



# CENTER FOR COALFIELD JUSTICE

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March 15, 2022

## Submitted via eComment

Environmental Quality Board  
Attention: Patrick McDonnell, Chairperson  
P.O. Box 8477  
Harrisburg, PA 17105-8477

**Re: Draft Base General Permit for Short Duration Processing and Beneficial Use of Oil and Gas Liquid Waste (WMGR163)  
Noticed in 52 Pa.B. 419 (Saturday, January 15, 2022)**

Dear Environmental Quality Board Members,

On behalf of Center for Coalfield Justice (“CCJ”) and its more than 3,000 members and supporters, please accept these comments on the draft General Permit No. WMGR163. CCJ is a 501(c)(3) non-profit organization founded in 1994. The organization’s mission is to improve policy and regulations for fossil fuel extraction and use; to educate, empower, and organize coalfield residents; and protect public and environmental health.

CCJ understands that House Bill 336, which became law (Act 70) in July 2021, required the Department to create this new base general permit. WMGR163 would authorize the short duration processing, transfer, and beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well. We understand that this provision was slipped into the Administrative Code bill that accompanied the FY 2021-2022 budget because some legislators were unhappy that the Department issued a directive requiring public notice and comment for individual uses of WMGR123. WMGR163 would apply to the same treatment and reuse facilities as WMGR123 but has a narrower scope.<sup>1</sup>

Section A of the draft WMGR163 permit provides a general description of the draft permit and relevant definitions. Sections A.2 and A.3 define the draft permit as a one-year permit. CCJ supports this time limitation. Any sites that may host short-duration wastewater recycling operations multiple times over the course of several years should seek authorization under WMGR123, which is a 10-year permit.

CCJ also supports section A.4 of the draft WMGR163 permit. Section A.4 includes automatic expiration of coverage under WMGR163 if a permittee does not operate under the

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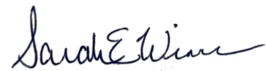
<sup>1</sup> The Department develops General Permits to cover specific kinds of facilities in its waste, water, and air programs. WMGR163 is duplicative and unnecessary.

general permit within 180 days of permit issuance. Operators that wish to obtain permits far in advance of operations should apply for coverage under WMGR123.

Public notice and the opportunity to comment increases transparency and ensures that communities have a voice in the environmental decisions that impact them. Therefore, if the draft WMGR163 is approved, CCJ respectfully requests that the Department issue a directive that requires Regional Offices to publicly notice for comment all applications for coverage under WMGR163.

Thank you for your consideration.

Respectfully,



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