

COMMENTS on HVHFF #000001 Supplemental Application Information (7/12/2017)

Section 09 Water Source Management Plan

(f) Identify the methods to be used to minimize impact to aquatic life.

Comment: Woolsey reports that they anticipate injecting 7.5 million gallons of Frac fluid in part (d) of this section. But their onsite capacity for flowback is identified as 126,000 gallons. How can 7.5 million gallons come back as 126,000? Woolsey has no back up plan if this storage capacity proves too small.

(g) Identify the methods to be used to minimize withdrawals as much as feasible.

Comment: Woolsey states that it is “not in the interest of the applicant to overuse water in the HVHFF process” but it nowhere in their comments do they explain the methods it will use to minimize withdrawals. One of the most important public safeguards of the Hydraulic Fracturing Regulatory Act is the mandate in Section 1-35(b)(10)(C) that *an applicant must specify in the Applicant’s Water Source Management Plan*: “the methods to be used to minimize water withdrawals as much as feasible.” This requirement is carried over directly into Section 245.210(a)(10)(A)(iv). To meet the literal wording of this statement requires that the Applicant consider a reasonable range of methods to reduce its water consumption and select those withdrawal minimization methods and alternatives that are appropriate to its proposed operation. Not only do the rules specifically require consideration of minimization alternatives, but an Application should also satisfy the “reasonable use” doctrine of groundwater use adopted in the Illinois Water Use Act of 1983 at 525 ILCS 45/6 (“The rule of “reasonable use” shall apply to groundwater withdrawals in the State.”) that reasonable use does not include water used “wastefully,” 525 ILCS 45/4.

The Applicant’s Water Source Management Plan completely ignores these requirements and the supplemental material provided does nothing to rectify this deficiency. It fails to indicate a reasonable set of methods that it will employ to minimize groundwater withdrawals and, even worse, fails to indicate that the applicant undertook any effort at all to consider minimizing its water use in designing its operations.

The Applicant proposes to utilize its own water wells and, therefore, does not have the disincentive of paying on a per-gallon basis or having transportation costs to limit over-consumption. Further supporting this concern is the fact that the Applicant’s proposed operations appear to be especially wasteful in its proposed water use. The Water Source Management Plan proposes to use a total of 7,500,000 gallons of local groundwater in its treatment operations. This quantity is a full 50% greater than what the Department itself considers to be the “most commonly reliable figure” for a HVHFF of from “4.4 to 5 million gallons per well.”

No justification is given in either the original application or the Supplemental Data by the Applicant for this exceptionally large water use or why it should not be deemed wasteful in violation of Illinois’ reasonable use doctrine for groundwater withdrawals. Such exceptionally large water consumption is particularly significant in White County, as this water will be removed from three (3) groundwater wells located in fairly shallow sand and gravel aquifers that can be rapidly depleted. Illinois has already had two significant droughts in the last 10 years. The Woolsey application indicates it plans on withdrawing the bulk of its water in the summer months when drought conditions and aquifer depletion are at their highest.

Because of the failure to address any methods or alternatives to minimize its water usage, the application must be denied for the failure to meet the requirements for Water Source Management Plans. If the Plan would be approved on this basis, the practical result would be to write the minimization requirement of Section 1-35(b)(10)(C) of the Act out of the state’s statutes and to lose all its intended benefits for the people of Illinois, especially the farmers of White County.

Section 11 Well Site Safety Plan

The Schematic of Well Pad & HVHFF Flow Back Operations in Figure 2.1 shows 3 flow back fluid storage tanks. By contrast, the Water Source Management Plan lists 6 flow back fluid storage tanks, each with a 21,000 gallon capacity. If the schematic correct, on site storage for flow back fluid is reduced to 63,000 gallons.

• Comments and Questions:

- Which is correct?
- Regardless of which is correct, see the comment made in section 9(f). When Woolsey anticipates 7.5 million gallons of frac fluid, have they demonstrated that their proposed flowback storage is adequate?
- Figure 2-4: Site Waterways Setback on Page 14 states it is 3700' to the nearest perennial stream. The original Well Site Setback plan illustrates at least 5 "non-perennial streams". Who designates these streams as "non-perennial" and what precautions is Woolsey proposing to ensure safety regarding these streams?

Page 117 of the 164 page Well Site Safety Plan has a table listing examples of "Permissible Heat Exposure TLV" (Threshold Limit Values).

- **Comment/Question:** Will adequate personnel be on duty at all appropriate times to accommodate this schedule?

Concerning Attachment E: Fugitive Dust Control Plan:

Comments/Questions:

- Note: There are multiple mentions of "observed", "substantial fugitive dust". Is there a definition of "substantial fugitive dust"?
- Section 2.7 "Dust Control On Paved Roads" – What provisions have been made to ensure the "Wheel Wash" they describe will be installed and monitored at the location named?

Section 2.10 "Control of Other Air Emissions": Under the heading "Appropriate emission", it states that "Low-Sulfur Diesel will be used when possible."

Comment/Question:

- Who and what determines when it is possible? IDNR should require they burn Low - Sulfur Diesel at all times. Availability is not an issue.

Section 12: The Containment Plan

Page 2 of this section states: "During flow back operations the tanks located within the area of the wellsite will also be surrounded by a dike capable of holding 150% of the total volume of the single largest container or tank within a common secondary containment area. The secondary containment will be inspected as required by 245.820."

Comment:

- The potential volume of flow back fluid should be the determinate of dyke size, not the volume of any single container on site to temporarily hold flow back fluids.

Section 12: Casing & Cementing Plan

Page 2 of this section states: "Prior to setting and cementing of the casing the IDNR's District Office will be contacted by phone and electronic mail of the planned operation to enable an inspector to be present."

Comments/Questions

- Will IDNR have an inspector present?
- How will this be documented?

The Woolsey addendum goes on to state: "Pursuant to 245.550, prior to drilling out the casing shoe, a Blow Out Preventer (BOP) shall be installed on the well by certified personal" (sic). "Prior to testing the BOP, IDNR's District Office will be contacted by phone and electronic mail of the planned operation to enable an inspector to be present when the tests are performed."

Comments/Questions

- Will IDNR have an inspector present?
- How will this be documented?

On the bottom of page 2 and continuing onto page 3 of this section, the addendum states: "Prior to setting and cementing of the casing the IDNR's District Office will be contacted by phone and electronic mail of the planned operation to enable an inspector to be present."

Comments/Questions

- Will IDNR have an inspector present?
- How will this be documented?

On page 3 of this section, the addendum states: "Prior to testing the casing the IDNR's District Office will be contacted by phone and electronic mail of the planned operation to enable an inspector to be present. The casing will be tested using brine to fill the casing and pressure tested to 70% of its minimum internal yield for 30 minutes."

Comments/Questions:

- Will IDNR have an inspector present?
- How will this be documented?

Section 16: Public Notice

Page 1 of this section states: "If necessary, a public hearing is scheduled for the 02 day of August, 2017...."

Comments/Questions:

- Who determines if it is "necessary"?
- Who will be allowed to testify? What type of testimony will be allowed?
- Are there parameters in place for such a hearing? If yes, What are they?
