

Appendix A found on pages 27-31 of Environment America's January 2015 report. Full report available at http://environmentamerica.org/sites/environment/files/reports/EA_PA_fracking_scrn.pdf
***Highlighted portions are violations listed as administrative as per Pa. DEP.**

The boldface text is the category assigned by the researchers. The Pennsylvania Department of Environmental Protection violation codes (bulleted items) are assigned by DEP.

Administrative

- 102.5NPDES - Failure to obtain an NPDES [National Pollutant Discharge Elimination System] Permit for Stormwater Discharges Associated With a Construction Activity.
- 105GEN - Encroachment-General
- 105IMP - Failure to implement Encroachment Plan
- 201A - Failure to have permit on site during drilling
- 201F - Failure to notify DEP, landowner, political subdivision, or coal owner 24 hrs prior to commencement of drilling
- 201G - Failure to post permit number, operator name, address, telephone number in a conspicuous manner at the site during drilling
- 201H - Failure to properly install the permit number, issued by the department, on a completed well.
- 201TAG - Failure to install, in a permanent manner, the permit number on a completed well
- 203TAG - Failure to affix, in a permanent manner, a registration number on a well within 60 days of registration
- 210H - Failure to properly install the permit number, issued by the department, on a completed well.
- 212CMPLRPT - Failure to submit completion report within 30 days of completion of well
- 212PRODRPT - Failure to submit annual production report
- 212WELLRCD - Failure to submit well record within 30 days of completion of drilling
- 287.54A - Person or municipality has not performed waste analysis or no copy submitted to the Department.
- 301 - Failure of storage operator to maintain and/ or submit required information, such as maps, well records, integrity testing informatio [sic], pressure data
- 51017 - Administrative Code-General
- 601.101 - O&G Act 223-General. Used only when a specific O&G [Oil & Gas] Act code cannot be used
 - 78.122 - Drillers Log not on site

- 78.124 - Failure to submit plugging certificate 30 days after well plugged
- 78.51(H) - Failure to report receipt of notice from a landowner, water purveyor or affected person that a water supply has been affected by pollution or diminution, to the Department within 24 hours of receiving the notice.
- 78.57 - Failure to post pit approval number
- 78.57PITAPPR - Failure to obtain pit approval/permit
- 78.65(3) - Failure to submit or submitting an inadequate well site restoration report within 60 days of restoration of the well site
- 79.11 - Conservation well located less than 330' [feet] from lease or unit line without waiver.
- ACT214GEN - Coal & Gas Resources Coordination Act 214 - General
- ACT359GEN - Oil & Gas Conservation Law - General
- OGA 3211(F1) - Failure to notify DEP or surface landowner or local political subdivision 24 hours prior to commencement of drilling. Failure to electronically notify DEP. Failure to re-notify DEP.
- OGA 3211(F2) - Failure to notify DEP 24 hours prior to cementing casing strings, pressure testing of production casing, stimulation of well or plugging of an unconventional well.
- OGA 3211(G) - Failure to post the well permit number and the operator's name, address and phone number at the well site during construction of the access road, site preparation and during drilling, operating or alteration of well.
- OGA 3211(H) - Failure to install, in a permanent manner, the permit number on a completed well.
- OGA 3211(M) - Failure to obtain an approved water management plan for withdrawing or using water during the drilling or hydraulic fracture stimulation of an unconventional well.
- OGA 3218.3 - Failure to properly maintain transportation/disposal records for unconventional well wastewater. Failure to make such records available upon request.
- OGA 3220(C) - Failure to notify DEP, the coal operator, lessee and owner prior to plugging a well and submit a plat.
- OGA 3222(A) - Failure to submit annual conventional well production report.
- OGA 3222(B) - Failure to submit well record / completion report.

Environmental and Health

- 102.11 - Failure to design, implement or maintain BMPs [best management practices] to minimize the potential for accelerated erosion and sedimentation.
- 102.22 - Failure to achieve permanent stabilization of earth disturbance activity.

- 102.4 - Failure to minimize accelerated erosion, implement E&S [erosion & sedimentation] plan, maintain E&S [erosion & sedimentation] controls. Failure to stabilize site until total site restoration under OGA [Oil & Gas Act] Sec 206(c)(d)
- 102.4HQBMP - Failure to implement Special Protection BMPs [best management practices] for HQ [high quality] or EV [exceptional value] stream.
- 102.4INADPLN - E&S [erosion & sedimentation] Plan not adequate
- 102.4NOPLAN - No E&S [erosion & sedimentation] plan developed, plan not on site
- 105.11 - Person constructed, operated, maintained, modified, enlarged or abandoned a water obstruction or encroachment but failed to obtain Chapter 105 permit.
- 105.11 - Water obstruction or encroachment constructed, operated, maintained, modified, enlarged or abandoned without a 105 permit.
- 105.44 - Failure to implement work according to specifications in 105 Permit.
- 105.44 - Permittee has failed to perform work according to specifications as approved.
- 105NOPERMIT - Encroachment without Permit or Waiver
- 201E - Failure to comply with terms and conditions of permit
- 201I - Drilling with an expired permit
- 201PRMT - Drilling, altering, or operating a well without a permit
- 205A - Drilling w/in 200 ft of building or water well w/o variance
- 205B - Drilling w/in 100 ft of surface water or wetland w/o variance
- 206C - Failure to restore well site within nine months after completion of drilling, failure to remove all pits, drilling supplies and equipment not needed for production.
- 206D - Failure to restore site w/in 9 months of plugging well
- 206REST - Failure to restore site w/in 9 months of completion of drilling or plugging
- 208A - Failure to restore a water supply affected by pollution or diminution
- 209BOP - Inadequate or improperly installed BOP [blowout preventer], other safety devices, or no certified BOP [blowout preventer] operator
- 210IMPRPLUG - Failure to plug zones having borne gas, oil, or water
- 210UNPLUG - Failure to plug a well upon abandonment
- 301CSL - Stream discharge of IW [industrial waste], includes drill cuttings, oil, brine and/or silt
- 301UNPMTIW - Industrial waste was discharged without permit.
- 307CSL - Discharge of industrial waste to waters of Commonwealth without a permit.
- 401 CSL - Discharge of polluttional [sic] material to waters of Commonwealth.
- 401CAUSEPOLL - Polluting substance(s) allowed to discharge into Waters of the Commonwealth.
- 401CSL - Discharge of polluttional [sic] material to waters of Commonwealth.
- 402611 - Failure to meet effluent limits of permit
- 402CSL - Failure to adopt pollution prevention measures required or prescribed by DEP by handling materials that create a danger of pollution.
- 402CSL B - Failure to meet requirements of permit, rules and regulations, or order of DEP.
- 402POTNLPOLL - There is a potential for polluting substance(s) reaching Waters of the Commonwealth and may require a permit.
- 509 - Failure to comply w/ order, CO&A [consent order & agreement], hindrance to personnel, misrepresentation under OGA [Oil & Gas Act]

- 6018.301 - Operator has mismanagement [sic] Residual Waste.
- 6018.301 - Residual Waste is mismanaged.
- 6018.302A - Unlawful Management of RSW
- [residual waste]
- 6018.610 8II - Unlawful transfer of RSW [residual waste]
- 6018.610-2 - Person or municipality operates a facility without a permit.
- 6018.610-4 - Handles solid waste contrary to rules and regulations, or orders of the Department, or any permit condition, or in any manner as to create a public nuisance.
- 691.1 - Clean Streams Law-General. Used only when a specific CLS [sic; Clean Streams Law] code cannot be used
- 691.401WPD - Failure to prevent sediment or other pollutant discharge into waters of the Commonwealth.
- 691.402 - Potential to pollute waters of the
- Commonwealth
- 691.402WPP - Site conditions present a potential for pollution to waters of the Commonwealth.
- 78.11 - Well drilled or operated without a permit or registration from DEP.
- 78.12 - Oil or gas well drilled, altered or operated not in accordance with a permit or the regulations.
- 78.51(A) - Failure to restore or replace an impacted water supply.
- 78.53 - Failure to implement and maintain BMPs [best management practices] in accordance with Chapter 102.
- 78.54 - Failure to properly control or dispose of industrial or residual waste to prevent pollution of the waters of the Commonwealth.
- 78.55 - No Control and Disposal/PPC [prevention, preparedness, contingency] plan or failure to implement PPC [prevention, preparedness, contingency] plan
- 78.56(1) - Pit and tanks not constructed with sufficient capacity to contain polluttional substances.
- 78.56(2) - Failure to maintain 2 ' [feet] of freeboard in an impoundment.
- 78.56(3) - Impoundment not structurally sound, impermeable, 3rd party protected.
- 78.56FRBRD - Failure to maintain 2' [feet] freeboard in an impoundment
- 78.56LINER - Improperly lined pit
- 78.56PITCNST - Impoundment not structurally sound, impermeable, 3rd party protected, greater than 20" [inches] of seasonal high ground water table
- 78.57C2 - Failure to construct properly plug, frac, brine pits
- 78.6 - Tophole water discharge does not meet standards
- 78.60B - Tophole water discharged improperly
- 78.61A - Improper pit disposal of drill cuttings from above the casing seat
- 78.62 - Improper encapsulation of waste
- 78.64 - Inadequate containment of oil tank
- 78.65(1) - Rat hole not filled
- 78.65(2) - Failure to restore site within 30 days of permit expiration when well not drilled
- 78.66A - Failure to report release of substance threatening or causing pollution

- 78.66BRINE - Failure to report a reportable release of brine to DEP within 2 hours.
- 78.73A - Operator shall prevent gas and other fluids from lower formations from entering fresh groundwater.
- 78.73B - Excessive casing seat pressure
- 78.74 - Hazardous well venting
- 78.81D1 - Failure to maintain control of anticipated gas storage reservoir pressures while drilling through reservoir or protective area
- 78.81D2 - Failure to case and cement properly through storage reservoir or storage horizon
- 78.83A - Diameter of bore hole not 1 inch greater than casing/casing collar diameter
- 78.83COALCSG - Improper coal protective casing and cementing procedures
- 78.83GRNDWTR - Improper casing to protect fresh groundwater
- 78.84 - Insufficient casing strength, thickness, and installation equipment
- 78.85 - Inadequate, insufficient, and/or improperly installed cement
- 78.86 - Failure to report defective, insufficient, or improperly cemented casing w/in 24 hrs or submit plan to correct w/in 30 days
- 79.12CW - Insufficient casing, BOP [blowout preventer], cement or wait on cement to prevent waste from conservation well.
- 91.33A - Failure to notify DEP of pollution incident. No phone call made forthwith
- 91.33B - Failure to take measures to mitigate spill impact and/or clean up w/in 15 days
- 91.33POLLINC - Pollution incident was not reported to DEP.
- 91.34A - Failure to take all necessary measures to prevent spill. Inadequate diking, potential pollution
- 91.35IMPOUND - Adequate impoundment freeboard was not maintained.
- 92.3 - Discharge of pollutants from a point source into surface waters without NPDES [National Pollutant Discharge Elimination System] permit.
- CSL201BYPASS - Untreated or inadequately treated sewage was discharged
- CSL301BYPASS - Industrial waste was discharged without a permit
- CSL401CAUSPL - Polluting substance(s) allowed to discharge into Waters of the Commonwealth
- CSL402POTPOL - There is a potential for polluting substance(s) reaching Waters of the Commonwealth and may require a permit
- OGA 3211(A) - Drilling or altering a well without a well permit or no copy of the well permit at the well site.
- OGA 3216(A) - Failure to restore disturbed land surface of a well site.
- OGA 3216(C) - Failure to fill all pits used to contain produced fluids or industrial wastes and remove unnecessary drilling supplies/equipment not needed for production within 9 months from completion of drilling of well.
- OGA 3218(A) - Failure to restore or replace a public or private water supply affected by a well operator.
- OGA 3219 - Failure to use casing of sufficient strength and other safety devices to prevent blowouts, explosions and fires.
- OGA 3220(A) - Failure to plug the well upon abandoning it.
- OGA 3258(B) - Failure to provide free and unrestricted access.

- OGA 3259(1) - Drilling, altering or operating a well without a permit. Failure to comply with rules or regulations adopted under the 2012 Oil and Gas Act, DEP order, or a term or condition of the well permit.
- OGA 3259(3) - Refuse, obstruct, delay or threaten a DEP agent or employee.
- OGA3218.2(A) - Failure to design and construct unconventional well site to prevent spills to the ground surface and off well site.
- OGA3218.2(C) - Failure to use containment systems for (1) drilling mud, (2) hydraulic oil, (3) diesel fuel, (4) drilling mud additives, (5) hydraulic fracturing additives, (6) hydraulic fracturing flowback.
- OGA3259(2I) - Conducting a drilling or production activity that is contrary to the 2012 Oil and Gas Act, 25 Pa. Code Chapter 78, DEP order, or a term or condition of the well permit.
- SWMA301 - Failure to properly store, transport, process or dispose of a residual waste.