

## **Emails from Stakeholders Regarding Setbacks**

**From Tom Alexander:**

Trina,

In general I/we recommend the more stringent setbacks such as Pennsylvania and Colorado. By and large, with drilling technology where it is today, there is almost never overwhelming reason(s) to get close to sensitive cultural features. The public's safety and environmental integrity must remain paramount. Our company rule of thumb in Arkansas is 500'.

I'd like to point out a couple other exceptions or comments. First, it worries me that one could spot a well within 50' or so of a road, highway or railroad track right-of-way. I think that's asking for trouble. I recommend a much greater setback. I also recommend healthy setbacks from water wells, public water wells, wetlands, streams etc. Why allow a set-up that could jeopardize these valuable resources? Trouble asking for a place to happen.....

Finally, the 75' rule concerning fired vessels is fine. That is in line with fire code and other similar regulations.

I would like to be present but will be in the field helping with a tour of our Arkansas operations. See you all at the next meeting.

Tom Alexander

Vice President HS&E

Southwestern Energy

**From Brandon Jones:**

Trina,

I apologize, I have to miss this one as well. All of the pad would have to be located off the right of way and that alone would create a minimum setback. 50' minimum, 100' preferable setback from public roads.

Brandon

**From Hope Taylor:**

All,

Unfortunately, I will be unable to attend today's stakeholder session due to illness, but submit the following comments on the draft rule as my contribution to the discussion. If there is a possibility of joining by phone, I will try to do so.

Hope Taylor

**1) Specific Setbacks from oil or gas extraction well:**

- From occupied dwellings: 1,000 feet to prevent impacts of noise, air emissions, unless documented as agreed to by the landowner, (no less than 200) feet. The approval by the Chair or designee from the Commission of this waiver must include notarized signature. No such approvals for reduced setbacks should be available to request from landowners not in a drilling block OR compulsory pooled.
- From a property boundary outside the drilling block or compulsorily pooled: 500 feet. See above conditions on approvals for reduced setbacks.
- From a public road or highway: 500 feet to facilitate full off road access of emergency vehicles to the drilling site, and lessen potential exposures of public to hazards.
- From streams: 250 ft, from wetlands: 500 feet The following language should be removed as inappropriate in the absence of a more formal public process :

However, the Chairman or his designee from DENR staff may authorize a new oil and gas well to be located at a distance that is less than XX feet (OH- 50 ft) from a stream, river, watercourse, pond, lake, or other body of water if the Chairman or his designee from DENR staff determines that the reduction in the distance is necessary to reduce impacts to the owner of the land on which the oil and gas well is to be located yet is still protective of public safety, public health, and the environment.

- From public or private water supply wells: 1,000 feet

**2) From tank batteries and new pits: no approvals of reduced setbacks due to hazards!**

- 1,000 feet from occupied dwellings
- Streams and other water bodies 750 feet, no authorization of reduced distances by Chairman or DENR staff

- 1,000 feet from public or private wells
- 500 feet from property boundaries outside drilling block or compulsory pooled
- 250 feet from public road or highway.

3) **Facility setbacks:** In general, these seem inadequate to allow full access to equipment in emergency situations. Mechanical separators and compressors should be required to be at least 500 feet from a dwelling, but only if major noise abatement is mandated.

4) Language should also be explicitly included to **allow enactment of wider setbacks by a local government where indicated by needs for additional protections.**

5) Definitions:

I support including the concept of a **“setback” from potable water supplies** (rather than aquifers), which would indicate that a VERTICAL separation distance should be added to the definition of “setback”. “Potable Water Supplies” could be defined as any groundwater supply not demonstrated to have salinity above a certain level or other water quality parameter known to exceed a Maximum Contaminant Limit or 2L health based standard, or any existing definition already in NC rules for potable water.