

Rev. James and Sherry Green
815 Reynoldsville Sykesville Road
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2014 NOV 25 PM 12: 12
ENVIR. APPEALS BOARD

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

November 16, 2014

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

Dear Environmental Appeals Board,

We, Rev. James and Sherry Green, request an appeal to deny this permit of an injection well in Brady Township. We have been to the public hearing and mailed comments. We are also keeping within word or page limitations.

We have concerns because our township water comes from the DuBois water system. Also we have friends, family, and church members in the area of this proposed site whose water could be affected.

For ease of filing this appeal we will mostly cite the binder submitted by Darlene Marshall on behalf of all concerned citizens. This appeal will show concerns about two regulations that will give a basis to deny the permit.

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

The new Government Accountability Office report findings from June 2014 on the "EPA Program to Protect Underground Sources from Injection of Fluids Associated With Oil and Gas Production Needs Improvement leading to pollution of underground sources of drinking water (USDWs)" demonstrates our concerns. This residential area depends on private water wells and is unable to afford or accept any risk. The binder on page 2 (#2) submitted by Darlene Marshall stated, "many additional residents have private water wells just outside the area of review near old deep gas wells (in the same formation as the injection zone)" a map was provided showing 16+ water sources. This is in addition to the 17 water sources

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identified in the 1/4 mile radius of review. It was stated that area residents depend on private water sources. Also, a list of all water well sources in a one mile area was provided in the binder to demonstrate the need for protecting our Underground Sources of Drinking Water (USDWs). Additionally, residents in this area have cited concerns with a deep gas well affecting private water wells due to casing issues.

The EPA Response Summary stated a one-quarter mile area of review was used for the permit. The binder on page 2 (#2) submitted by Darlene Marshall stated a request, "to extend the area of review outside the 1/4 mile." At the public hearing, Rick Atkinson, provided a zone of endangering influence calculation that demonstrated at the December public hearing that assumed non-transmissive faults would change the zone of endangering influence making it larger so that the area of review should be extended. Both stated the Carlson gas well should be considered as it is in the same formation as the injection zone and the Carlson gas well is a source of concern for neighbors as mentioned in testimony because the casing is suspect due to fumes it emits. (See binder from Darlene Marshall comment #8 & #13)

It is also known and was stated by them that deep gas wells are in the same formation as the injection zone. These gas wells are all right outside the 1/4 mile review many just feet away. All permit map calculations are based on 10 feet +/- noted. These +/- affects the location of each gas well on the maps. This was another incorrect statement in the EPA Response Summary #12 Page 13 that these gas wells are over half a mile or a mile away. Plus information was provided that the well logs that are plugged aren't sufficient to believe they are plugged correctly. (See binder from Darlene Marshall comment #7, #8 & #13)

We request this permit be denied on these inaccuracies because of the proximity of so many other Oriskany gas wells (6 to be exact, so close to the 1/4 mile). These wells would have been fractured and these fractures would have went into the 1/4 mile area of review. (See binder from Darlene Marshall #57). This means that this permit would violate the following regulations: 40 C.F.R. §146.22 (a) All new Class II wells shall be sited in such a fashion that they inject into a formation which is separated from any USDW by a confining zone that is free of known open faults or fractures within the area of review. 40 C.F.R. §146.22 (c) (2) & (d) (2) Well injection will not result in the movement of fluids into an underground source of drinking water so as to create a significant risk to the health of persons.

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We question your decision on faults in the area, especially the comment on response summary #8 page 10 wells not producing outside fault block is an inaccurate statement because Atkinson's property well was never plugged and has been used till more recently; plus the permit didn't prove we had a fault block or explain the depths of the faults that might be or might not be transmissive (no way to prove if the faults are non-transmissive). The fault block is inaccurate because no fault is shown that would block the fluid from migrating towards the Carlson well or coal mines; the two faults on the permit would actually block the fluid towards these areas.

A review of the maps on file at the library only show a 1/4 mile radius topographic map. The EPA permit requested a one mile topographic map from the boundary lines. Based on this information we request the permit be denied.

Sincerely,

Rev. James Green



Sherry Green

