



West Virginia's
Surface Owners' Rights Organization
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**The West Virginia Legislature
needs to implement the results of the 2011 Horizontal Well Act studies
and require “fence-line monitoring”!**

When the Legislature passed the Horizontal Well Act in a special session in December 2011, about the only protection in the bill for surface owners was a requirement that the center of a well pad had to be 625 feet from a home. (The attached picture shows how little difference that would make to this family who had built their own home just before the driller showed up in next door in 2010.)

Instead, for surface owners, the bill required the DEP to do studies and then, if the studies showed a need for more protection, the bill required the DEP to do rulemaking.

DEP contracted with the WVU School of Public Health and the WVU Department of Civil and Environmental Engineering to do the studies.

DEP reported back saying that the WVU studies showed that action needed to be taken, “to reduce potential exposures” and “to provide for a more consistent and protective safeguard for residents in affected areas”. For example:

- All sites studied showed average noise levels 625 feet from the center of the pad at which (according to standards of the World Health Organization), “Adverse health effects occur frequently, a sizable proportion of the population is sleep disturbed and highly annoyed. There is evidence that the risk of cardiovascular disease [high blood pressure] increases.”
- Over half of the drilling pits were not built to the specifications.
- Only 6 out of 70 tests of pit wall soil compaction were within the acceptable range.
- Much more! Ask WVSORO for a more complete report.

HOWEVER, because the 625-foot set back from the center of the pad was in Code, the DEP said it could not do rulemaking!

When WVU made its oral presentation to the Legislature, the WVU Public Health researcher said that what was needed was “fence-line monitoring” instead of a distance set back. The driller should have to set a trailer at the nearest home or other appropriate location near a well pad in order to measure noise, air-quality, dust etc. Then if the drilling was causing problems that exceeded nationally recognized standards, the driller should have to add protections to deal with the problems. This would cost 1/4 of one percent of the \$6 Million cost of drilling one well, and all pads have more than one well.

The Legislature needs to pass a bill to implement that Horizontal Well Act studies and require fence-line monitoring.