



WEST VIRGINIA RIVERS

March 15, 2021

West Virginia Department of Environmental Protection
Office of Oil and Gas
601 57th Street South East
Charleston, WV

Re: PROPOSED VARIANCE TO WELL PLUGGING RULES FOR LIMITED-SCOPE
PILOT PROJECT

Attn: Taylor Brewer

Submitted via e-mail to Charles.T.Brewer@wv.gov

Mr. Brewer,

West Virginia Rivers Coalition (WV Rivers), on behalf of our members, respectfully submits the following comments on the proposed variance to well plugging rules for a limited-scope pilot project. We support the comments of West Virginia Surface Owners Rights Organization (WVSORO) and share their concerns that well plugging operations must be based on sound engineering practices and adequate oversight and long-term monitoring must be required.

The current well plugging practices have shown to be effective. DEP should not be changing the rules so that the industry can save money at the expense of the environment. We request additional information on the following before the variance is granted:

1. How long will the pilot project be monitored to show its effectiveness? We request long term monitoring be incorporated into the pilot project.
2. Who will be responsible for fixing the problem if the plugging technique is not effective in 50 years? We request bonding be put in place to make sure Diversified isn't able to walk away from a faulty plugging.

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3. We question the effectiveness of this process and request an independent third-party expert on well plugging be consulted on its effectiveness to keep the well plugged long-term.
4. It is unclear from the proposal whether impacts to groundwater resources have been considered. Are there private drinking water wells within the vicinity of the ten test wells? We request monitoring of private drinking water wells within a one-mile radius of the well to be plugged in the pilot project.
5. What is the projected life-span of the well plugs? Leaving the steel casing in the well makes it subjected to rust and corrosion. We request more information on the long-term consequences of leaving the casing in the ground.
6. While this procedure might save money for the company in the short term, who will be responsible in the long term if the pilot project fails. It will cost to company more money in the end to have to plug the well a second time. Or the company will file for bankruptcy and the burden to correct the failed project will fall on the taxpayers.
7. Does the Office of Oil and Gas have adequate resources to provide oversight on this pilot project? What is the inspection frequency of this pilot project? The proposal states that one inspector will be dedicated to all phases of the pilot project. The DEP Office of Oil and Gas is already understaffed. Will that inspector be pulled away from other duties or will an additional inspector be hired to focus solely on overseeing this pilot project?

In conclusion, there is insufficient information to ensure the nearby residents and environment is adequately protected in this pilot project; nor is there any reassurance that the procedure is effective long-term. Therefore, we urge DEP to reject this proposal until the above questions and comments have been addressed. Thank you for your careful consideration.

Signed,

Angie Rosser
West Virginia Rivers Coalition