

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

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ENVIR. APPEALS BOARD

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March 5, 2014

We, Ted and Rona Crytser, 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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I question your decision on faults in the area, especially the comment on response summary page 7, paragraph 2 plugged 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 they 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 statement 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.

I request monitoring of other gas wells to protect citizens based on all the comments submitted to protect resident's water supplies. We requested a comprehensive monitoring plan if this permit is approved.

Based on these facts presented the permit should be denied.

Sincerely,  

TED AND RONA CRYTSER