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Environment

11:22 AM WED JUNE 11, 2014

## Was This Fayette County Waste Pit Leaking?

By [JESSICA LILLY](#) (/PEOPLE/JESSICA-LILLY) & [GLYNIS BOARD](#) (/PEOPLE/GLYNIS-BOARD)

Danny Webb Construction began shutting down above ground pits last month in Fayette County that held oil and gas waste. The waste likely came from horizontal drilling operations.

In a more recent development, the DEP says a tank that was holding some of that waste, leaked during the process, but was cleaned up.

Concerned citizens have been expressing concerns with this particular operation for years.

Environmental groups ran some tests last year and while results have turned up inconclusive, it still raised red flags.



(<http://mediad.publicbroadcasting.net/p/wvwn/files/201401/LochghellyWastePondJune2013.jpg>)

*Credit Jessica Lilly*

### Listen

7:00

Listen to hear Marc Glass explain findings from samples taken near the site.

### What was stored in the pits?

Marc Glass with Downstream Strategies is familiar with the site and was even hired to collect samples and analyze data a little over a year ago.

The company's permit to collect oil and gas waste requires a certain amount of self-testing to verify that the substances collected were indeed the type of waste permitted for disposal.

Glass explains that records seem to indicate that the pit did indeed contain waste from the oil and gas industry which includes [BTEX compounds](http://toxics.usgs.gov/definitions/btex.html) (<http://toxics.usgs.gov/definitions/btex.html>) -or volatile organic compounds- typically found in petroleum products, such as gasoline and diesel fuel.

- Benzene
- Toluene

- Ethyl benzene
- Xylene

Glass said identifying some of the chemicals contained in the pit will help regulators and scientists know what to look for in the environment to determine any possible contamination.

### **What was found in the streams around this oil and gas waste site?**

Samples were taken from water sources in areas around the pit in those same years.

*"It looks generally like some of the key indicators that would be specific to oil and gas," Glass said, "tend to increase as you move down gradient from the pit on Danny Webb's site."*

The data shows that the same contents that were found in the pit, were also found in stream samples taken next to the pit, although at lower concentration levels and below the standards set by the safe drinking water act.

This means the pit could have been leaking, but it's not certain.

### **Things to remember while analyzing the data**

This area of Lochghelly is known to have environmental damage from other industrial activities.

*"There was this constant, acid mine-looking flow coming right out of the base of that," Glass said. "Sometime it was real dark and black and sometimes it was orange, and it was these different colors. And sometimes it was associated with odors."*

*"They don't know that that's what smelled, but odors would be in the valley there and people would look at that and put the two together. So, that drove some sampling."*

Another challenge in determining possible sources of the contaminants is data itself. It's not clear where the samples were taken.

*"And again these sample locations, they're not necessarily GPS locations and they're not related to some significant feature that you can tell about," Glass said. "They're just anecdotal, like, 'next to pit,' 'by pit,' 'near pit,' 'upstream from pit,' 'downstream from pit.'"*

Finally, BTEX chemicals can occur naturally.

*"The source of barium, and arsenic, and iron, and aluminum, those are from the geology," Glass said. "It's really when we concentrate these things to get really high levels or a fast rate of exposure, that we have toxicological effects, and we worry about it. So, oil and gas waste tend to concentrate these natural compounds and their waste."*

However, samples taken in April 2013 showed glycol, which is not naturally occurring and is commonly found in oil and gas waste.

*"Just to be fair, at the same time, this is kind of a run-over area, there's a lot of thing," he said. "For all I know, there's some old piece of mining equipment setting up on the stream that has a radiator full of antifreeze, glycols, and it's leaking out, and that's what I'm seeing in my results. So you really have to put them in perspective. But what it says is, okay, let's start sampling for glycols."*

### **State and Federal Loopholes?**

Let's be clear, the data available to Downstream Strategies did not conclude that the pits were leaking. But Glass says these tests were enough to raise concern and request more testing from the DEP.

Within the past year, the regulatory agency [ordered the pit closed \(http://wvpublic.org/post/dep-orders-fayette-county-waste-pit-shutdown-renews-well-permit\)](http://wvpublic.org/post/dep-orders-fayette-county-waste-pit-shutdown-renews-well-permit) and [revoked the permit \(http://wvpublic.org/post/wva-dep-orders-fayette-co-frack-waste-permit-revoked\)](http://wvpublic.org/post/wva-dep-orders-fayette-co-frack-waste-permit-revoked) - siting "significant

public interest” and “procedural issues”.

The DEP says the dry waste from the above ground pits was taken to the Raleigh County landfill.

On Thursday the DEP Environmental Quality Board will hear arguments from Tom Rist an attorney representing the Natural Resource Defense Council, WV Surface Owners' Rights Organization, Plateau Action Network, and citizen Brad Keenan. DEP inspectors say that Danny Web was allowed to accept waste while the permit is in the renewal process.

Tom Rist and his clients disagree and say that's against the law among other challenges to the UIC operation.

Glass says the process seems to be a loophole that skirts public health.

*“Yeah, I think you should close that loop,” he said. “You should prepare your application prior to your old one expiring. I don't really see a reason for a gap between the two.”*

The [Natural Resource Defense Council](http://www.nrdc.org/about/) (<http://www.nrdc.org/about/>) says federal law that governs hazardous waste has a loophole for oil and gas waste that was created in 1980's through an amendment to the [Resource Conservation and Recovery Act](http://www.epa.gov/osw/laws-regs/rcrahistory.htm) (<http://www.epa.gov/osw/laws-regs/rcrahistory.htm>).

The 'CLEANER Act (<http://beta.congress.gov/bill/113th-congress/house-bill/2825>)' or the 'Closing Loopholes and Ending Arbitrary and Needless Evasion of Regulations Act of 2013' is meant to close that loophole.

DEP reports that solid waste from the pits was taken to the Raleigh County landfill.

Danny Webb Construction did not immediately return our request for comment.

**TAGS:** [Fayette County](/term/fayette-county) (</term/fayette-county>) [Lochghelly Injection Well](/term/lochghelly-injection-well) (</term/lochghelly-injection-well>) [Energy & Environment](/term/energy-environment) (</term/energy-environment>) [Health & Science](/term/health-science) (</term/health-science>) [Department of Environmental Protection](/term/department-environmental-protection) (</term/department-environmental-protection>) [Frack Waste](/term/frack-waste) (</term/frack-waste>) [Fracking Waste](/term/fracking-waste) (</term/fracking-waste>) [Oil & Gas](/term/oil-gas) (</term/oil-gas>)

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##### Lochghelly Injection Well

[W.Va. DEP Orders Fayette Co. Frack Waste Permit Revoked](/post/wva-dep-orders-fayette-co-frack-waste-permit-revoked) (</post/wva-dep-orders-fayette-co-frack-waste-permit-revoked>)

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Kelly • 12 days ago

Eyewitness testimony and satellite images indicate that those sediments pits and injection well has been leaking directly into Wolf Creek since 2003. The current water intake for the Fayette Plateau area is located only a couple of miles downstream from the injection well site.

Duke University and the USGS tested the water and concluded that it is badly contaminated with elements specifically related to drilling/fracking and even said it is similar to "Hydrofrac". Hydrofrac contains toxic chemicals and TENORM (technically enhanced) radiation which causes serious health problems, and CANCER which emitted into air and water.

Take a look at what the EPA says about the TENORM radiation level in fracking wastewater/processed water, especially about residents living in a 50 mile radius of such waste disposal site by clicking on the links below. Makes you understand why WV is accepting this hazardous waste from other states and dumping it into residential neighborhoods :

<http://www.epa.gov/radiation/t...>

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