

Air Enforcement: Pennsylvania Department of Environmental Protection and Unconventional Natural Gas Well Operator Enter into Consent Assessment of Civil Penalty



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The Pennsylvania Department of Environmental Protection (“PDEP”) and Range Resources-Appalachia, LLC (“Range”) entered into an April 9th Consent Assessment of Civil Penalty (“Consent Assessment”) addressing alleged violations of Pennsylvania regulations and the Pennsylvania Air Pollution Control Act.

The Consent Assessment provides that Range owns and operates:

- Costanzo 1H & 2H unconventional natural gas well pad (Washington County)
- Cross Creek County Park (“CCCP”) 6H & 8H unconventional natural gas well pad (Cross Creek Township)

The pads are stated to include storage tanks which may emit volatile organic compounds (“VOCs”). Such storage tanks were stated to have been constructed at the Costanzo and CCCP sites prior to August 10, 2013.

Range is stated to have timely submitted to PDEP on an annual basis air emissions data for the previously referenced sites for calendar years 2013, 2014, and 2015 from storage tanks resulting in the calculation of Emission Reports.

Range is stated to have reported to PDEP that in connection with an internal self-audit, it voluntarily recalculated VOC emissions using a different generally accepted methodology. Such recalculated VOC emissions are stated to have been submitted to PDEP on August 21, 2015.

The previously referenced sites were stated to have constituted Title V facilities in some portion of 2013, 2014, and 2015 (Costanzo site) and 2014, 2015 (CCCP site).

Range is alleged to have violated Section 6.1(a) of the Air Pollution Control Act by causing or permitting the construction or modification of the sources at the previously referenced sites without authorization from PDEP. The alleged violations include operating storage tanks at the sites without authorization.

Range is stated to have installed in August 2015 enclosed burner units on the storage tanks at the sites to reduce VOC emissions following recalculation of the VOC emission. The Consent Assessment provides that Range did not apply for or receive authorization to install the enclosed burner unit air cleaning devices. Such burner units are stated to have reduced each site’s facility-wide potential-to-emit VOCs to less than

50 tons per year. Further, the installation meant that as of August 2015 they were no longer a Title V facility.

The Consent Assessment also references unpaid Title V emission fees.

The Consent Assessment assesses a civil penalty of \$155,600.

A copy of the Consent Assessment can be downloaded [here](#).