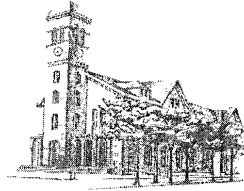


John A. Sobel
Joan Robinson McMillen
Mark B. McCracken
County Commissioners



Kim C. Kesner
County Solicitor
Lisa McFadden
Chief Clerk

Clearfield County Commissioners

212 East Locust Street - Clearfield PA 16830

March 11, 2014

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East, Room 3334
Washington, DC 20004

RE: Petition to Review (Appeal) Permit for Windfall Oil & Gas, Inc.
PERMIT #: PAS2D020BCLE
PERMITTED FACILITY: Class II-D injection well, Zelman #1

To whom it may concern,

The Clearfield County Commissioners submit this letter requesting reconsideration of the decision by the EPA approving Permit # PAS2D020DCLE for the construction of a Class II-D injection well in Brady Township, Clearfield County Pennsylvania. We request a further review of the UIC permit decision and seek a denial of the permit based on the following evidence submitted to us by citizens residing near the proposed well site.

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 EPA Form 7520-6 Underground Injection Control Permit Application states in instructions for Attachment B to, "submit a topographic map, extending one mile beyond the property boundaries." The EPA Response Summary (page 3, #6) is inaccurate in stating that the one mile topographic map was included and is on file at the library. The library still has the maps and none of them meet the EPA permit application criteria.

Additionally, the gas well logs found at the library in the permit application stated: 1) 033-20336 -- hydrofac on 2/2/61 (on Chapman farm); 2) 033-20333 -- 12-22-60 fractured w/ 20,000 gals., 200 lb. gel, 1,000 gal acid and 20,000 lb. sand (Ginter); 3) 033-20341-P -- 11/25/60 Halliburton hydrafrac from 7,299 to 7,365 with 11,900 gal. frac. fluid (Carlson); 4) 033-20325-P -- dry hole, plug & abandon (Potter #1); and 5) 033-20327 -- 9/27/60 fractured w/ 20,500 gals. water. The table with these well logs shows another deep gas well into the same formation as the permit application request but is not listed on the well log. The well logs with the permit application show they have been fractured and they all reside right on the edge of the 1/4 mile area of review. Yet Windfall stated on the permit application attachment "I" that, "no fracture data is available in the area on the confining zones."

Proving fractures into the 1/4 mile area of review should be sufficient data to provide basis to deny this permit. Due to the regulations stating, "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."

ENVIR. APPEALS BOARD

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Further looking at the EPA Response Summary (page 10, #11) it stated 5 Oriskany wells were further away locating them at least 1/2 mile to one mile from the proposed disposal injection well. This is inaccurate because they are right outside the 1/4 mile area of review just feet from the 1/4 mile line as shown on the maps provided with the permit application.

Additionally, the EPA Response Summary (page 11, #12) makes another incorrect statement, "In addition, there are no drinking water wells located within the one-quarter mile area of review." **Residents state 17 water sources were identified in the 1/4 mile radius of review and the permit applicant included a map with the EPA permit showing 14 private drinking water sources.**

Residents requested the area of review be extended due to the five gas wells in the Oriskany outside the 1/4 mile area of review and all the private drinking water sources. We know Darlene Marshall provided the EPA a list of water sources in a one mile area along with comments on both these concerns. Also at the public hearing, Rick Atkinson, provided a zone of endangering influence calculation that demonstrated at the December public hearing that assumed non-trans missive faults would change the zone of endangering influence making it larger so that the area of review should be extended.

Both of these commenters 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.

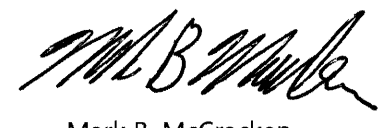
It is also questionable that a fault block exists even though the EPA Response Summary mentions fault blocks, since it isn't shown on the permit application map. Another inaccurate statement seems to exist based on the map information showing faults in relation to the gas wells (EPA Response summary page 7, #2), which mentions plugged wells not producing outside the fault block. This is an inaccurate statement because Atkinson's property well was never plugged and has been used until recently (may be currently listed as inactive) and is located on the permit applicant maps on the other side of a fault. Since they did not prove a fault block or explain the depths of the faults they may or may not be transferring fluids. With no way to prove if the faults are non-transferring we request the permit be denied.

In conclusion, we would stress our opposition to the EPA's approval of this permit and ask for a comprehensive review of any appeals submitted concerning this permit.

Signature,


John A. Sobel - Chairman
Clearfield County Commissioners


Joan Robinson McMillen


Mark B. McCracken