

## **Erosion and Sediment Control Requirements for Oil and Gas Activities**

### **What is Soil Erosion?**

Erosion is a natural process by which the surface of the land is worn away by water, wind or chemical action. Accelerated erosion is the removal of the surface of the land through the combined action of human activities and natural processes at a rate greater than would occur from natural processes alone.

### **How is the Control of Erosion and Sediment Regulated?**

Pennsylvania utilizes 25 Pa. Code Chapter 102 in regulating accelerated erosion. These regulations were promulgated under the Pennsylvania Clean Streams Law, 35 P.S. §§691.1 *et seq.*, and prohibit the discharge of any pollutant to waters of the commonwealth. Under the Chapter 102 regulations, anyone conducting earth disturbance activities must use Best Management Practices to minimize the amount of sediment leaving the disturbed area. Pennsylvania's oil and gas regulations, Pa Code Chapter 78.53, incorporate the Chapter 102 regulations by reference. The Department of Environmental Protection (DEP) is responsible for the administration and enforcement of Chapters 102 and 78 regulations and the Clean Streams Law.

### **What is a Best Management Practice?**

Best Management Practices or BMPs are necessary to ensure protection of Pennsylvania's water resources. Examples of BMPs include: minimizing earth disturbances, silt fences, mulch, diversion ditches, sediment traps, sediment basins, and the establishment of grasses for permanent stabilization. The Erosion and Sediment Control Plan must show the site, location of BMPs, and the timing and sequence of their installation for maximum effectiveness. The Bureau of Oil and Gas Management and county conservation districts are able to provide guidance for plan development. Guidance for preparing a plan, as well as various BMPs that meet Chapter 102 requirements, can be found in the department's "Erosion and Sediment Pollution Control Program Manual" (363-2134-008) as well as the Oil and Gas Well Operators Manual. (550-0300-001). For earth disturbance activities in Special Protection Watersheds, additional BMPs as set forth in DEP's Water Quality Antidegradation Implementation Guidance (391-0300-002) are required.

### **Where should Plans be displayed and when must they be prepared?**

A plan which meets the requirements of Chapters 102 and 78 must be properly designed, implemented, and available on site for all oil and gas earth disturbance activities. The plan must show how land and water resources are to be protected against accelerated erosion through the use of BMPs. For oil and gas exploration, production, processing, treatment and transmission activities that disturb five or more acres, an Erosion and Sediment Control General Permit (ESCGP-1) must be obtained before commencing any earth disturbance activities.

### **Where do you submit an ESCGP-1 permit application?**

Applications for ESCGP-1 are submitted to conservation districts that have been delegated with Chapter 102 permit review responsibilities. For counties that are not delegated, the review and processing of the ESCGP-1 will be conducted by the appropriate DEP regional office.

### **Who conducts inspections and responds to complaints?**

The Bureau of Oil and Gas Management field staff is responsible for inspection and complaint response for all earth disturbance activities associated with oil and gas exploration, production, processing, and treatment facilities.

Delegated conservation districts will be responsible for inspection and complaint response for all transmission facility earth disturbances. Transmission facilities include: transmission lines, compressor locations, and gas purification and scrubber locations. For non-delegated counties, the appropriate regional DEP Watershed Management program is responsible for conducting inspections and investigating complaints.

### How do you determine five acres of earth disturbance?

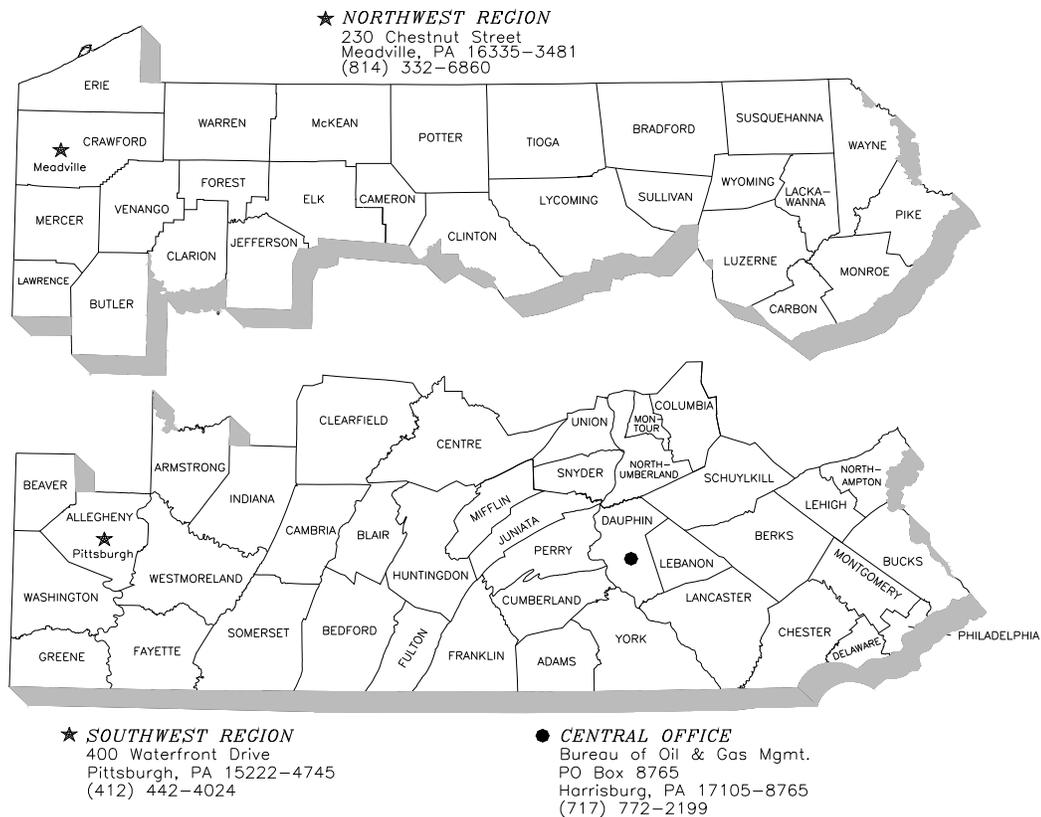
For information and guidance in determining when an ESCGP-1 is required, please refer to the “Policy for Erosion and Sediment Control General Permit (ESCGP-1) for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities” (550-2100-008).

### What Can You Do?

Proper planning and use of BMPs is the key to a successful project and the protection of the commonwealth’s water resources. Before you begin your project, become familiar with the erosion and sediment control requirements as referenced in Chapters 102 and 78. Inform your contractor or equipment operator of the need for erosion and sediment plans or an ESCGP-1 permit as part of the project. If you need assistance or more information, contact the regional DEP Oil and Gas Program or your county conservation district.

If sediment pollution is occurring, or if there is evidence that sediment pollution has occurred due to an on-going oil and gas earth disturbance activity, contact the appropriate DEP regional Watershed Management or Oil and Gas Programs, or your county conservation district. You will need to provide the location, type of activity, name of the project and permit number (if known), and whether sediment pollution is occurring.

## OIL & GAS OFFICES



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