our home is above the coal mines creating an issue with having good water. Recently our area was provided the City of DuBois water through an extension of the lines into Sykesville, PA. My concern is the potential of the DuBois City water source to be contaminated through the disposal of waste in Brady Township, Clearfield County.

Coal mines are located in the ¼ mile radius of review that intersected with the mines near Sykesville and probably connect to those below my home. Any potential leak into these mines would be disastrous and could affect the Sandy Lick Creek because the coal mines stretch under the DuBois Mall. We know the coal mine water could be cleaned up and used. If this waste being disposed of went into the mines accidentally it would go below many homes and has a serious far reaching affect.

Deep and shallow gas wells are located all around this proposed disposal injection well site and have the potential to leak waste around old casings. They could provide a pathway for methane migration into drinking water wells in the aquifer. Some of these abandoned wells may not be plugged. Just a few feet outside the ¼ mile review at least 5 deep wells are located in the same formation (Oriskany) that are able to transmit toxic fluid into water wells. Near my family is a deep gas well that we are concerned needs plugged.

Please extend the 1/4 mile area of review since it is not sufficient to understand the scope of the area. The City of DuBois being located so closely is a consideration. Water supplies for many city and township residents are very close to this proposed site along with many private water wells. These water supplies extend to us between Sykesville and Reynoldsville. Please make the cost to plug the disposal injection well higher than \$30,000 as we feel this is insufficient. It is also important to ensure funds are available for any potential costs incurred if water becomes contaminated in the area. Please deny this permit.

Sincerely,

Sherry Green



John A. Sobel  
Joan Robinson-McMillen  
Mark B. McCracken  
County Commissioners



Kim C. Kesner  
County Solicitor  
Lisa McFadden  
Chief Clerk

## Clearfield County

212 E. Locust Street

Suite 112

Clearfield, PA 16830

Phone 814-765-2642

FAX 814-765-2640

[ccomm@clearfieldco.org](mailto:cocomm@clearfieldco.org)

December 5, 2012

Mr. Stephen Platt  
U.S. Environmental Protection Agency, Region 3  
Water Protection Division  
Office of Water Source Water Protection  
Ground Water & Enforcement Branch (3WP22)  
1650 Arch Street  
Philadelphia, PA 19103

Re: Underground Injection Control Permit PAS200203OLE for Windfall Gas and Oil

Dear Mr. Platt;

Please be advised that we, the Clearfield County Commissioners, are opposed to the construction of the above injection well. The proposed well is to be located in a residential neighborhood stretching along Highland Street, which extends across two (2) townships and up to the City of DuBois. The potential for contamination of the residents' water supply and potential impact of increased truck traffic upon their quality of life causes us to request that you deny final issue of the above draft permit.

Additionally, we are troubled that the process of fulfilling the EPA's monitoring requirements of the proposed well would be self-reporting in nature. The inmates are, in effect, being asked to run the asylum. There is just too much potential for critical information not to be shared with the EPA, as what happened at the Bell Township, Clearfield County, injection well site.

We believe that fracking fluids are better treated and recycled as opposed to being injected underground. Modern treatment plants have the technology to properly dispose of frack water such that the gas industry can develop an environmentally safe manner.

We absolutely support the development of Clearfield County as a leader in the production of energy in the twenty-first century. However, it must be done safely and not at the expense of our citizens' quality of life. Therefore, we would ask that you not approve the proposed permit.

Thank you for your time and consideration.

Respectfully,

  
John A. Sobel, Chair

  
Joan Robinson-McMillen

  
Mark B. McCracken

December 6, 2012

Laurie Wayne  
5498A Wayne Rd  
DuBois PA 15801

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia PA 19103

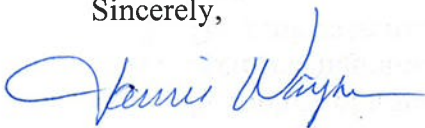
RE: UIC Permit PAS2D02BCLE (Windfall / Zelma 1)

Dear Mr. Platt,

This letter is testimony on the Zelman #1 Injection Well proposed for Brady Township, Clearfield Count. Many local residents are very concerned about the underground sources of water being contaminated and want to have their concerns heard. Just some of our concerns are:

1. Possibility of a surface spill that would go directly into the aquifer.
2. Methane migration into the aquifer
3. Deep mines transmitting toxic fluid into water wells
4. Deep wells transmitting toxic fluid into water wells (near proposed injection well site we already have six deep wells in some formation)
5. Deep coal mines transmitting toxic fluid under the whole City of DuBois out to the DuBois Mall or towards Sykesville.
6. Proposed injection wells could be located in an earthquake prone area
7. Concerns that the gas well on Zelman property needs plugged (site of proposed disposal injection well)
8. Abandoned wells could provide a pathway for methane migration into drinking water wells.
9. Why is a toxic waste dump or toxic industrial activity being put into a residential area?

Sincerely,



Laurie Wayne

December 1, 2012  
Mr Stephen Platt, EPA Region III  
Ground Water and Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA 19103

Dear Mr Platt,

This letter is being written to express my concern over the Zelman #1 Injection Well proposed for Brady Township, Clearfield County. I understand there is a public hearing scheduled on December 10, 2012 to address community concerns.

My specific concerns deal with contamination of the underground sources of water. In our rural area, many individuals utilize well water for water sources. My drinking water has the potential to be contaminated through the disposal of waste water underground near my home which is within the 5 mile radius of the proposed injection well site. Our water source is a good supply at this point in time and have reservations about the proposed injection well site effecting the water supply in the community that surrounds the proposed site.

Ground faults are located in the area close to the proposed disposal injection site. Coal mines are also located within the 1/4 mile radius of review and any small fracture or leak has the potential to seep into these mines and carry waste under the City of Dubois and surrounding areas. These mines are full of water and are all over our area, so a leak could cause toxic fluids to transmit into water sources.

Abandoned wells could also provide a pathway for methane migration into drinking water wells into the aquifer. Our area has many abandoned wells and many are likely not plugged correctly.

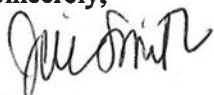
My husband and I have already dealt with consequences of living near a well that recently was being reclaimed after being abandoned for years. We had lived at our home for 5 years without any water problems from our well or well pump. After EXCO Resources began working at the well, our water pressure began to drop and we were having sediment concerns. These problems resulted in additional costs for us and eventually resulted in purchasing a new well pump. Both EXCO and DEP stated the reclamation of the well could have, but also may not have, caused our water pressure issues. I was told there could be many things that could have caused our water problems and that it just so happened to have coincided with the reclamation of the well. We also had many concerns with the company utilizing Gearhart Lane to have access to the well site. Gearhart Lane is a private lane which is strictly maintained by my husband and I. The large trucks, equipment, and trailers caused havoc on our road since the road was not build to withold heavy vehicle traffic.

The contamination of the underground water sources is my biggest concern though it would also be concerning to have the additional heavy equipment traffic on Highland Street Extension.

Lastly another large concern is why officials would allow a toxic waste dump to be placed in a residential area. No other toxic waste dump is located so close to homes in the state of Pennsylvania as the proposed injection well in Brady Township, Clearfield County.

I appreciate your time and hope the EPA will take into account our community's concerns.

Sincerely,



Jill Smith

Mr. Stephen Platt, EPA Region III

Ground Water & Enforcement Branch

Office of Drinking Water & Source Water Protection (3WP22)

1650 Arch Street

Philadelphia, PA, 19103

Dear Mr. Platt,

This letter is to request a public hearing on the Zelman #1 Class 2 Disposal Injection Well proposed for Brady Township, Clearfield County, PA. I am also requesting a hearing for the proposed injection well in Highland Township, Elk County, PA tentatively scheduled for December 11<sup>th</sup>.

Please put this comment of mine on the record

According to a researched Propublica article..”More than 1,000 times in the three-year period examined, operators pumped waste into Class 2 wells at pressure levels they knew could fracture rock and lead to leaks. In at least 140 cases, companies injected waste illegally or without a permit.” “On Feb. 17, 2010, thousands of gallons of waste that had been deposited into these wells gurgled to the surface in what the Railroad Commission described as a “breakout.” Materials injected far below the earth had managed to migrate back up to the surface...” . <http://www.propublica.org/article/trillion-gallon-loop-hole-lax-rules-for-drillers-that-inject-pollutants>

Enough is enough, this is unacceptable. There are better solutions which deem this practice reasonably unnecessary

Sincerely, Thomas Lisak

Thoms Lisak

2975 Rte 410

Punxsutawney, PA 15767



Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

Dear Mr. Platt,

This letter is to request a public hearing on the Zelman #1 Class 2 Disposal Injection Well proposed for Brady Township, Clearfield County, PA. I am also requesting a hearing for the proposed injection well in Highland Township, Elk County, PA

Please put this comment of mine on the record: The risks are too great especially considering that there are viable alternatives, such as already existing injection wells and waste water treatment facilities. This area of PA is rife with unique geologic features that pose dangers for the successful containment of hazardous waste. In addition most of our aquifers, despite a neutral PH are highly corrosive in nature due to acid mine drainage with can cause steel and cement to prematurely age, corrode, and dissolve. (see <http://senatormjwhite.com/PDF/2010/pittsburgh.PDF> bottom 14)

It is a mystery to me that the many concerns of residents who must live near disposal wells (and all the risks of overturning tankers and the risks of mechanical failures, radioactivity, traffic, noise, etc) must be ignored as long as the permit is applied for properly. It's a soulless, immoral paradigm that ought to change sooner than later.

Sincerely, Jenny Lisak

J. Lisak  
2975 Rte 410  
Punxsutawney, PA 15767

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA 19103

Dear Mr. Platt,

Please accept this letter as testimony on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County due December 10, 2012.

Our water source is a well on our property which has the potential of being contaminated from this disposal well very near my home. In addition:

There are ground faults in the area, which causes concern for potential earthquakes from the waste water injected.

There are old coal mines located in the proximity of this waste well which are full of water. If the waste from this well should leak into that water, it would transfer the toxic fluid into water sources.

There may be abandoned wells that may not be plugged which could provide an avenue for contamination of our water supplies.

The possibility of an above ground spill is too strong to ignore.

With so many other sites available in the state of Pennsylvania, WHY is a site in the middle of a residential neighborhood even being considered?

In my opinion, even if there is the remotest possibility of water contamination from this well, it should not be located in a residential area.

Sincerely,

*Rosemary Frizzell*  
*Arlie Frizzell Jr.*

Rosemary & Arlie Frizzell  
1359 Highland Street Extention  
DuBois, PA 15801  
814-583-5867  
rfrizzell@windstream.net

Dave McKolanis

P.O. Box 92

Falls Creek, PA. 15840

(814) 375-0689

December 11, 2012

Member of *Pennsylvania Alliance for Clean Water and Air*

**(PACWA)**

Mr. S. Stephen Platt

U.S. EPA Region 3

1650 Arch Street

Philadelphia, P.A. 19003

In reference to: **Proposed Highland Street Extension. Injection Well,**  
**Near DuBois P.A., Brady Twp., Clearfield County.**

Dear Mr. Platt:

Perhaps you'll remember me from the Brady Township Injection Well meeting that was held on December 10<sup>th</sup> of this year. I was next to the last if not the last person to address you folks about the proposed Injection Well to be located outside of DuBois. Since it was getting later in the evening I only gave a brief portion of my reasoning to oppose the planned Well, and was told by others in the room afterward to write down my (little bit longer) entire message and send it to you before December 17<sup>th</sup>. So I hope this reaches you before the deadline. After I identified myself, my address was *intended* to go something like this:

*Now you folks have already heard tonight and have in front of you all the reasons **WHY** this Injection Well is being contested. So there isn't anything I can add to their comments. But I want to take this to an even broader scale.*

*I just heard a Tavis Smiley interview program the other night where it was stated that the greatest problem that's going to face mankind in **this century** isn't going to be Terrorism or a Nuclear War, but rather **clean drinking water**.*

*You folks are the EPA that's supposed to stand for Environmental **PROTECTION** Agency and **NOT** the Expediting Permits Agency. So your job is to **Protect** the Environment from harm.*

*Well right now the Oysters populations off the coast of Vancouver are significantly depleting because young Oysters are being exposed to acidic water that's eating away their shells causing an alarming slump in that harvesting occupation.*

*The aquatic life in the Chesapeake Bay is already suffocating because of all the farm chemicals and industrial wastes that are being released in the waterways and rivers upstream.*

*Estimates are that the Ogallala Aquifer out west has been depleted down to about 25% of its original capacity, and could result in an American Sahara desert after it's gone.*

*The Arctic Ice cap is not only getting smaller but also thinner causing sea levels to rise.*

*Norfolk Virginia already has streets that are regularly flooding and houses are being planned to be put up on stilts.*

*Flood gates are being suggested in front of New York Harbor after hurricane Sandy flooded lower areas of that city.*

*We all know about the Earthquakes that have been occurring linked with Injection Wells out in Youngstown Ohio.*

*These aren't problems to think about in the future because they've been happening **RIGHT NOW**. From coral reefs dieing because of warming Oceans, to glaciers disappearing and prolonged droughts occurring in the west. **Little Bit by Little Bit** our environment is being compromised and thousands of scientists around the globe know that Human activity has accelerated it if not caused it.*

*We can recognize it and you folks should already know it too, now having another **Little Bit** of it before you on paper, ready to decide whether to add more to it, **OR**, start saving this **Little Bit** of the planet. We are **sounding the alarm bell** to **YOU PEOPLE** because it is **Your Job** as a "**Protection Agency**" to do what your suppose to be getting paid to do.*

**= The authority to make a difference is in YOUR HANDS, not ours. =**

***Protection** is no good **AFTER** any leakage or failure or wide spread damage occurs because we in this area have already been down that road before with the Acid Mine problems from decades past that are still being cleaned up today.*

*You've heard attorney Ferraraccio tell you that an Injection Well is nothing more than an enormous toxic outhouse shoving contaminants below ground **under high pressure**.*

*You've heard how this **pressurized toxic slop** has the capability and likelihood of trespassing far beyond the area the operator claims it would be restricted to.*

*You've heard Mrs. Amick explain to you how this whole area is honeycombed with old mine shafts that can easily become a conduit when that pressurized **toxic soup** finds its way out of the porous lower shale formations and into the upper mined layers and cavities poisoning even more water sources.*

*You've heard the directly effected local residents give you rock strata information and health threat probabilities that would likely occur because of the Well, and the **Millions of Dollars** they've invested in their properties over the decades.*

*How the City, Township and County Officials **ALL** overwhelmingly and adamantly **oppose it** with their very credible reasoning.*

*How Mrs. Lisak told you there's already more than enough of these Injection Wells while giving you an impressive number of them. So why should another **Industrial toxic site** be imposed and constructed **in a residential area** no less?*

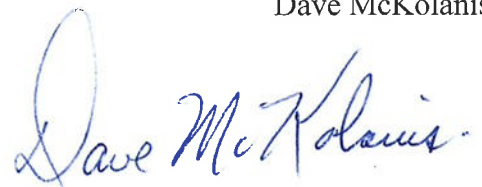
*The obvious potential risks and serious threats have been stated and made known to you. It should be a "No-Brainer" when weighing the profits intended to be reaped by "Windfall Gas" as compared to the potential cost losses and permanent damage that would likely be shoved on to the taxpayer for long term cleanup perhaps years into the future. It's a gamble that we feel certainly isn't worth taking, costing so many people so much more over the profits of so few. How many more of these potentially damaging and **UN-GUARENTEED Little Bits** should we be forced to absorb?*

*If your agency is merely another step in the permitting process created to simply listen to local people's gripes but are primarily to be influenced by commercial interests regardless of environmental concerns, then both you folks and all of us wasted an evening. We need something better that would be seriously aware of protecting the environment not only here but all over the country. However today with the mad crash to keep drilling our way into another finite energy source so already enormously profitable companies can keep manipulating politics and selling us un-guaranteed long term processes while ignoring much better and cleaner renewable options that are surpassing us in other countries; obviously we need much better consideration, caution and oversight to preserve what can so easily be contaminated and outright destroyed over the profits of the few.*

*So, are you going to be a Pro-Active **Protection** Agency to protect the Environment from the threat of obvious harm? **Or**, are you a Re-Active Agency gambling on **compromising the Environment** when it makes far wiser sense **NOT** to go there. Especially when there's much smarter ways to deal with toxic slop than flushing it down a hole and merely **hoping** it will remain where you **think** it ought to stay for the rest of eternity.*

Thank You for this opportunity to let my opinion be known to you all.

Dave McKolanis.



# McLean PUBLISHING CO.

COURIER-EXPRESS / TRI-COUNTY SUNDAY  
JEFFERSONIAN DEMOCRAT / LEADER-VINDICATOR

500 Jeffers Street, PO Box 407, DuBois, Pennsylvania 15801

**DENNIS J. BONAVIDA, EDITOR AND PUBLISHER**

Telephone (814) 371-4200, Ext. 2177

E-mail: [dbonavita@thecourierexpress.com](mailto:dbonavita@thecourierexpress.com)

December 4, 2012

U.S. Environmental Protection Agency  
Water Protection Division, Office of Drinking Water & Source Water Protection  
Ground Water Enforcement Branch (3WP22)  
1650 Arch Street  
Philadelphia PA 19103

Re: Permit PAS2D020BCLE, Windfall  
Brady Township, Clearfield County, Pa.

Dear EPA:

Please accept this as our public comment on the proposed well.


We oppose granting the permit.

As we have said editorially, deep injection wells in general are not "disposal," any more than piling dirt on old coal mines solved acid mine drainage problems. EPA should require treatment, solidification and landfill disposal of such fluids, rather than "hiding" them.

Specifically, this well poses dangers from earthquake and fluid migration to water supplies serving thousands of people in and around DuBois, Sandy Township, Brady Township and Union Township.

We respectfully ask that the permit be denied.

Sincerely,



Dennis J. Bonavita  
Publisher

249 Barr Road  
DuBois, PA 15801  
December 11, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water and Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA 19103

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

Dear Mr. Platt,

This letter is testimony on the Zelman #1 Injection Well proposed for Brady Township in Clearfield County. I have many concerns that deal with contamination of underground sources of drinking water. I appreciate the public hearing held last evening and I think we have stated our case as to why this permit for an injection well should be denied.

My drinking water comes from a private well on our property. It has potential to be contaminated by underground disposal of waste water near my home on Barr Road in DuBois. We have good, safe drinking water now and I am concerned that this will not be the case should "brine" be injected into the Oriskany formation on the proposed well site.

The site for this well has been poorly chosen as there are many flaws beneath the surface. Ground faults are located in close proximity to the proposed well site. We felt the aftershocks from the Youngstown earthquake 100 miles away. Closer to the epicenter would be detrimental to homes and properties around this site. Abandoned coal mines are located within the ¼ mile radius of review. Any small fracture or leak has the potential to seep into these mines and carry waste water under Sandy Township and the City of DuBois and dump into the Sandy Lick Creek. The Sandy Lick travels to the Allegheny River and eventually into the Mississippi River. Unplugged gas wells and deep water wells are within the radius of review as well as within a one-mile radius of this well. Methane and brine could migrate into the aquifer and directly into the many private water wells in the area. Even though the well would be encased in steel and concrete, the piping still goes through our aquifer to reach the Oriskany layer. Any breach in this system could spell disaster for anyone with a private well in the area. I just don't understand how it can be considered safe to place waste water saturated with toxins underground with the potential to seep into other areas.

If the well is placed and when and if it leaks, the cost to lay public water lines would be more than most people could afford. It's hard to survive without readily available water. To bring the land up to par would cost money as well, of course this should not come out of our pocket. The existing gas wells need to be plugged and the mine shafts would need to not leak.

I want to know why a residential area would even be considered as a site for an injection well. This question was poorly addressed in the meeting. Not only are homes in the immediate area affected, but within a few miles are schools, businesses and industries, DuBois Regional Medical Center, recreational areas and thousands of residents. We have worked our whole lives to purchase a home worth living in. The last thing we want is our property value to decrease because of someone's lack of consideration and greed. We like our neighborhood. I want my children to grow up here. I want to grow old with my spouse here. Why would someone buy property that is over a pocket of industrial waste? I know that life has few guarantees, but you and your colleagues could not give us a guarantee that our water supply would not be affected. That, as Mrs. Powers stated, is unacceptable.

You can tell us what you think we want to hear, but it doesn't appease the very uneasy feeling we all have. We are angry and we want our voices heard. Please reject the permit application for the Windfall/Zelman #1 injection well. Many lives depend on this.

Sincerely,

A handwritten signature in cursive script that reads "Carrie Tobin". The signature is written in black ink and is positioned above the printed name.

Carrie Tobin



November 30, 2012

Mr. Stephen Platt, US EPA--Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA 19103-2029

In Regards to: UIC Permit PAS2D020BCLE (Windfall/Zelman #1)

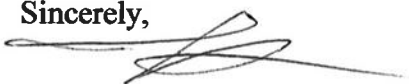
This letter is to request a public hearing on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County. I am aware that a hearing in Brady Township, Clearfield County on December 10, 2012 is tentatively scheduled dependent on public voice. Please consider this letter my request to hold this EPA hearing. Many local residents and my family are concerned with the effect this well may pose to our drinking water source. My specific concerns deal with contamination of the underground sources of water. My drinking water source is a 150 foot cased well and has potential to be contaminated through the disposal of waste underground within five miles of my home.

I have had direct consequences of living where these well companies operate. EXCO Resources reclaimed a gas well near my home. I had lived at my home five years without any water problems. After EXCO Resources began their operation I had water pressure problems and sediment issues. These problems resulted in additional costs for me in the form of Culligan visits, Forsyth Drilling Inc. visits, and eventually a new well pump. The access road that was used by EXCO Resources is my main access road and is maintained privately by myself. EXCO Resources continued use of this road with trucks weighing more than vehicles which assembled my home has resulted in damages beyond which I can control. The well site that was used has been left scattered with rusted drill bits/pipe and the old well pump remains. I have tried to contact EXCO Resources to see about correcting this matter to no avail. I guess this what you have to deal when disregard and disrespect for the environment by companies like EXCO Resources is not held accountable by the EPA, DEP, and our government.

DEP had spoke with EXCO Resources in the above matter to no conclusion. DEP had made recommendations about how to rework and close the well but these recommendation were disregarded. The end result has been old mine drainage in the amount of 150 gallons a minute emptying into a local stream. I have included a picture so that you can enjoy first hand this display of disrespect to our environment. Pollution is not a beautiful thing even when it is being allowed and permitted by the the government agencies assigned to protect it.

In conclusion if "Protecting America's Waters" is viewed as one of the EPA's priorities then why is it being disregarded in this matter. Water is truly an important resource and should be viewed as such. Small monetary penalties enforced will not help our children when water is being viewed as a commodity and not an important natural resource.

Sincerely,



Travis P. Smith  
315 Gearhart Lane  
DuBois, PA 15801  
814-591-9567  
jsmith315@windstream.net







**Duane & Darlene Marshall  
1070 Highland Street Extension  
DuBois, PA 15801  
(814) 583-7945  
mrdewy@yahoo.com**

December 15, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

Dear Mr. Platt,

This letter is to add to our testimony presented and submitted on December 10, 2012 at the EPA Public Hearing on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County.

1 - Please extend the deadline for submitting comments since we need to submit the Casselberry report for the DuBois watershed and additional details on the coal mines that we received from the DEP. We also believe additional information is available from other community members and the medical field needs to weigh in on this testimony.

2 – Extending the deadline for public comments is also important because we have asked Brady Township supervisors to enact a local ordinance. They may or may not enact a local ordinance but the community would like to know what the EPA means when they state, “they will not override local ordinances.” Knowing you were out on the road last week, I waited to call the EPA office till Friday and didn’t receive a response yet to my call.

3 - Neighbors living behind us near the Carlson deep gas well, who are outside the 1/4 mile Area of Review, have had their water affected by a gas well being drilled less than a mile away. We believe residents on #2 Shaft Road and Route 219 could be directly affected if this deep gas well is improperly plugged and their water could become contaminated. Two water sources behind my house (Plyer & Michael) somehow were affected by this gas well drilled near Kennedy's so we assume that potential water contamination near our homes could have a direct affect on homes at the end of #2 Shaft Road or those on Route 219. It was stated when the gas well was drilled it affected their water for awhile. This well is a really great supply of water and supplies at least two homes endlessly. This gas well is probably within a mile from the Carlson deep gas well that is plugged and our water wells.

3 - We need to stress what Brady Township Supervisor, Mr. Muth, stated, "we know this area is already saturated in the Oriskany," this is from a person with drilling background. The gas well on Atkinson's property when in operation they had to daily take the brine off.

**Duane & Darlene Marshall**  
**1070 Highland Street Extension**  
**DuBois, PA 15801**  
**(814) 583-7945**  
**mrdewy@yahoo.com**

4 – Brady Township Engineer, Wilson Fisher, believes an impact study for NEPA (National Environmental Policy Act) should be completed.

5 – Brady Township Engineer, Wilson Fisher, wants further research done on mineral rights in the area. The legal implications on our subsurface rights is a concern.

6 - Driller complacency is a concern as we saw on December 10, 2012. That this is just a “hole in the ground to pump waste” is not an accurate statement. A participant on December 10 talked to Mr. Hoover and asked about how Windfall would know the length of time able to pump waste, which Mr. Hoover responded that, “this is a dice game.” Residents don’t want anyone gambling with their water sources, homes and lives.


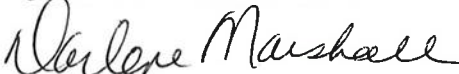
7 - We know drillers and stories that tell us we should be concerned. People with drilling experience spoke at the hearing and have supported us with our research. They have major concerns and some of them live in the affected area.

8 – The Pittsburgh Post Gazettee explained recently more studies need to be done on disposal injection wells, which is stated from an EPA hydrologist. (See the attached news article from December 12, 2012)

9 – Residents have received information on the PA DEP application this week from Windfall Oil & Gas. This information raises further questions and needs reviewed more in depth especially on the answers to questions on the coal mines in the area. We believe the coal mines are within 1000 feet.

All the above facts will take further time to study the effects on underground sources of water (USDWs). An impact study will take time and should be completed. We should have time to respond to the driller with local information and not be forced into a quick response that doesn't include all the facts.

Sincerely,

  
  
Duane & Darlene Marshall

Enclosed is three news articles to enter  
into testimony, also. Thank you!



# THIS WELL QUESTION belong there or anywhere

Following Monday's federally-sponsored public hearing in Luthersburg, we are even more uncomfortable with the concept of using injection wells as disposal wells for gas-oil drilling liquids than we have been — and we were fairly uncomfortable even then.

With respect, we disagree with a comment made by state Rep. Matt Gabler, understandably desirous of protecting the residents of his legislative district. "There are better places for a well like this," Gabler was quoted as having said.

We think not.

"Hiding" is not "disposing."

Residents and other opponents of the well made a good case for concern about the likelihood of leakage, at the surface or below, now or in the future. The owner of the company wishing to construct and operate the well said he is convinced that the well can be operated safely. We don't doubt his sincerity, but we reach a different conclusion.

We think Pennsylvania should ban the use of deep injection wells as "disposal" methods for liquids, whether they come from oil-gas wells or from radioactive activities of nuclear power plants, or anywhere else. If federal law overrides, then Congress needs to do that.

Beneath the surface, Pennsylvania's geology is Swiss cheese in texture. Abandoned oil/gas wells, backfilled strip mines, surface-sealed but subterranean-open deep mine tunnels, and the gaps and upheavals occurring naturally clearly dictate that what is down there can be brought to the surface again, either by natural forces such as earthquakes or by human activities.

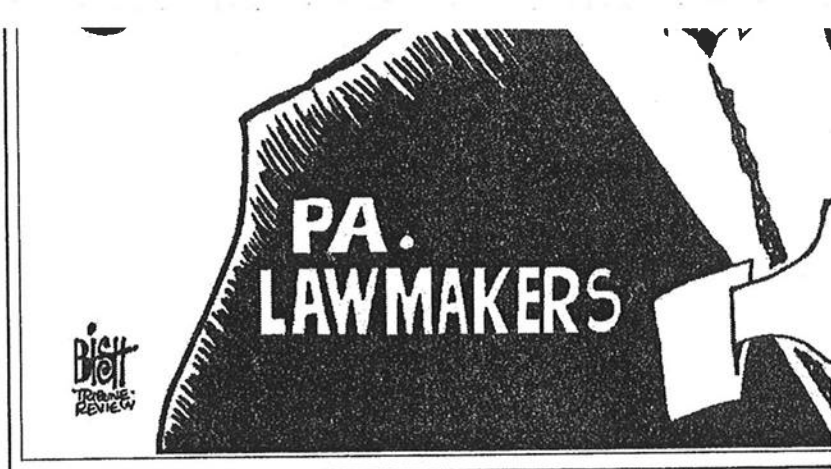
Indeed, the very fact that oil and gas can be recovered from the Marcellus Shale and other deep geological layers contradicts the implication by proponents that, once injected, those liquids will just lie there quiescently.

We support drilling for natural gas. We support drilling into the Marcellus and Utica layers and hydrofracturing those layers to release the gas and oil. We need both. And the drilling and extraction can be done safely enough, in our opinion.

But it makes no sense to hide material that can be treated at the surface, and the liquids intended for injections can be surface-treated and rendered reusable or inert, or disposed of at the surface where future problems, if any, can be confronted and controlled.

There are, in fact, no better places for a well like this, in our opinion.

— Denny Bonavita



## Injection well inspector

I have to admit I don't understand a great many things. I cannot for the life of me understand how a 15-year-old brain can get trapped in a 30-year-old body, yet there they are on just about every "reality" television show.

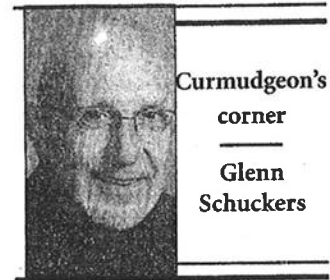
Nor can I understand what anyone finds funny in most of the comedy shows on that medium. Turn off the sound, turn on the closed captioning, and see if there is anything humorous in the script.

And for the life of me I can't understand women, but that's another story for another day.

On a more practical scale, I find it really hard to believe some of the things I have been hearing from the federal Environmental Protection Agency. I'm not sure, even now, that I heard some of them, but thinking back, if I heard what I thought I heard, it sounds as though the federal government and the rest of us are in two different worlds.

As a lot of people know, Ann and I had to build a new home this past year. In order to do that we had to have an inspector come out and give us a permit to put a driveway in. He had to be sure that we, and anyone who visited us, would be able to see up and down the state road before pulling out. In other words, the state had to look at what became a sort of intersection to make sure it was safe.

Then we had to have another inspector look at the soil where we planned to build a septic system. We live in the country and don't



Curmudgeon's  
corner  
Glenn  
Schuckers

take care of our ... umm ... waste.

This is a one-family home and 95 percent of the time two people live here. It is located on 86 acres which we own, and the nearest neighbor is a quarter of a mile, uphill, from our home. Yet we had to have a soil scientist come out and inspect and then design a septic system to dispose of the little waste that we generate.

Before we moved in, we had to have another engineer come out and look at the whole place to make sure it met the "Code" that specifies that, among other things, there is a railing on the basement steps.

In short, we had to be inspected half a dozen or more times before we could build and then move into a house. Two people, one house. We didn't mind because it is just the law.

Contrast that with the law that permits a well that could poison or at least destroy the quality of life for hundreds or even thousands of people.

First, the state turns over that control to the federal government.

Why stop there? Why not have the federal government issue drivers' licenses?

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# Injection well inspectors? A sick joke



Curmudgeon's  
corner  
Glenn  
Schuckers

I have to admit I don't understand a great many things. I cannot for the life of me understand how a 15-year-old brain can get trapped in a 30-year-old body, yet there they are on just about every "reality" television show.

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Contrast that with the law that permits a well that could poison or at least destroy the quality of life for hundreds or even thousands of people.

First, the state turns over that control to the federal government.

Why stop there? Why not have the federal government issue drivers' licenses? Why not have the feds issue

hunting licenses? Diplomas? Why not have the feds come out and issue a permit for a septic system?

But as ridiculous as all that sounds, the state has determined to turn over jurisdiction of injection wells, not gas wells, to the feds. And, as I heard it, they have one inspector for all of north central Pennsylvania. One inspector to cover an area from Clearfield County up to the New York line, over to Ohio south half way down the state and back east some hundred miles to Clearfield. One inspector!

And it gets even better. In order for government to enforce the rules, they need someone to report violations. Why not have the companies do it themselves?

And why not invite restaurants to report any violations they have in the kitchen and invite an inspector to come out and close them down for a month?

"But," someone might ask, "what happened to the rules that govern the oil and gas industry?"

The answer is pretty simple: the Cheney Rule. Exceptions to the rules that control oil and gas operations, commonly referred to as the Cheney Rule since they were instituted under the suggestions of former vice-president Dick Cheney, formerly an executive in a major oil company.

One exception states, "Section 323 Provides an EXEMPTION (my emphasis) for oil and gas companies from the Federal Water Pollution Control Act for their construction activities surrounding oil and gas

drilling." In other words, the rules that apply to all other activities that might contaminate water don't apply to oil and gas companies.

The EPA spokesperson stated that the EPA does not conduct any impact studies on the effect of an injection well. Coal companies have to do an impact study; timber companies have to do an impact study; shopping centers and malls have to do impact studies.

But not oil and gas companies. For an injection well, they are exempt from impact studies.

This is a bad law. You don't have to be a tree hugger to know this is a bad law. It is bad by any standard that anyone could apply to it. My question is why no one has changed it? Why have lawmakers, the people who are supposed to protect the people, allowed it to stand for twelve years?

Oh, yeah, I forgot. The Supreme Court has said corporations, including oil and gas corporations, are people too, and we have to protect their profits, er, rights.

□□□

Glenn Schuckers was the proprietor of Schuckers Orchard from 1970 -1992, and was in education for 35 years as a teacher, administrator and bus driver. He has also been a bartender, steelworker, farmer and school board member. He decided to retire in 2009 and start another career. He and his wife Ann have lived in Brady Township, Clearfield County, since 1971. They have two sons, Erik and Nathan. His opinions are strictly his own. Email: curmud1@yahoo.com

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# Senate voice in support of Constitution

against the reauthorization of the bill.

This year, Wyden has gone even further in combating the executive branch's

voters would be ill-equipped to elect the policymakers who make important decisions in these areas" (wyden.senate.gov Nov 14)

media on background on unclassified issues, even if they would happen to be authorized. Again, this would limit media organizations'

likely 'undermine the due process rights of intelligent community employees, and potentially be used to retaliate against whistleblowers.

Sweet land  
of liberty

EPA allowed waste injection that polluted at least 100 aquifers (Pittsburgh Post-Gazette)  
12/12/12

Federal officials have given energy and mining companies permission to pollute aquifers in more than 1,500 places across the country, releasing toxic material into underground reservoirs that help supply more than half of the nation's drinking water.

In many cases, the Environmental Protection Agency has granted these so-called aquifer exemptions in Western states now stricken by drought and increasingly desperate for water.

EPA records show that portions of at least 100 drinking water aquifers have been written off because exemptions have allowed them to be used as dumping grounds.

"You are sacrificing these aquifers," said Mark Williams, a hydrologist at the University of Colorado and a member of a National Science Foundation team studying the effects of energy development on the environment. "By definition, you are putting pollution into them. ... If you are looking 50 to 100 years down the road, this is not a good way to go."

As part of an investigation into the threat to water supplies from underground injection of waste, ProPublica set out to identify which aquifers have been polluted.

We found the EPA has not even kept track of exactly how many exemptions it has issued, where they are, or whom they might affect.

What records the agency was able to supply under the Freedom of Information Act show that exemptions are often issued in apparent conflict with the EPA's mandate to protect waters that may be used for drinking.

Though hundreds of exemptions are for lower-quality water of questionable use, many allow grantees to contaminate water so pure it would barely need filtration, or that is treatable using modern technology.

The EPA is only supposed to issue exemptions if aquifers are too remote, too dirty, or too deep to supply affordable drinking water. Applicants must persuade the government that the water is not being used as drinking water and that it never will be.

Sometimes, however, the agency has issued permits for portions of reservoirs that are in use, assuming contaminants will stay within the finite area exempted.

In Wyoming, people are drawing on the same water source for drinking, irrigation and livestock that, about a mile away, is being fouled with federal permission. In Texas, EPA officials are evaluating an exemption for a uranium mine — already approved by the state — even though numerous homes draw water from just outside the underground boundaries outlined in the mining company's application.

The EPA declined repeated requests for interviews for this story, but sent a written response saying exemptions have been issued responsibly, under a process that ensures contaminants remain confined.

"Aquifer Exemptions identify those waters that do not currently serve as a source of drinking water and will not serve as a source of drinking water in the future and, thus, do not need to be protected," an EPA spokesperson wrote in an email statement. "The process of exempting aquifers includes steps that minimize the possibility that future drinking water supplies are endangered."

Yet EPA officials say the agency has quietly assembled an unofficial internal task force to re-evaluate its aquifer exemption policies. The agency's spokesperson declined to give details on the group's work, but insiders say it is attempting to inventory exemptions and to determine whether aquifers should go unprotected in the future, with the value of water rising along with demand for exemptions closer to areas where people live.

Advances in geological sciences have deepened regulators' concerns about exemptions, challenging the notion that waste injected underground will stay inside the tightly drawn boundaries of the exempted areas.

"What they don't often consider is whether that waste will flow outside that zone of influence over time, and there is no doubt that it will," said Mike Wireman, a senior hydrologist with the EPA who has worked with the World Bank on global water supply issues. "Over decades, that water could discharge into a stream. It could seep into a well. If you are a rancher out there and you want to put a well in, it's difficult to find out if there is an exempted aquifer underneath your property."

Aquifer exemptions are a little-known aspect of the government's Underground Injection Control program, which is designed to protect water supplies from the underground disposal of waste.

The Safe Drinking Water Act explicitly prohibits injection into a source of drinking water, and requires precautions to ensure that oil and gas and disposal wells that run through them are carefully engineered not to leak.

Areas covered by exemptions are stripped of some of these protections, however. Waste can be discarded into them freely, and wells that run through them need not meet all standards used to prevent pollution. In many cases, no water monitoring or long-term study is required.

The recent surge in domestic drilling and rush for uranium has brought a spike in exemption applications, as well as political pressure not to block or delay them, EPA officials told ProPublica.

"The energy policy in the U.S is keeping this from happening because right now nobody — *nobody* — wants to interfere with the development of oil and gas or uranium," said a senior EPA employee who declined to be identified because of the sensitivity of the subject. "The political pressure is huge not to slow that down."

Many of the exemption permits, records show, have been issued in regions where water is needed most and where intense political debates are underway to decide how to fairly allocate limited water resources.

In drought-stricken Texas, communities are looking to treat brackish aquifers beneath the surface because they have run out of better options and several cities, including San Antonio and El Paso, are considering whether to build new desalinization plants for as much as \$100 million apiece.

And yet environmental officials have granted more than 50 exemptions for waste disposal and uranium mining in Texas, records show. The most recent was issued in September.

The Texas Railroad Commission, the state agency that regulates oil and gas drilling, said it issued additional exemptions, covering large swaths of aquifers underlying the state, when it brought its rules into compliance with the federal Safe Drinking Water Act in 1982. This was in large part because officials viewed them as oil reservoirs and thought they were already contaminated. But it is unclear where, and how extensive, those exemptions are.



EPA "Region VI received a road map — yes, the kind they used to give free at gas stations — with the aquifers delineated, with no detail on depth," said Mario Salazar, a former EPA project engineer who worked with the underground injection program for 25 years and oversaw the approval of Texas' program, in an email.

In California, where nearly half of the nation's fruits and vegetables are grown with water from as far away as the Colorado River, the perennially cash-strapped state's governor is proposing to spend \$14 billion to divert more of the Sacramento River from the north to the south. Near Bakersfield, a private project is underway to build a water bank, essentially an artificial aquifer.

Still, more than 100 exemptions for natural aquifers have been granted in California, some to dispose of drilling and fracking waste in the state's driest parts. Though most date back to the 1980s, the most recent exemption was approved in 2009 in Kern County, an agricultural heartland that is the epicenter of some of the state's most volatile rivalries over water.

The balance is even more delicate in Colorado. Growth in the Denver metro area has been stubbornly restrained not by available land, but by the limits of aquifers that have been drawn down by as much as 300 vertical feet. Much of Eastern Colorado's water has long been piped underneath the Continental Divide and, until recently, the region was mulling a \$3 billion plan to build a pipeline to bring water hundreds of miles from western Wyoming.

Along with Wyoming, Montana and Utah, however, Colorado has sacrificed more of its aquifer resources than any other part of the country.

More than 1,100 aquifer exemptions have been approved by the EPA's Rocky Mountain regional office, according to a list the agency provided to ProPublica. Many of them are relatively shallow and some are in the same geologic formations containing aquifers relied on by Denver metro residents, though the boundaries are several hundred miles away. More than a dozen exemptions are in waters that might not even need to be treated in order to drink.

"It's short-sighted," said Tom Curtis, the deputy executive director of the American Water Works Association, an international non-governmental drinking water organization. "It's something that future generations may question."

To the resource industries, aquifer exemptions are essential. Oil and gas drilling waste has to go somewhere and in certain parts of the country, there are few alternatives to injecting it into porous rock that also contains water, drilling companies say. In many places, the same layers of rock that contain oil or gas also contain water, and that water is likely to already contain pollutants such as benzene from the natural hydrocarbons within it.

Similarly, the uranium mining industry works by prompting chemical reactions that separate out minerals within the aquifers themselves; the mining can't happen without the pollution.

When regulations governing waste injection were written in the 1980s to protect underground water reserves, industry sought the exemptions as a compromise. The intent was to acknowledge that many deep waters might not be worth protecting even though they technically met the definition of drinking water.

"The concept of aquifer exemptions was something that we 'invented' to address comments when the regulations were first proposed," Salazar, the former EPA official, said. "There was never the intention to exempt aquifers just because they could contain, or would obviate, the development of a resource. Water was the resource that would be protected above all."

Since then, however, approving exemptions has become the norm. In an email, the EPA said that some exemption applications had been denied, but provided no details about how many or which

ones. State regulators in Texas and Wyoming could not recall a single application that had been turned down and industry representatives said they had come to expect swift approval.

"Historically they have been fairly routinely granting aquifer exemptions," said Richard Clement, the chief executive of Powertech Uranium, which is currently seeking permits for new mining in South Dakota. "There has never been a case that I'm aware of that it has not been done."

### **Aquifer Exemptions Granted**

The aquifer exemptions approved by the EPA each year are according to a partial list of approvals provided to ProPublica by the agency in response to a FOIA request.

In 1981, shortly after the first exemption rules were set, the EPA lowered the bar for exemptions as part of settling a lawsuit filed by the American Petroleum Institute. Since then, the agency has issued permits for water not "reasonably expected" to be used for drinking. The original language allowed exemptions only for water that could never be used.

Oil companies have been the biggest users of aquifer exemptions by far. Most are held by smaller, independent companies, but Chevron, America's second-largest oil company, holds at least 28 aquifer exemptions. Exxon holds at least 14. In Wyoming, the Canadian oil giant EnCana, currently embroiled in an investigation of water contamination related to fracking in the town of Pavillion, has been allowed to inject into aquifers at 38 sites.

Once an exemption is issued, it's all but permanent; none have ever been reversed. Permits dictate how much material companies can inject and where, but impose little or no obligations to protect the surrounding water if it has been exempted. The EPA and state environmental agencies require applicants to assess the quality of reservoirs and to do some basic modeling to show where contaminants should end up. But in most cases there is no obligation, for example, to track what has been put into the earth or — except in the case of the uranium mines — to monitor where it does end up.

The biggest problem now, experts say, is that the EPA's criteria for evaluating applications are outdated. The rules — last revised nearly three decades ago — haven't adapted to improving water treatment technology and don't reflect the changing value and scarcity of fresh water.

Aquifers once considered unusable can now be processed for drinking water at a reasonable price.

The law defines an underground source of drinking water as any water that has less than 10,000 parts per million of what are called Total Dissolved Solids, a standard measure of water quality, but historically, water with more than 3,000 TDS has been dismissed as too poor for drinking. It also has been taken for granted that, in most places, the deeper the aquifer — say, below about 2,000 feet — the higher the TDS and the less salvageable the water.

Yet today, Texas towns are treating water that has as high as 4,000 TDS and a Wyoming town is pumping from 8,500 feet deep, thousands of feet below aquifers that the EPA has determined were too far underground to ever produce useable water.

"You can just about treat anything nowadays," said Jorge Arroyo, an engineer and director of innovative water technologies at the Texas Water Development Board, which advises the state on groundwater management. Arroyo said he was unaware that so many Texas aquifers had been exempted, and that it would be feasible to treat many of them. Regarding the exemptions, he said, "With the advent of technology to treat some of this water, I think this is a prudent time to reconsider whether we allow them."

Now, as commercial crops wilt in the dry heat and winds rip the dust loose from American prairies, questions are mounting about whether the EPA should continue to grant exemptions going forward.

"Unless someone can build a clear case that this water cannot be used — we need to keep our groundwater clean," said Al Armendariz, a former regional administrator for the EPA's South Central region who now works with the Sierra Club. "We shouldn't be exempting aquifers unless we have no other choice. We should only exempt the aquifer if we are sure we are never going to use the water again."

Still, skeptics say fewer exemptions are unlikely, despite rising concern about them within the EPA, as the demand for space underground continues to grow. Long-term plans to slow climate change and clean up coal by sequestering carbon dioxide underground, for example, could further endanger aquifers, causing chemical reactions that lead to water contamination.

"Everyone wants clean water and everyone wants clean energy," said Richard Healy, a geologist with the U.S. Geological Survey whose work is focused on the nexus of energy production and water. "Energy development can occur very quickly because there is a lot of money involved. Environmental studies take longer."

**RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)**

Sunday, December 30, 2012 7:37 PM

**From:** "Duane Marshall" <mrdewy@yahoo.com>**To:** "Steve Platt (EPA)" <Platt.Steve@epamail.epa.gov>**Bcc:** "Marianne Atkinson" <marianne5@windstream.net>, "Randy & Val Powers" <brickie3@comcast.net>, "Randy Baird" <fairway08@windstream.net>, "Nancy Moore" <nanmoore13@verizon.net>, "Diane Bernardo" <honey0510@comcast.net>, wilsonf@hessfishereng.com

2 Files (72KB)



Testimon...



Testimon...

Hi Mr. Platt,

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

Thank you for taking the time to review all the testimony for the Windfall/Zelman 1 injection well permit. Attached you will find our final three pages of additional testimony for the local residents along with a Texas Court Case concerning issues with contamination of a water supply by a disposal injection well. We will mail our three pages of testimony with our original signature for your files. Please use this email as the original to meet the 12/31/2012 deadline for the due date for submission.

If you have any questions please contact us. It seems that we have been able to provide many additional documents of value to this public hearing, so we truly appreciate the EPA extending the deadline.

Sincerely,  
Duane & Darlene

Duane & Darlene Marshall  
1070 Highland Street Extension  
DuBois, PA 15801  
mrdewy@yahoo.com

**Duane & Darlene Marshall  
1070 Highland Street Extension  
DuBois, PA 15801  
(814) 583-7945  
mrdewy@yahoo.com**

December 29, 2012

Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

RE: UIC Permit PAS2D020BCLE (Windfall/Zelman 1)

Dear Mr. Platt,

This letter is testimony on the Zelman #1 Injection Well proposed for Brady Township, Clearfield County due December 31, 2012. The EPA public hearing in Brady Township, Clearfield County on December 10, 2012 made it evident that Windfall Oil & Gas had deficiencies in their EPA application and the geology of the area is not suited to disposing of waste underground.

Since the EPA public hearing, Windfall Oil & Gas has sent certified mail to residents in the 1/4 mile concerning the DEP application and these documents have been incorrect showing their lack of knowledge and residents have had to contact them concerning incorrect forms and data. Windfall finally decided to stop correcting the forms and sending the revisions by certified mail because they keep learning of errors. This demonstrates their lack of knowledge and understanding, which leaves residents with concerns of their actual capabilities to operate a disposal injection well.

Residents demonstrated that even if everything is done correctly the waste has potential to migrate up into many residents water wells or into the coal mines endangering so much of our area. This risk is not worth taking especially since the operators are basically overseeing any problems.

We are also aware that a study for the DuBois watershed shows a fault running from Brady Township to the DuBois reservoir and this could jeopardize the entire areas water sources. We understand that Diane Bernardo and Nancy Moore have submitted many studies and plans with maps. So we believe you should have the: Clearfield Comprehensive Plan, information on the PA Wilds Design Guide (see link on Clearfield Comprehensive Plan website), Casselberry Report, Casselberry Recommendations, 1958 study for gas drilling and

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Geisinger Study. Please let me know if you haven't received a document to access and refer to since testimony submitted refers to these important studies and reports.

The 1958 report shows a fault in the Oriskany in our area that travels miles. This is a major concern with the recent earthquakes in relation to disposal of waste using injection wells. Additionally, it is a concern to have a fault in the Oriskany, which is the formation where waste is to be disposed. Many of our neighbors with drilling experience have felt all along that Windfall was hoping to dispose of this waste near a fault so they have potential to dump lots of waste, since they feel the fault will take the waste and carry it away. This hypothesis is a dangerous one with our public water sources so near and with all the abandoned wells found on the watershed.

The 1958 report states faulting is extensive. It also talks about the Onondaga formation and the extensive drilling into the Oriskany. With so many old gas wells in the Oriskany we shouldn't be taking the chance to pump waste into this formation near our major water supply for the local region. The syncline lines shown on the map with the studies offer another major reason for concern since waste could be brought back up to the surface if disposed in our area.

The 2010 report showed no barrier between the Oriskany and Marcellus wells drilled around the DuBois watershed area. Many of the old gas wells are located in the Oriskany formation and the plugging practices used were questionable at the time. This endangers our water supplies for a large area if anything would happen to carry the waste just two and 1/2 miles. Please note that after an entire year the City of DuBois has still not allowed seismic testing due to the risk to our public water supply (see Casselberry recommendations that assessed the risk).

An Environmental Assessment and an Environmental Impact Study should be required for all disposal injection well sites before the EPA issues a permit. The area residents should always be notified as soon as a company contacts the EPA to start the application process for a disposal injection well.

If the EPA decides to go forward with this application we request a test well drilled to determine the actual depth of USDWs and to determine an appropriate casing plan. Then we request this test well be used as a monitoring well for the disposal injection well. We recommend the EPA deny this permit application although we want on

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record our requests for protection in any case.

The local residents are also aware of a case in Texas where a company was taken to court for disposing waste and that waste was found to contaminate a local water source. So the plaintiff sued for liability and the Texas court made a decision that the company disposing of waste was liable. Residents are concerned about the same thing happening and the actual trespass laws. The residents feel dumping waste below their homes trespasses on their property and is not acceptable.

The Geisinger report is another reason for residents to be concerned. Many area residents are elderly and more susceptible to health risks. A young man in our area has a nervous disorder and his home is very close to the proposed site. These residential homes so near the site with homes downgrade is a major consideration that should be addressed due to runoff or spills affecting these homes, getting into their underground sources of water or their springs.

Many things need to be reviewed and this application needs to be denied based on all the facts presented dealing with our geology. One of our supervisors with drilling experience spoke at the meeting about the saturation of the Oriskany formation. We know when the gas well drilled into the Oriskany is being operated on the Atkinson property it must have the water removed daily. This states a lot about the formation in our area being saturated. Drillers from our local area know and speak with knowledge from years of experience. If drillers are concerned and want this permit denied we should take note and be very concerned. This is not just one person with drilling experience but at least four to my knowledge that have actively supported us and offered advice. The EPA needs to develop a way to track this waste underground to find out where it actually goes and ensure no USDW is really getting contaminated. Hiding waste is not a solution. One of our local chemists has worked hard and developed a way to fully recycle this waste and recover the products to be sold, which we feel is what needs to happen with all this waste. Tim Keister has filed four documents for testimony on December 14, 2012 that support our feelings on this issue. All the documents provided on December 10<sup>th</sup> until now provide additional information providing merit to deny this EPA permit.

Sincerely,

  
Duane & Darlene Marshall

December 22, 2012

Steve Tuller  
1173 Treasure Lake  
DuBois, PA 15801

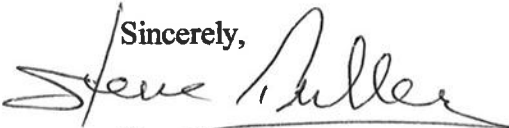
S. Stephen Platt  
Environmental Protection Agency Region III  
Office of Drinking Water & Source Protection  
1650 Arch Street (3WP22)  
Philadelphia, PA 19103

This letter is transmitted in support of the opposition to the installation of a disposal injection well proposed for a property at Highland Street Extension, Brady Township, Luthersburg, Pennsylvania.

My particular concerns are centered on the fact that the proposed installation, although rural, is in fact surrounded by residential properties. Further, although it is claimed that the proposed installation method has been used for years the fact is that it is old technology favored by the industry due to its minimal cost. While I understand the economics of this thinking, there is certainly more up to date technology available for the disposal and containment of this type waste product. Additionally, at the recent public hearing it was pointed out that the surrounding area includes geologic faults, fresh water streams, household wells and abandoned gall wells and deep coal mines.

With the preceding in mind, I am urging that the Environmental Protection Agency not permit the requested injection well.

Sincerely,



Steve Tuller





## CITY OF DuBOIS, PENNSYLVANIA

P.O. BOX 408

16 W. SCRIBNER AVE.

DuBOIS, PENNSYLVANIA 15801

TELEPHONE: (814) 371-2000

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Mr. Stephen Platt, EPA Region III  
Ground Water & Enforcement Branch  
Office of Drinking Water & Source Water Protection (3WP22)  
1650 Arch Street  
Philadelphia, PA, 19103

Dear Mr. Platt,

This letter is to request a public hearing on the Zelman #1 Class 2 Disposal Injection Well proposed for Brady Township, Clearfield County, PA.

Please put these comments on the record:

When House Bill 2350, known as the Injection Well Safe Water Act, was introduced in April 2012, the DuBois City Council, Mayor and City Manager immediately responded with a letter of support urging the Environmental Resources and Energy Committee to adopt this bill.

As a municipal water service provider, we felt this proposed bill provided necessary water protection measures such as a 5,500-foot setback from public water supplies. The bill also bans the deep waste-disposal wells in floodplains and provides a 2,000-foot setback from trout streams and High Quality/Exceptional Value waterways.

The earthquakes in Ohio, which have been linked to injection wells near Youngstown, were felt by residents in the City of DuBois. It is our understanding that geologic fault lines run through the Brady Township area where a well has been proposed. Brady Township is 2 miles from the City of DuBois corporate boundaries.

Approximately 6 acres of deep mines exist within the quarter-mile review area for the proposed disposal injection well. The deep mines begin in Brady Township and stretch to the area of the DuBois Mall. If there was ever a breach with frack water, it could go so far as the DuBois Mall and into Sandy Lick Creek. Sandy Lick Creek runs along the City's park system and is a designated catch and release fishing site. Much volunteer time and taxpayer money made this park possible.

We must do everything possible to ensure the integrity and protection of our water resources. Ohio has recently adopted new regulations to address many of the DIW issues, and we should do the same.

Sincerely,

Gary D. Gilbert  
Mayor

John "Herm" Suplizio  
City Manager

Diane Bernardo  
Councilwoman

James Aughenbaugh  
Councilman

Randy Schmidt  
Councilman

Edward Walsh  
Councilman

*"Gateway To Big Game Country"*