

# The Permitting Process, Filing a Complaint, and Tracking Permits

## Permitting

Pennsylvania passed the Oil and Gas Act in 1984. The Oil and Gas Act (Act 223), Chapter 78 (regulations promulgated under Act 223) requires that all new wells be permitted by the state prior to being drilled, and also requires that all existing wells be registered.

The DEP's Oil and Gas Program develops and enforces regulations for the bonding, permitting, and registration of wells, environmental requirements for drilling operations, waste disposal, cementing and casing of wells, and proper plugging of wells upon abandonment.

In order to drill a Marcellus shale gas well in Pennsylvania, the operator needs to obtain a **well permit** from the Bureau of Oil and Gas management, and must file a **water management plan** with the DEP detailing where water withdrawals will occur. The operator also must apply for coverage under the **Erosion and Sediment Control General Permit-1** (ESCGP-1), and must prepare an **Erosion and Sedimentation Control Plan** which must be posted at the well site for the duration of operations.

## Bonding

Bond must be posted for each well. Bond for one well is \$2,500, and a blanket bond to cover any number of wells is \$25,000. DEP officials have publically stated that this amount is inadequate.

## Monitoring

DEP has a protocol for inspection and monitoring of gas wells from drilling through extraction and reclamation, however, the number of DEP field staff providing inspection is minimal considering the number of wells being drilled so it is increasingly important that citizens keep a watchful eye as well.

## Filing A Complaint

Private citizens play a vital role in helping to keep the drilling industry on its toes. File a complaint with DEP if anything seems remiss. Complaints can be directed to Alan Eichler, Program Manager, Bureau of Oil and Gas Management, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. **If you file a phone complaint, ALWAYS follow up with a written complaint.**

## Stay Informed!

There are a few ways to monitor gas development in your area.

1. **E-Notice & E-Facts:** E-Facts is DEP's searchable database of permitting information. E-Notice is a notification system used by DEP to notify the public of permitting information. You can sign up for E-Notice and you'll receive email notification of any permits that are applied for or issued within the municipalities that you choose to track. To search the E-Facts database visit <http://www.dep.state.pa.us/efacts/default.asp>. To sign up for E-Notice, visit <http://www.dep.state.pa.us/enotice/>
2. **Monitor the legal section of your local newspaper:** Companies applying for permits to drill gas wells are required to place a notice in the legal section of the newspaper of general circulation in an area. These notices generally provide citizens with an opportunity to request a public hearing on a proposed permit.
3. **PA Bulletin:** The Pennsylvania Bulletin is published weekly and includes state agency notices including those from the Department of Environmental Protection. View it online at [www.pabulletin.com](http://www.pabulletin.com).

You can also submit a request to the PA DEP to review the permit files for gas wells. These files are located at PA DEP's Southwest Regional Office in Pittsburgh, PA. You must make an appointment to do a file review, and you can do this by calling PA DEP at 412 442 4000 and asking for the Oil and Gas Management Program. When you make your appointment, have the permit number or the exact location of the well or proposed well ready and be sure to request the following three items: permit file, correspondence file, and inspection file.