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ENVIR. APPEALS BOARD

RE: Windfall Oil & Gas, Inc.
PERMIT #: PAS2D020BCLE
PERMITTED FACILITY: Class II-D injection well, Zelman #1
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Rev. James and Sherry Green

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March 8, 2014

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

We, Rev. James and Sherry Green, request an appeal to deny this permit of an injection well in Brady Township. We have been to the public hearing and mailed comments. We are also keeping within word or page limitations.

We have concerns because our township water comes from the DuBois water system. Also we have friends, family, and church members in the area of this proposed site whose water could be affected.

For ease of filing this appeal we will mostly cite the binder submitted by Darlene Marshall on behalf of all concerned citizens.

This appeal will show concerns about 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.

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-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 was provided in the binder to demonstrate the need for protecting our Underground Sources of Drinking Water (USDWs).

- 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 nontransmissive 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 and was stated by them 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 many 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)

We 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). 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). 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

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create a significant risk to the health of persons.

-We 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 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.

Based on this information we request the permit be denied.

Sincerely,



Rev. James Green



Sherry Green