



CITY OF DuBOIS, PENNSYLVANIA

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Office of the Mayor

November 23, 2014

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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

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

Dear Environmental Appeals Board:

The DuBois City Council submits this petition for review (appeal) of the EPA permit for Windfall Oil & Gas for a disposal injection well in Brady Township. For ease of filing this appeal, we use information cited in the binder submitted by Darlene Marshall on behalf of all concerned citizens or information presented at the public hearing.

The City of DuBois Water Authority provides drinking water for over 5,000 customers within an approximate seven mile radius of the proposed disposal well. One regulations that will give a basis to deny the permit is 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. Findings from the June 2014 report of the Government Accountability Office report, "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 one of our great concerns.

Faults exist in the area along with miles of abandoned underground coal mines. No information is provided to explain the depths of the faults or mines that might be or might not be transmissive (no way to prove if the faults are non-transmissive). No fault is shown that would block the fluid from migrating towards the coal mines. The information on a fault block is inaccurate (#8 page 10).

"Gateway To Big Game Country"

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ENVIR. APPEALS BOARD

One 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.

Response Summary page 12 #10 even though Clearfield has two other injection wells doesn't mean this site should be permitted since all these sites are different and a mile away would be very different than this site. Residents presented data on fractures, faults and concerns with old deep gas wells in the same formation near or inside the 1/4 mile. We support the continued request to review these other deep gas wells. Residents request the permit be denied based on these facts.

Review of the maps on file at the DuBois Public Library show no one mile radius topographic map. The EPA permit requested a one mile topographic map from the boundary lines. The library had the maps noted and none of them show a one mile boundary.

We support the request by residents to monitor other gas wells to protect citizens based on all the comments submitted to protect residents' water supplies. We also support the residents' request for a comprehensive monitoring plan if this permit is not denied. A gas well exists that is not plugged and could be used.

This issue has been followed by our entire community through the news media coverage for over three years now and our community is opposed to this disposal injection well

Sincerely,



Gary D. Gilbert
Mayor & President
DuBois City Council