

From: [Orr, Ankara](#)
To: [Oil and Gas Conservation Rulemaking](#)
Cc: [Ankara Rysaling Orr](#)
Subject: Comments on 20.07.02 - RULES GOVERNING CONSERVATION OF OIL AND NATURAL GAS
Date: Tuesday, October 25, 2016 10:14:41 PM

Hello,

I would like to add comments on **20.07.02 - RULES GOVERNING CONSERVATION OF OIL AND NATURAL GAS IN THE STATE OF IDAHO DOCKET NO. 20-0702-1601**

I wish to comment on the following proposed rules:

200. PERMIT TO DRILL

.04

Location of Wells

No oil or gas wells may be drilled within three hundred (300) feet of existing occupied structures without express written permission from the owner of the structure(s).

I recommend fifteen hundred (1500) feet be the limit. Anything less will be excessively impactful for noise, sight, air quality, smell, safety, and traffic for those using said structures. No one utilizing said structures should be subjected to industrial impacts and hazards that are only a football field length away. No one reading this would desire this inadequate 300' setback for themselves if they were the ones utilizing these structures.

.06 Permit Denial

e. Posting of a bond to drill should be required for a permit to drill.

210. WELL TREATMENTS

.07 Reporting Requirements

A report on the well treatment must be submitted within thirty (30) days of the treatment. (I recommend the report be submitted 30 days prior to the treatment) The report shall present a detailed account of the work done (to be done) and the manner in which such work (Is to be) was performed, including:

d.

Documentation demonstrating the chemicals used in the well treatment have been reported to the website www.fracfocus.org, its successor website, or another publicly accessible database approved by the Department. The chemical information must be reported in a systems approach.

(I recommend that all chemicals and details of all chemical combinations and

formulations proposed to be used and actually used be reported, without exception as detailed to the above.)

.08 Fresh Water Protections for Well Treatments

b.

The Department will not authorize well treatments to create fractures within five hundred (500) vertical feet above or below fresh water aquifers. (I recommend that well treatments that include fracturing not be authorized within one thousand (1,000) vertical feet above or below fresh water aquifers. Shale fractures and sand formations are porous and certainty is required to prevent aquifer contamination that could remain so indefinitely. We must be conservative and prevent this absolutely.)

211. HYDRAULIC FRACTURING

01. Application Requirements

b. Detailed information on the base stimulation fluid source. For each stage of the well stimulation program, provide (all of) the chemical additives and proppants and concentrations or rates proposed to be mixed and injected (and actually used; these bold faced recommendations intend to require complete and total reporting of all details of chemicals, formulations, concentrations, ratios, proppants to be used and injected, without exception, leaving nothing out of the reporting), including:

400. PRODUCTION REPORTS.

02. Frequency

Recommendation: Production reports to be required by 3rd party independent metering in real time rather than by delayed self-generated production reports by the production company itself of three months or more after production of a given monthly reporting period that is the current rule proposal. This rule proposal clearly contains conflicts of interest and provides no assurances to IDL, the State of Idaho and its citizens that the reporting information is at all accurate.

410. METERS.

02.

Meter Calibration

Recommendation: all required meters must be calibrated by an independent third party at least once every thirty (30) days.

420.

TANK BATTERIES.

Tank batteries must meet the following requirements:

01.

Location of Tank Batteries

No tank batteries may be constructed within three hundred (300) feet of existing

occupied structures, water wells, canal, ditches, the natural or ordinary high water mark of surface waters, or within fifty (50) feet of highways, as measured from the outermost portion of the tank dike. (Recommendation: that the above limit be fifteen hundred (1500) feet from occupied structures and six hundred (600) feet away from other mentioned features except for highways that would remain a minimum of a fifty foot(50) set back. No one reading this would want this inadequate distance buffering property they themselves own or use, nor would anyone else.)

a.

The owner of a water well or existing occupied structure may provide express written permission to construct a tank battery closer than three hundred (300) feet, but in no event may a tank battery be constructed within one hundred (100) feet of these features. (Recommendation: this proposed rule is woefully inadequate to buffer users of a well or structure from this industrial impact. The setback from an occupied structure should be fifteen hundred feet (1500). The owner of a well or occupied structure could give written permission for this inadequate setback and after the installation of the tank batteries then lease or sell the property/structures so that subsequent occupiers would be locked into having industrial use tanks and their emissions/activities within 100' of structures and other listed features. No one reading this would desire this inadequate 100' setback for themselves if they were the ones utilizing these structures and features, nor is it likely anyone else would like to inherit these potential hazards and close-by industrial activities).

b.

The owner of a canal, ditch, or surface water may provide express written permission to construct a tank battery closer than three hundred (300) feet, and the Department may approve this location upon the operator showing good cause, but in no event may a tank battery be constructed within one hundred (100) feet of these features.

(Recommendation: that the above limit be six hundred (600) feet away from the mentioned water features. An owner could provide written permission to place tank batteries a minimum of one hundred feet (100) from the above listed water features, and after installation of the tanks then lease or sell the property/assets/features so that subsequent users inherit inadequate set back requirements that they did not request and endure the potential hazards of industrial tanks extremely close to water features. Water flows downstream and these inadequate setbacks potentially threaten other human and non-human life off property. Adequate setbacks help insure tank contents and associated residues from entering water features. **The proposed rules for setbacks are not conservative, nor are they adequate.**)

430. GAS PROCESSING FACILITIES.

Gas processing facilities must meet the following requirements:

01.

Location of Gas Processing Facilities:

No gas processing facility may be constructed within three hundred (300) feet of existing occupied structures, water wells, canals and ditches, the natural or ordinary high water mark of surface waters, or within fifty (50) feet of highways, as measured from the outermost portion of the gas processing facility.

I recommend fifteen hundred (1500) feet be the limit for construction next to occupied structures and six hundred feet (600) from the other mentioned features. Anything less will be excessively impactful and potentially hazardous for noise, air quality, smell, safety, and traffic for operation of Gas Processing Facilities. **No one utilizing said structures should be subjected to industrial impacts and hazards that are only a football field length away. No one reading this would desire this inadequate 300' setback for themselves if they were the ones utilizing these structures nor is it likely anyone else would desire it either from a stand point of livability, safety and health.**

a.

The owner of a water well or existing occupied structure may provide express written permission to construct a gas processing facility closer than three hundred (300) feet, but in no event may a gas processing facility be constructed within one hundred (100) feet of these features.

(Recommendations: The above limit be fifteen hundred (1500) feet away from a water well or existing occupied structure. An owner could provide written permission to place a gas processing facility a minimum of one hundred feet (100) from these features, and after installation of the processing facilities might then lease or sell the property/assets/features so that subsequent users inherit inadequate set back requirements that they did not request and endure the potential hazards of industrial gas processing facilities extremely close to wells and occupied structures. Gas emissions flow outward and these inadequate setbacks potentially threaten other human and non-human life off property. Adequate setbacks help insure gas processing facilities not impact populated areas from harmful emissions, smells, noise, and associated industrial activities. **The proposed rules for setbacks are not conservative, nor are they adequate. No one reading this would desire this inadequate 100' setback for themselves if they were the ones utilizing these structures nor is it likely anyone else would desire it either from a stand point of livability, safety and health. This proposed rule is unconscionable! When something is judged *unconscionable*, a court will refuse to allow the perpetrator of the conduct to benefit. In contract law an *unconscionable* contract is one that is unjust or extremely one-sided in favor of the person who has the superior bargaining power. This proposed rule has the potential to negatively impact in an unfair way, livability in an any area where this rule might be applied years into the future. It is appropriate to be respectful and amend this proposed rule now.**

b.

The owner of a canal, ditch, or surface water may provide express written permission to construct a gas processing facility closer than three hundred (300) feet, and the Department may approve this location upon the operator showing good cause, but in no event may a gas processing facility be constructed within one hundred (100) feet of these features.

(Recommendation: that the above limit be six hundred (600) feet away from the mentioned gas processing facility. An owner could provide written permission to place a gas processing facility a minimum of one hundred feet (100) from the above listed water features, and after installation of the facility then lease or sell the

property/assets/features so that subsequent users inherit inadequate set back requirements that they did not request and endure the potential hazards of gas processing facilities extremely close to water features. Emissions flows downstream and outward and these inadequate setbacks potentially threaten other human and non-human life off property. Adequate setbacks help insure gas emissions and associated residues from entering water features. **The proposed rules for setbacks are not conservative, nor are they adequate.)**

Also, I don't know what section of proposed rule-making would address this issue, but **there needs to be written prohibition of spreading of hazardous liquid or solid waste from related oil & gas activities on agricultural lands in the State of Idaho.**

Section 130 – Integration

The whole concept of forcing people to surrender their minerals for the benefit of corporations or other citizens is anathema to the principles upon which America was founded. **It is fundamentally unjust and unfair to seize private property without due process of law**, and obtaining due process is an expensive process that most people cannot afford, which is why we trust our government to protect us. The proposed rule protects the mineral owner who desires to produce his or her minerals, but it leave everybody else completely unprotected.

Forced integration is un-American and probably **illegal regardless of current Idaho laws**, which are routinely overturned by courts because of their failures to protect all citizens equally. Wording needs to be adopted that specifically allows any mineral owner to opt out of participation without penalty or loss of minerals, and if a mineral owner is going to be force-pooled, then that owner should get a bonus equal to the highest bonus paid in the play, as well as a full ownership royalty share in return for having his minerals taken by the state and a private, out-of-state, for-profit corporation.

Please make sure this e-mailed information is included in the official record of public documents submitted to IDL regarding Proposed Rules for Oil and Gas Conservation, Docket No. 20-0702-1601, as required by federal and state laws.

Section 211.02 – Volatile Organic Compounds (VOCs)

Mature oil and gas states do NOT allow ANY injection of BTEX chemicals into any well regardless of its proximity to water tables. Once injected, there is absolutely no way to prevent seepage, leaks or migration of those contaminants into whatever pathway is opened naturally, or by fracturing. **NO BTEX chemicals, or any other VOC, should be allowed to be injected because there is no way to control its migration or recover the contaminants to prevent them from polluting water or soil. VOCs are generally either toxic, neurotoxic and/or carcinogenic, and pose significant health risks to humans and animals, sometimes even in small dose exposures.** These facts have been well established by Dr. Theo Colborn and The Endocrine Disruption Exchange, as presented to the US Congress, and documentation for these facts can be found at <http://endocrinedisruption.org/>.

I most strongly urge you to prohibit the introduction of even small amounts of

VOCs into ANY well.

Please make sure this e-mailed information is included in the official record of public documents submitted to IDL regarding Proposed Rules for Oil and Gas Conservation, Docket No. 20-0702-1601, as required by federal and state laws.

Most sincerely,

Ankara Rysaling Orr
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The Metta Prayer

May all beings have fresh air and water
May all beings have food to eat
May all beings share love with someone
May all beings have a home
May all beings know their true purpose
May all beings be well and happy
May all beings be free from suffering
I'll do what I can to make this so