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Technical Guidance Coordinator
Department of Environmental Protection, Policy Office
Rachel Carson State Office Building P.O. Box 2063
Harrisburg, PA 17105-2063

Re: Draft Technical Guidance: Guidelines for Development of Operator Pressure Barrier Policy for Unconventional Wells (800-0810-003)

To Whom It May Concern:

We are writing on behalf of the members of our organization, Protect PT (Penn-Trafford). Protect PT is a nonprofit citizens group dedicated to ensuring that the safety, security, and quality of life of community members are protected from incidents resulting from unconventional oil and gas wells. We are concerned about the new Draft Technical Guidance for Development of Operator Pressure Barrier Policy for Unconventional Wells due to the lack of enforcement it exhibits for important policies that mitigate the risks of unconventional gas incidents and protect the citizens of the Commonwealth.

Pressure barrier policies (PBPs) are developed by unconventional oil and gas well operators prior to drilling to address the prevention of fluids, such as gas, oil, and other chemicals from being uncontrollably released. The PA DEP 'interprets [the draft technical guidance] as requiring unconventional operators to consider and identify when pressure barriers may be needed during oil and gas operations.' However, these guidelines for the development of PBPs are toothless and must be required as part of the permitting process, given the number of operators of unconventional wells in Pennsylvania who have had significant issues with well casings, like CNX.

Developing a contingency plan and a pressure barrier policy are only at the discretion of the operator, the operator has no legal obligation to create these essential documents. Without any legal requirement and treating these plans as recommendations, additional risk is created for a greater number of unconventional well incidents that will negatively affect human health and safety.

In addition to operators deciding whether or not to develop a contingency plan or pressure barrier policy, the PA DEP had created a worksheet within these guidelines that identify models for assembling a PBP, which is also optional. Given this worksheet requires that operators discuss well barrier elements and address unexpected events and failures, this should be a requirement, not a suggestion. Finally, the geology underground differs between each well site, the PA DEP's allowance for applying PBPs at multiple well sites should no longer be continued. Each site needs to be assessed on a situational basis; by grouping together wells, this can ignore special features at each site and may lead to failures in casings by treating all wells the same.

Protect PT recommends that the PA DEP not leave these choices that affect public health and safety up to the discretion of individual operators. Without strong enforcement of completing PBPs, compliance plans, and worksheets assessing risks for individual wells, operators risk the occurrence of more unexpected incidents that could be damaging to nearby residents, the environment, and the water quality of the region.

Operators should assess every site's conditions individually and submit PBPs concurrently with the permits to drill and modify them when conditions change at the well site. Currently, operators should only consider modifying an existing PBP and developing appropriate training if a well control emergency or well control/loss of well control is narrowly avoided, as determined by the operator. However, giving operators sole discretion to include only the bare minimum in a PBP, and without more specific rules, risks operators neglecting to report information that could be potentially dangerous. Operators following recommended but not required policies are unlikely to follow through putting the Commonwealth at risk, thus stronger regulation is needed to make these 'considerations' outlined in the technical guidance to be regulated by the PA DEP at greater depths.

Please consider these recommendations to strengthen the rulemaking regarding guidelines for the development of operator pressure barrier policies for unconventional gas wells. The choices that we make regarding regulations for unconventional gas well incident prevention directly affects the people in our communities, environment, and natural resources. As rule-makers for our Commonwealth, it is your duty to make the health and wellbeing of all Pennsylvanians your priority by creating stronger regulations to protect the natural state of our commonwealth.

Sincerely,

Gillian Graber
Executive Director
Protect PT