



File Code: 2830

Date: February 5, 2009

Robert Gleeson  
Chief of Permitting  
Pennsylvania Department of Environmental Protection -  
Northwest Regional Office  
230 Chestnut Street  
Meadville, PA 16335-3481

Dear Mr. Gleeson:

I am writing to notify the Pennsylvania Department of Environmental Protection (DEP) that the Forest Service objects to three wells (D-48, D-47, and D-43) that Duhring Resource Company (Duhring) has proposed in Lot 9, Warrant 2445, Sheffield Township, Warren County, Pennsylvania. The Forest Service received a *Permit Application for Drilling or Altering a Well* (Form 5500-FM-OG0052) for each of these well sites from Duhring on January 21, 2009.

Upon a cursory map review of Duhring's proposal, the Forest Service has initial concerns with these well sites because they are in close proximity to West Fork Run, a High Quality – Cold Water Fishery and Wild Trout Stream as designated by the Commonwealth of Pennsylvania. In addition, the wells and associated roads may be proposed on side slopes greater than 40 percent, making the need for filter strips even more important than if the side slopes are lesser. In addition, Duhring is proposing a stream crossing along West Fork Run to access these wells, which is also a potential concern.

As noted in the *Landowner Notification of Well Drilling or Alterations* form (5500-FM-OG0052), "When a well is located on a tract whose surface is owned by a person other than the well operator, the surface landowner has the right to file objections with the Department pursuant to Section 202 on the following bases:"

- a) *"The information on the application is untrue in any material respect",*

Duhring does not note that West Fork Run is a Special Protection watershed under question 12 on each of the Application(s) for Drilling or Altering a Well. As previously noted, the well sites are proposed in a Special Protection (High Quality) watershed.

- c) *"The well location is within 100 feet measured horizontally from a stream, spring or body of water as identified on the most current 7 ½ minute topographic quadrangle map and the operator does not have a waiver, or the well site is within 100 feet of any wetland greater than one acre in size and the operator does not have a waiver",*



Well D-48 is very close to the 100 feet restriction. Also, the buffer zone widths (between roads and watercourses and wetlands) may not meet the specification on page 19 and 20 of the Department's Timber Harvest Field Guide for Waterways, Wetlands and Erosion for Wells D-48, D-47 and D-43 and associated roads. Please note that buffer zone widths are doubled adjacent to special protection watersheds.

The Forest Service would appreciate the opportunity to work with Duhring and the DEP, if needed, to mitigate impacts to the West Fork Run watershed. If you have any questions or concerns, please contact me at (814) 706-7054 (cell) or at (814) 728-6115.

Sincerely,

A handwritten signature in black ink, appearing to read 'A.V. Scardina', written in a cursive style.

ANTHONY V. SCARDINA  
District Ranger

cc: Duhring Resource Company