



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Oil and Gas Management



Proposed Rulemaking Oil and Gas Surface Activities Waste Management Provisions

**Solid Waste Advisory Committee Meeting
Room 105, Rachel Carson State Office Building
Harrisburg, PA
March 6, 2014**



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Speaker

- Kurt Klapkowski, DEP Bureau Director of Oil and Gas Planning and Program Management



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Agenda

- Background
- Proposed Revisions
- Public Participation Opportunities
- Question and Answer Session



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Welcome to the Pennsylvania Department of Environmental Protection

DEP is largely responsible for administering Pennsylvania's environmental laws and regulations. Each day, the department works to reduce air pollution; make sure our drinking water is safe; protect the water quality in our rivers and streams; make sure that waste is handled properly; support community renewal and revitalization; promote advanced energy technology and help the commonwealth's citizens prevent pollution and comply with Pennsylvania's environmental regulations.



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Click here to see Governor Corbett's plan

Citizen's Guide to DEP Regulations

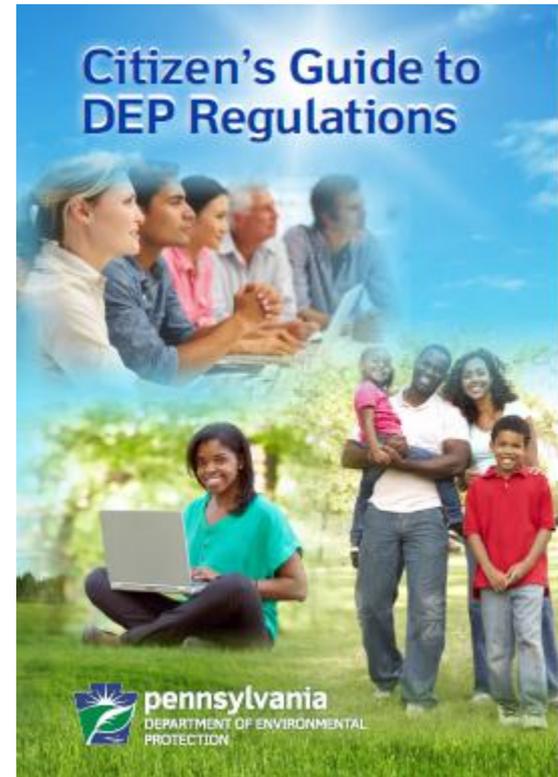
- Developed with input by the Citizens Advisory Council
- Available online in the Be Informed Section

How to Submit Public Comments



The public comment period starts when the regulation is published in the Pennsylvania Bulletin. The comment deadline will be published in the Preamble of the proposed rulemaking along with specific directions about how to submit comments to the EQB. All comments submitted to the EQB during the official public comment period become part of the public record.

For additional information on DEP's regulatory process, download our new publication, [Citizen's Guide to DEP Regulations \(PDF\)](#).



Chapter 78 –Background

Significant Public Involvement

- Marcellus Shale Advisory Commission recommendations
- Oil and Gas Technical Advisory Board involvement since April 2011, workgroups
- Environmental organizations, industry, local government consultation
- State Review of Oil & Natural Gas Environmental Regulations (STRONGER) – 2013 Review

Chapter 78 – Background

Thorough Cost Analysis

- Cost data provided by industry partners
- Impacts to small businesses considered
 - Appropriate distinction between conventional and unconventional operations
- Innovative rules that focus on performance over process

Chapter 78 – Significant Revisions

- Permitting
- Pre-hydraulic fracturing abandoned well review
- Waste management at well sites
- Additional Regulations
 - Impoundments, temporary pipelines, rock pits and conventional brine spreading

▶ Chapter 78 Revisions – Subchapter C

Waste Management

- Site containment systems and practices
- Approval of large volume modular “tanks”
- Eliminate use of produced water pits
- Use of buried tanks require DEP approval

▶ Chapter 78 Revisions – Subchapter C

Waste Management

- Prevent access or vandalism to pits (unconventional only) and tanks
- Secondary containment around produced water tanks (new and refurbished)
- Waste processing at well sites

Chapter 78 Revisions – Subchapter C

Waste Management

- On-site disposal
 - Disposal of drill cuttings
 - Disposal of residual waste – pits
 - Disposal of residual waste – land application

▶ Chapter 78 Revisions – Subchapter C

Waste Management

- Containment Systems and Practices
 - Includes management of solid waste
- Spills and Releases
 - Reporting
 - Remediation

▶ Chapter 78 Revisions – Subchapter C

Additional Regulations

- Codify Centralized Impoundment Permit
- Establish rock pit and freshwater impoundment construction and restoration standards

▶ Chapter 78 Revisions – Subchapter C

Additional Regulations

- Temporary Line Construction Standards
 - Pressure testing
 - Valve locations
 - Stream crossings
 - Inspection requirements

▶ Chapter 78 Revisions – Subchapter C

Additional Regulations

- Codify current spreading standards and practices for roadspreading and de-icing from conventional wells only
- Prohibit use of unconventional shale gas wastewater

Public Participation Opportunities

Public Comment Period

- Opened Saturday, Dec. 14, 2013
- Ends Friday, March 14, 2014
- Thoughtful and thorough consideration of all comments in the finalization of this regulation
- All comments part of the public record
- **Submit comments online, email or mail by**

March 14, 2014

Public Participation Opportunities

Public Comment Period

- Online Comment System:

<http://www.ahs.dep.pa.gov/RegComments>

- Email Comments: RegComments@pa.gov

- Written Comments: Environmental Quality

Board, P.O. Box 8477, Harrisburg, PA 17105-

8477

Environmental Quality Board Enter Comments for Proposed Rulemaking

Details of proposed rulemakings can be found on the [PA Bulletin](#)

***Proposed Rulemaking:**

***First Name:**

***Last Name:**

Affiliation:

***E-mail Address:**

***Street1 Address:**

Street2 Address:

***City:**

***State:**

***Zip Code:**

***Country:**

Your Comments (10K max.):

Please note, as an alternative to providing your comments in the above comment box, you may provide your comments to the EQB by attaching your comments in a file, as provided below. Allowable file extensions for attachments include txt, doc, docx, pdf, jpg, png, and zip. The attachment containing your comments may not exceed 10 MB in size.

In addition to providing comments on the proposed rulemaking, interested individuals may also submit a summary of their comments to the EQB. The summary may not exceed one-page in length. The one-page summary will be provided to each member of the EQB in the agenda packet distributed prior to the meeting at which the final regulation will be considered. Allowable file extensions for the one-page attachment include txt, doc, docx, pdf, jpg, png, and zip.

One-Page Summary:

Attached Comments:

Public Participation Opportunities

- Along with the comments, a one-page summary of the comments can be sent to the EQB.
- If an acknowledgement email is not received for comments online within two business days, the comments should be re-sent to the EQB to ensure receipt.

Public Hearings

- Nine public hearings held in January and February
- Tunkhannock, West Chester, Williamsport, Mechanicsburg, Washington, Indiana, Troy, Warren
- Approximately 300 individuals provided testimony at these nine public hearings



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Questions?

Kurt Klapkowski, Director

Bureau of Oil and Gas

Planning and Program Management

kklapkowski@pa.gov

717-772-2199