

Francis E Hand  
894 Highland St EXA  
DuBois, PA 15801

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

YOUR NAME  
ADDRESS  
PHONE NUMBER  
FAX NUMBER  
EMAIL

March 5, 2014

(Hand Delivery Address Only) - Letter must be sent certified mail or special delivery, to  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
WJC East, Room 3334  
Washington, DC 20004  
PHONE NUMBER - 202-233-0122

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2014 MAR 12 PM 12:57  
ENVIR. APPEALS BOARD

I, (your name) Francis E Hand, request an appeal to deny this permit of an injection well. I have been to the public hearings or filed written comments. I am also keeping within word or page limitations.

For ease of filing this appeal we will mostly cite the binder submitted by Darlene Marshall on behalf of all concerned citizens or information presented at the public hearing.

This appeal will show many concerns for 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 EPA Response Summary makes an incorrect statement in #12 last line (page 11), "In addition, there are no drinking water wells located within the one-quarter mile area of review." 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 injection zone)" a map was provided showing 16+ water sources. This is in addition to the 17 water sources 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 were provided in the binder to demonstrate the need for protecting our Underground Sources of Drinking Water (USDWs).

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The EPA Response Summary stated in #12 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 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 from the permit application that six gas wells are in the same formation as the injection zone. These gas wells are all right outside the 1/4 mile review all just feet away. This was another incorrect statement in the EPA Response Summary (#11) on 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)

I request this permit be denied on these inaccuracies because of the proximity of so many other Oriskany wells (6 to be exact, so close to 1/4 mile) along with a shallow gas well close to the proposed site that was also fractured. 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). In addition, coal mines are though out the review area and technically they also had fracturing done. 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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