



CITY OF DuBOIS, PENNSYLVANIA

16 W. SCRIBNER AVE. • P.O. BOX 408 • DuBOIS, PENNSYLVANIA 15801

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FAX: (814) 371-1290
TTY/TTD ONLY: (814) 654-5984

Planning Commission

Cover Letter

Clerk of Board
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code 1103 M
Washington D.C. 20460
Phone # 202-233-0122

From Nancy Moore,
Chairperson, Planning Commission
City of DuBois
Phone Number (Home) 814-371-9711

Subject: Petition to review Permit for Windfall Gas and Oil, Inc.
Permit Number: PAS2D020BCLE
Permit Facility: Class II Injection Well Zelman #1

Contents:

I. Petition for review

II. Attachments:

- a. Exhibit 1 - Windfall Intent to drill an unconventional well
- b. Marcellus wells area survey map for CNX/Consol on Highland Street Extension, DuBois, PA
- c. 2 newspaper reports on the Water Protection Plan for the City of DuBois

III. By Reference:

- a. By reference The Five Municipalities Joint Comprehensive Plan adopted 2009.
- b. By reference the State Supreme Court Decision on Robinson Twp v. Commonwealth, Dec. 19, 2013.
- c. By reference The EPA response to comments for issuance of an underground injection control well
- d. Permit to Windfall Inc. in Brady Township Clearfield Co.

ENVIR. APPEALS BOARD

2014 NOV 25 PM 12:37

RECEIVED
U.S. E.P.A.

Nancy Moore
300 Green Ridge Drive
DuBois, Pa. 15801
Phone Number home: 814-371-9711
nanmoore 13@ verizon.net

March 6, 2014

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East, Room3334
Washington, DC 20004
Phone Number-202-233-0122

RE: Petition to Review (appeal) permit for Windfall Oil and Gas, Inc.
PERMIT NUMBER: PAS2D020BCLE
Permitted Facility: Class II-D injection well Zelman #1

This letter of support asks that the deep injection well permit for Windfall Oil & Gas in Brady Township be denied based on the errors in the permit and the incompatible land use of an industrial development in a residential area. I appeared at the EPA hearing in Dec. 2012, and gave testimony.

We ask that the permit be reviewed with consideration of the State Supreme Court Decision in Robinson Township, Washington County v. Commonwealth. Issues to which the citizens strongly object are covered in this decision. The various portions of Act 13 amendment to the Oil and Gas Act declared unconstitutional deal with the very issues we have objected to such as: Property Values, The right to Clean Water and Air, Quality of life, The right of Municipalities to Govern Land Use Issues. The decision on Robinson v. Commonwealth rests on Article 1 Section 27, of the Environmental Rights Amendment of the Pennsylvania Constitution. Also noted was the violation of the Substantive Due Process protections of Article 1, section 1 of the Pennsylvania Constitution. The U.S. Constitution imposes additional limitations on the exercise of the General Assembly's police powers. (No.34 in the Robinson Decision).

The permit for Windfall Injection Well was issued on February 14, 2014. The Robinson Supreme Court decision was issued on December 19, 2013. In view of the areas of the State Constitution and the portions of Act 13 amendment to the Gas and Oil Act covered in this decision, we feel that the permit should be reviewed based on case law.

The Joint Municipalities Comprehensive Plan, adopted by 5 municipalities in 2009, including Brady Township. No.2 in EPA response to Comments EPA states that EPA requirements do not supersede local, county or state law or regulations. If state or local law required Windfall's injection operations to comply with the Comprehensive Plan the UIC permit would not abrogate those requirements. I served on that committee, which was a two year task with professional

consultants. We were under the impression that when adopted it had the force of regulations and or law. It was the intent of the participants to follow this plan.

We request that the State Supreme Court Decision as well as the 5 municipalities Comprehensive Plan be accepted into our petition for review. The Comprehensive Plan was submitted in testimony to the EPA at the December public hearing by residents in a binder submitted by Darlene Marshall.

EPA form 7520-D Attachment B states a topographical map extending one mile beyond the property boundaries must be submitted by the applicant for a Class-II D well permit. Property owners, wells, springs and the mines are to be identified on this map. There is no such map available in the application on file at the DuBois Library. The EPA Response Summary P. 3 #5 states the one mile map is available at the Library. They are not in the permit binder although two large maps are in the Library binder as cited in the EPA Response Summary. These two large maps may cover a 1/2 mile radius although this is not one mile from boundary lines and means no map shows all requirements or even subsurface mines. Again another inaccurate statement by the EPA in the Response Summary P. 4 # 5 because the EPA states deep coal mines exist on P. 17 #15 and they aren't shown on the large maps as required by the EPA application. This means the applicant failed to provide our hard working community residents the information to understand fully our area and the ramifications of this permit application in a one mile radius with over twenty-six known gas wells, coal mines, faults and so many private water wells. Our City knows that our own water sources are very close and also know abandoned gas wells exist that may never have been plugged (Marshall binder). Residents in their binder also submitted information on the ability of disposed fluids to travel underground for miles and that would jeopardize our City water sources that service the entire local area. Information was also submitted about the faults throughout the area.

The applicant picked the least area possible under EPA regulations, 1/4 mile regulation 40 C.F.R. (a) states all new Class II wells shall be sited in such a fashion that they inject into a formation which is separate from any USDW by a confining zone that is free of known open faults or fractures within the review area. EPA Response summary P.13 #12 states 5 Oriskany wells were further away locating them at least 1/2 mile to one mile from the proposed disposal injection well. Again an inaccuracy because they are immediately outside the 1/4 mile area of review, just feet from the 1/4 mile line. The small map included in the permit application that is shown as a "Well Location Plat" notes that the accuracy is 10'feet +/- meaning every location on the map could be off and this would mean some of these Oriskany wells may be within the 1/4 mile area of review. Even if these wells are located on the edge of the 1/4 mile area of review they still penetrate the injection zone and have been fractured with those fractures going into the 1/4 mile area of review. Private water well owners already provided details on how conduits exist from these Oriskany wells to their water sources (see Marshall binder and Lawson's testimony).

The original EPA Response Statement in February 2014 on page 11# 12 stated incorrectly that there are no drinking water wells located in the one quarter mile area of review. Residents had identified 17 water sources in the 1/4 mile radius of review and the permit applicant included a map with the EPA permit showing 14 private drinking wells in the area of 1/4 mile and even

though the EPA now recognizes these water sources in the new November 2014 Response Summary no permit application information was revised (see Marshall Binder). If this detail needed to be corrected by residents what other details have been overlooked by not having the required one mile map from boundary lines.

The City letter of Sept. 2013, voices their concerns with the faults in the area. EPA regulations state that the confining zone is free of KNOWN open faults or fractures. Evidence provided by the citizens states, "this is simply wrong." The well location has the potential for impacting the DuBois City Water Supply. The city was recently presented with a Water Protection Plan which was years in the making. The report outlines problem areas in the watershed and identifies on maps the time table for migration should there be an incident. I am including news releases from local papers who covered the meeting.

Does the EPA accept the technical information provided by the applicant as accurate and factual without verification? It would appear that they do.

The EPA Response Summary from February 2014 said, "there are 144,000 wells in existence in the U.S." but it failed to state that the vast majority of those wells were enhanced recovery wells not injection wells. Wells that are listed as plugged are in fact not plugged. The new EPA Response Summary P. 6 #8 now states, "there are ~ 30,000 Class-II D wastewater disposal wells operating in the U. S." Some reports have shown various violations on these wells or problems overseeing these wells. In our county the Irvin Class-II D well has been fined for violations with the most serious violation being over-pressurizing and continuing to operate this way potentially putting the area at risk for fluid migration into USDWs. The Irvin Class-II D well is located in a rural area and it would be hard to track if it harmed any USDW. The proposed Windfall Class-II D well would be in a residential area with known fractures and conduits to water wells that already exist. If a similar violation occurred this would be hazardous to USDWs and also the coal mines that go under our entire City and throughout the entire area. As a representative that serves on the City of DuBois Planning Commission, this would be a disastrous situation that would ruin property values and would not be easy for our area to repair or recover from an incident.

Number 17 in EPA response to comments, "Under the UIC regulations Owners and Operators of injection wells are required to demonstrate financial responsibility." Windfall submitted an estimate for plugging the well of \$30,000 supported by a letter of credit and standby trust agreement said to be from Community First Bank. Apparently, Windfall must continue to assure EPA that these instruments exist. It is beyond belief that there is no other verification of the company's financial capabilities besides the above. This area is a residential development serviced by well water and on-site septic. In the event of an accident or other damaging incident do the residents go to their own finances or to the taxpayers for cleanup. We have been there done that with mining in the past.

The financial responsibility limited to a letter of credit for \$30,000 seems totally inadequate. It would have the effect of putting the financial risk of any incident at the well on the residents of the area, the township and ultimately on the taxpayers of the state of Pennsylvania. This has happened in the past with extraction industries. That is the very reason that the area has a multitude of underground mines and unplugged gas wells. This reason alone should be sufficient reason to deny the permit. Residents provided details on plugging a well (see Marshall binder).

The EPA Response Summary P. 9 #8 cites, "gas and brine has already been removed from the area" and residents know and have stated that more brine has moved into the pore space from the vast reservoir of brine that fills the Oriskany formation. Brine intrusion is a problem for gas storage fields, since they must retain enough gas at all times to prevent brine intrusion. It is known by residents that so much brine has moved into our area that a pump jack was installed to almost daily pump brine off the gas well on the Atkinson property (#33-20333). This is the closest Oriskany well to the proposed Windfall Class-II D well site and is also the cited gas well known to affect two neighboring private water wells. This means the casing is suspect and provides a conduit to USDWs. It is known that the Oriskany formation is receptive to disposal of fluid because it allows easy movement of brine. Any movement of brine due to the disposal of fluid will affect USDWs and this has been the biggest reason residents have been opposed to the Windfall Class-II D well site due to the numerous old Oriskany wells with old casings that were inferior as cited by the EPA Response Summary P.21 #20. The plugging of these old Oriskany wells is also questionable since it has been many more years than twenty years since they were plugged and information shows that is the extent of their reliability. The EPA stated that these old casings are inferior to today's casings in the Response Summary, so why has this issue not been addressed on all these old Oriskany wells known to penetrate the proposed injection zone that have also caused fractures into the injection zone.

The Oriskany wells could be used for monitoring gas wells and would be one measure to help protect USDWs in the area. The #33-20333 is the closest Oriskany well and is not plugged. Residents requested a monitoring system. Even the EPA recently decided in Elk County on a Class-II D well that was recently permitted to use monitoring gas wells to protect USDWs.

The Department of Energy did a study in March 16, 1981 that demonstrated fractures went out at least between 250 feet to 500 feet and also went 74 feet in height. New studies by the U.S. Department of Energy show fractures extending out as much as 1,800 feet. Using either study provides enough information with the Oriskany well locations in the permit application to prove that fractures exist in the 1/4 mile area of review. The 1981 study also shows the permit application confining zone would have fractures that would allow conduits through it and the permit application defines no other confining zone. Residents also figured if a fracture was 74 feet in height it would go through the confining layer into two other layers above based on the permit application leaving conduits for disposal fluid to migrate. Another shallow gas well was drilled and fractured right near the proposed Windfall Class-II D well and it would have fractures above these layers making conduits through many of the zones. Additionally, residents have previously had the permit corrected that the confining zone was not 50 feet thick as the permit application presented and some residents have found information in the permit application to see that the confining zone may be only 11 feet thick although the permit now shows it as 14 feet thick. The permit should be denied because it does not establish the exact depth and thickness of both the injection well and confining zone.

The permit does not prohibit horizontal drilling and hydraulic fracturing above the injection zone in the 1/4 mile area of review. The permit allows for the fracturing of any confining zone below the one adjacent to the lowermost USDW. The permit places no prohibition on drilling Marcellus gas wells in the 1/4 mile area of review. Residents know CNX has just surveyed the

area for a Marcellus gas well location in the same area as the proposed Windfall Class-II D well. The hydraulic fractures could compromise the zones above the injection zone allowing brine and disposal fluid to migrate into USDWs.

Exhibit 1 presents apparent evidence of Windfalls intent to drill an unconventional well. Additionally, the permit for the Windfall Injection well states 10 acres. This includes enough acres for an unconventional well. A form for an unconventional well was sent to the residents asking them to sign. Surveyors appeared on the property April 25, 2013. They stated they were from CNX who has the gas lease.

Failure of cementing has been identified as the cause of many failures in the industry. These failures include the 2010 Deep Water Horizon well in the Gulf of Mexico in April 2010. Two very dangerous incidents happened in areas close to the injection site. The one in Clearfield County in late April 2010 and the failure of the well in Brockway Jefferson County on their watershed in May 2011. Reportedly after Flat Iron, the well developer left the site a Water Authority member walking the site discovered the well failure. In all three cases cementing failure was a factor as well as failure to use the up-to-date testing equipment on the cementing. How exactly will this be handled in the case of the Windfall Class II-D well. What testing equipment will be available: self-monitoring, self inspection and self reporting is not enough.

At the public hearing December 10, 2012, I requested the EPA tour the site. They answered in the affirmative although they did not have time the next day. This never happened. I question the advisability of making decisions that have such a long term effect on the quality of life in our area without boots on the ground knowledge of the area. We make this request again. It is no wonder we feel targeted because of our multiple municipalities and close municipal boundaries.

Residents have also found an issue with the permit and over-pressurizing of the annulus of the long string casing and the study "Contamination of Aquifers by Overpressuring the Annulus of Oil and Gas Wells" done in March 1985 by Samuel S. Harrison. More review of this needs done to protect our area.

A member of the group has been trained as an engineer and other engineers have been consulted. Many of the statements in the EPA Response Summary have been questioned by the group due to the permit application statements. Especially questionable is the calculations on the zone of endangering influence with the faults in the area (Atkinson EPA public hearing testimony). The EPA admitted the Windfall injection zone is unable to meet the conditions required for a modified Theis equation to calculate the zone of endangering influence. This means any zone of endangering influence would have to be larger than the EPA calculated using a modified Theis equation.

Many citizens are responding with other technical material which I am aware of and provide total agreement with their comments. The people in Brady Township are knowledgeable about the Gas and Oil Industry and have worked in the gas and oil and extraction industry. Historically, people in our area have made their living off the land. They are quite familiar with the coal extraction, timbering, water table, fault lines and other features of the land. They have

no problem with the economic impact of the industry. The main problems are with the inappropriate location of industries in residential areas.

The permit appeal procedure states that the EAB will decide the appeal on the basis of the written briefs and the total administrative record. The attachment in the petition filed in the first appeal by Pittsburgh Law Clinic on behalf of the Atkinsons asked for the administrative record. Some question arose about the completeness and accuracy of the administrative record. Other residents have requested the administrative record and still have not received it. We again request these records be made available as well as any internal emails. Attachment 17 and the procedures for filing an appeal are included by reference.

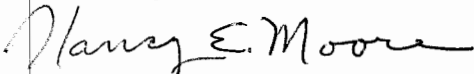
EPA instructions caution the residents to be factual and specific in their petitions for review. Yet I find language in the EPA Response Summary such as: It Would Appear, May instead of Shall, no Evidence of, Apparently, Not Relevant, Generally Follows, & Do not typically. As an aside, it would appear that requiring the residents to provide research and technical information to the EPA, DEP and like agencies and making it available to the permit applicant is counter-productive to our cause which is to protect our quality of life. There is a fine line that makes us all appear to be advocates for the applicant.

I have attempted to document all references in this letter. I am not attaching the 64 pages of the Robinson v. Commonwealth Supreme Court Decision. The Documents relative to the Supreme Court decision and analysis thereof are available online. The Joint Comprehensive Plan was supplied in previous responses and I have referenced them where pertinent.

I am attaching the news articles on the City of DuBois Water Protection Plan. Note the City of DuBois owns and operates their only water system all located outside the city limits. The City of DuBois water system supplies water to all of DuBois plus surrounding areas. There are 3,840 customers in the City of DuBois and more than 2,000 in the surrounding area. This is the largest water supplier in the area. Any activity that presents a probable or possible danger to this water supply now or in the future is a major concern. We need not wait until an ecological emergency arises in order to find in the interest of the municipalities and residents.

I am appreciative of the opportunity to respond.

Respectfully,



Nancy E. Moore,
Chairperson
City of DuBois Planning Commission



WINDFALL OIL & GAS

Mailing Address
P.O. Box 738
Falls Creek, PA 15840

Shop Location
63 Hill Street
Falls Creek, PA 15840

Office Location
377 Aviation Way
Reynoldsville, PA 15851

T 814.771.9686
F 814.371.0678

December 11, 2012

To: surface landowner/water purveyor

Re: Proposed Zelman #1 Injection Well

In anticipation of the issuance of a UIC permit by the Environmental Protection Agency, Windfall Oil & Gas Inc. is proceeding with the Pennsylvania Department of Environmental Protection drilling permit application process. Please note that the UIC permit has not been issued as of this date.

Please find attached a copy of the DEP drilling permit application along with form 8000-FM-OOGM0052 as required. We have previously sent to you, via certified mail, an analysis of water samples taken from your water supply and that information had also previously been submitted to the Pennsylvania Department of Environmental Protection.

We would appreciate any correspondence regarding this notice to be sent by E-mail to Mhoov16@verizon.net.

Michael G. Hoover
Windfall Oil & Gas Inc.



**PERMIT APPLICATION TO DRILL AND OPERATE
AN UNCONVENTIONAL WELL
Record of Notification**

| | |
|---|-------------------|
| Farm Name - Well # Frank & Susan Zelman #1 | |
| Applicant Name Windfall Oil & Gas Inc. | DEP ID# 244615 |
| DEP USE ONLY | APS # |

| List the following: surface landowner; surface landowners and water purveyors with water supplies within 3,000 feet; municipality where the well will be drilled; adjacent municipality; municipalities within 3,000 feet of the vertical well bore; gas storage operator if within 3,000 feet. Mark the boxes, "X," which show the parties' interests. Use additional forms if you need more space. You are required to notify each of these parties. Notification: Signature below name indicates the party's acknowledgement of receipt of the well location plat and serves as proof of notification | | Surface Landowner | Gas Storage Operator | Surface Landowners & Water Purveyors with water supplies <3000' | Municipalities | Notification Note the means and attach proof. | | | |
|--|---|-------------------|----------------------|---|----------------|--|----------------|-------------------|-----------------|
| | | | | | | Certified Mail Dates | | Address Affidavit | Written Consent |
| | | | | | | Sent | Return Receipt | | |
| Print Name: Frank & Susan Zelman Signature | Address: 1431 Highland Street Ext Dubois, PA 15801 | X | | X | | 12/11/12 | | | |
| Print Name: Brady Township Supervisors Signature | Address: PO Box 125 Luthersburg, PA 15848 | | | | X | 12/11/12 | | | |
| Print Name: Monica A Lockhart c/o M Kutzel Signature | Address: 1298 Highland Street Ext. Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: Carol J Kurtz Signature | Address: 1072 Tower Lane Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: Randall R & JoAnn Baird Signature | Address: 1273 Highland Street Ext. Dubois, PA 15801 | | | X | | 12/11/12 | | | |

Record of Written Consent

Written Consent: Signature below indicates the party's approval of the well location, or indicates written consent and waives the 15-day objection period where applicable.
Check applicable box

| Print and Sign Name: | Address: | Date: | Surface Owner | Water Well within 500 feet | Building within 500 feet |
|----------------------|----------|-------|--------------------------|----------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS MANAGEMENT

**PERMIT APPLICATION TO DRILL AND OPERATE
AN UNCONVENTIONAL WELL
Record of Notification**

| | |
|---|-------------------|
| Farm Name - Well # Frank & Susan Zelman #1 | |
| Applicant Name Windfall Oil & Gas Inc. | DEP ID# 244615 |
| DEP USE ONLY | APS # |

List the following: surface landowner; surface landowners and water purveyors with water supplies within 3,000 feet; municipality where the well will be drilled; adjacent municipality; municipalities within 3,000 feet of the vertical well bore; gas storage operator if within 3,000 feet. Mark the boxes, "X," which show the parties' interests. Use additional forms if you need more space. You are required to notify each of these parties.

Notification: Signature below name indicates the party's acknowledgement of receipt of the well location plat and serves as proof of notification

| Print Name | Address | Surface Landowner | Gas Storage Operator | Surface Landowners & Water Purveyors with water supplies <3000' | Municipalities | Notification Note the means and attach proof. | | | |
|--|---|-------------------|----------------------|---|----------------|--|----------------|-------------------|-----------------|
| | | | | | | Certified Mail Dates | | Address Affidavit | Written Consent |
| | | | | | | Sent | Return Receipt | | |
| Print Name: R Edmiston & D Reasinger Signature | Address: P.O. Box 1051 Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: John M & Sue Barr Signature | Address: 1268 Tower Lane Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: Rosemary Vanliburg c/o Rosemary Frizzell Signature | Address: 1359 Highland Street Ext. Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: Theodore & Rona Crytser Signature | Address: 1500 Highland Street Ext. Dubois, PA 15801 | | | X | | 12/11/12 | | | |
| Print Name: Dennis R & Terry Marsh Signature | Address: 1379 Highland Street Ext. Dubois, PA 15801 | | | x | | 12/11/12 | | | |

Record of Written Consent

Written Consent: Signature below indicates the party's approval of the well location, or indicates written consent and waives the 15-day objection period where applicable.
Check applicable box

| Print and Sign Name: | Address: | Date: | Surface Owner | Water Well within 500 feet | Building within 500 feet |
|----------------------|----------|-------|--------------------------|----------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2013-04-25 - Marcellus Wells Area Survey Map for CNX/Consol - Highland St. Ext. - DuBois, PA



Marianne Atkinson~221 Deer Lane, DuBois, PA 15801 marianne5@windstream.net Windfall/Zelman #1 DIW~Permit # PAS2D020BCLE

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DuBois to send petition opposing injection well permit

Friday, March 07, 2014

By Josh Woods Staff Writer

DUBOIS - DuBois City Council will send a petition for an Environmental Protection Agency permit review of a disposal injection permit awarded to Windfall & Oil Gas. Council at its work session yesterday voted to send a petition opposing Windfall's permit to construct an injection well off of Highland Street Extension in Brady Township. According to Councilwoman Diane Bernardo, the EPA's response summary for the permit is filled with inaccuracies. Two specific EPA regulations give basis to deny the permit, she said.

EPA regulations stipulate all new Class II wells shall be sited in such a fashion that they inject into a formation, which is separated from any underground sources of drinking water by a confining zone that's free of known open faults or fractures within the area of review.

Second, EPA regulations state 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.

In its letter, council cites gas well logs in the permit application. It contends there are fractures in the quarter-mile review area and disputes the location of five Oriskany wells.

"Additionally, the EPA response summary makes another inaccurate statement, "In addition, there are no drinking water wells located within the quarter-mile area of review," the letter said. "Residents state 17 water sources were identified in the quarter-mile radius of review and the permit applicant included a map with the EPA permit showing 14 private drinking water sources." City council is concerned pressure from injection activity may push fluids along fault lines into abandoned gas wells and potentially contaminate underground sources of drinking water. The city's watershed is in the proximity of abandoned gas wells with deteriorated casings, the letter said.

In other business, council reopened bids for its 1999 4-door, 4WD Chevrolet Blazer and 2005 Ford Crown Victoria police car. Initial bids did not meet minimum bid requirements. The Blazer was awarded to Don Coleman (\$555) and the Crown Victoria to Auto Undertaker Towing (\$2,555.59).

A request from Downtown DuBois Revitalization Group for city workers to pick up bagged trash from 12-2 p.m. on May 3 during its annual community spring clean up was approved. DDRG also requested assistance with clearing streets, so fire companies can hose down city sidewalks May 2.

Sandy Township's request for a single sewer tap for the Developac Lot 26C subdivision was approved.

The lot, near Buck's Pizza, would contain a 20-30-person office building.

Residents are reminded to change their clocks Sunday for Daylight Savings Time.

An executive session was held after the meeting to discuss a possible land sale.

DuBois City Council's next meeting is Monday at 7 p.m. at the city building.

Thomas A. Carnevale, MD OBSTETRICS/GYNECOLOGY

Deborah DeMuro, M.S.N.,
W.H.N.P.-BC, C.R.N.P.

Dr. Carnevale and
Deborah DeMuro
are committed to
providing complete
and compassionate
care to women
from adolescent
to adult.



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DuBois gets water protection plan

Friday, January 10, 2014

By Josh Woods Staff Writer

DUBOIS - The City of DuBois was provided with a plan to mitigate potential risks at its watershed and wellhead area at city council's work session yesterday. Mark Stephens, state Department of Environmental Protection Department of Source Water Protection presented DuBois City Council with a source water protection plan. The city requested source water protection technical assistance from DEP in 2010. Spotts, Stevens and McCoy, Inc. of Reading prepared the hydrology report. The source water protection plan was provided free of charge to the city. The document may be referenced when looking at zoning, encroachment or pollution issues, Stephens said.

"This is intended to be a go to document, so years from now when we're all gone someone knows how water gets to DuBois and how to protect it for the future," said Stephens. Stephens lauded council for installing water monitoring equipment on the Sandy Lick Creek and Montgomery Run watersheds. The source water protection plan indicates how source water and ground water flows from place to place, identifies geologic formations and lists potential risks.

"Water authorities are in the business of serving water forever," said Stephens. "DuBois is in the business of selling water. So, supplying good water forever is its interest, and this is a plan to do that."

Spotts, Stevens and McCoy's catchall document lists 213 potential risks located within the watershed's designated zones, Stephens said. All of the risks were given a susceptibility ranking. The city's watershed committee can partner with various SWP and conservation groups to verify, understand and manage such risks, Stephens said.

Councilman Ed Walsh inquired about maps that are provided in the source water protection plan. The maps graph the length of time it takes for various contaminants to reach the DuBois Watershed. Walsh asked if contamination occurs and the map says it would take 10 years for it to reach the watershed what could be done to stop it.

"You would identify the source of contamination," said Stephens. "Maybe it's a well that could be decommissioned. Maybe the contaminants are coming from a farm. Maybe it's a quarry."

City Manager John "Herm" Suplizio asked if Interstate 80 was identified as a potential risk. Enterprise Transport's eastbound accident at mile marker 106 land recycling cleanup was documented, he said.

If a potential risk is located on private land, Stephens suggested writing a letter to the property owner suggesting best management practices. The city could opt to provide a private landowner with the resources needed to mitigate a potential risk, he said.

In other business, Code Enforcement Officer Zac Lawhead reported the city issued 83 uniform construction code permits in 2013. Total construction totaled "just short of \$5 million," he said, with a large chunk attributed to DuBois Regional Medical Center. The \$5 million figure is in line with last year, Lawhead said.


A motion was approved to North Central Pennsylvania Regional Planning and Development Commission requesting grant funds for a traffic study. If the city receives the grant, the study would identify problems with state Route 255, Division Street, First Street, DuBois Avenue and other roadways, Suplizio said.

Council also approved:

- authorizing staff to bid out concrete for two years and bituminous patching for one year.
- reappointing Angelo Gregorio and Anthony Zaffuto to the zoning hearing board with terms ending Jan. 1, 2017.
- Sandy Township's request for a sewage tap for the Hirsh Katzen subdivision on Shaffer Road (800 gallons per day).
- American Red Cross Heartland Chapter's request for the use of City Park from May 27-31 for a summer carnival.


DuBois City Council's next meeting is Monday at 7 p.m. at the city building.

Thomas A. Carnevale, MD
OBSTETRICS/GYNECOLOGY
 Deborah DeMuro, M.S.N.,
 W.H.N.P.-BC, C.R.N.P.



Dr. Carnevale and Deborah DeMuro are committed to providing complete and compassionate care to women from adolescent to adult.

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