MR. WILLIAMSON: My name is Larry Williamson. I am the Superintendent of District Operations for Pennzoil Company. We have fairly extensive holdings in the State of New York. Our district office is located in Pennsylvania.

At the current time, we produce approximately twenty percent of the oil produced in the State of New York. To produce this oil, we have approximately one hundred employees and contractors in the State of New York and economic activity that amounts to several million dollars a year.

First, I would like to compliment the DEC on the job that they did in preparing the Generic Environmental Impact Statement. It was a very large and difficult undertaking.

However, I do feel that it may have been aggravated somewhat by the inclusion within the scope of the Generic Environmental Impact Statement of a public educational function that Mr. Sovas just mentioned and also the proposal of extensive changes to the regulatory program.

Providing the affected community with historical and educational information should foster a better public understanding of the industries we regulate. Public interest and concern were demonstrated by the extensive response to the GEIS scoping hearings; there was more input at this stage from the public than from industry. All government agencies, this Department included, are public servants and the educational functions of the GEIS are viewed as a public service.

Proposed regulations were included in the GEIS to meet SEQRA mandates, to provide a framework for informed public discussion, and to provide a complete assessment of the current regulatory program. The current program includes many permit conditions and guidelines that are being proposed as regulations. See Topical Response Number 5 on Reasons for Including Proposed Regulations in the GEIS.
I also feel that the Department of Environmental Conservation erred in not adequately addressing the comments submitted by the Oil, Gas and Solution Mining Advisory Board, comments that they received some time ago. Many of the problems and concerns that are expressed in these hearings could have been resolved earlier had those comments been addressed at the time that they were made originally.

Pennzoil has several concerns with the Generic Environmental Impact Statement that I would like to mention today. Our written comments will be included with those of the Independent Oil and Gas Association which will be received later, I understand.

The over 600 individual comments received through the Oil, Gas, and Solution Mining Advisory Board on the preliminary draft GEIS were thoroughly evaluated by DMN staff. Changes were made to the text where warranted. Each comment received during this internal review process was individually listed and discussed in a 112-page response table that was distributed to the commentators.

Pennzoil has several concerns with the Generic Environmental Impact Statement that I would like to mention today. Our written comments will be included with those of the Independent Oil and Gas Association which will be received later, I understand.

See response to PPC-1.
Pennzoil's specific comments included, first, water flooding. Water flooding is one of the categories of activity which the Generic Environmental Impact Statement specifically does not cover. It does address it. It does explain it fairly well.

However, it is stated that a separate Environmental Impact Statement will have to be prepared for water flooding. I don't necessarily believe that this was necessary. I think that water flooding and several of the other excluded categories could have been adequately covered by the Generic Environmental Impact Statement.

I feel that the reason that they were not were primarily because of the use of old examples of environmental degradation caused by water flooding. The Department of Environmental Conservation did not take into consideration, or at least not adequately take into consideration the changes in the technology and the changes in the regulatory program which occurred since the water floods that they reviewed were originally developed.

Most of the water floods in New York State, of course, are very old. Most of them predate World War II. A few of them were done in the 1960s.

The regulatory programs of today are completely different than it was when those floods were developed. Any environmental impact that they might have had would not really occur today, particularly not under the Federal Underground Injection Control Program.

A new waterflood project could trigger SEQR thresholds. The requirement for an environmental assessment when SEQR thresholds are triggered is not a proposed requirement; it is already law.

Basically, it is correct that modern technology and improved regulation have mitigated many of the adverse environmental impacts of waterfloods. However, a site-specific environmental assessment of any new waterflood project is necessary in order to evaluate possible negative environmental impacts which could be mitigated.

The federal EPA UIC regulations do not supersede State regulations, and the EPA does not have adequate field staff to effectively ensure compliance with their rules.
The second item that I wanted to talk about was the extensive discussion of access roads within the Generic Environmental Impact Statement. Activities, at least to the way that I would think, an activity and not the purpose of that activity will determine what environmental impact the activity has. It should also determine whether that is a specific activity under the mandates of the State Environmental Quality Review. It also determines the needs for regulation of that activity.

The Generic Environmental Impact Statement seeks to impose extensive regulation on roads built by the Oil and Gas Industry even though those roads are identical to roads built by the timber industry or by the farmer or by a logger or a residential recreational developer. The roads are no different, but yet only because those roads are part of an oil and gas operation the Generic Environmental Impact Statement seeks to regulate them and regulate them rather extensively, I might add.
Another thing in the same category is disposal of brush. An oil and gas operator clears a one-acre location and he has to comply with an extensive array of controls on what he can do with any wastes that are generated, that is, specifically non-marketable timber and brush. No other activity which generates a similar waste product has to address these types of concerns. As I said before, the activity, not the purpose of the activity, should be the controlling factor.

Other industries with construction activities have requirements regarding the disposal of non-marketable timber and brush. Any State permitted activity occurring in a wetland or floodplain must comply with the same salvage and disposal guidelines as those imposed on oil and gas operators.
The third category of items which gave Pannecoil great concern was the apparent imposition of the Department of Environmental Conservation into third party contracts, that is, contracts between the oil and gas operator and the mineral owner. Whether these mineral owners choose to lease their land themselves or whether they purchased lands which already had a valid existing lease on it, does not give the Department of Environmental Conservation the right to enter into that contract to change any part of it. The Department of Environmental Conservation has many vital environmental functions which they must perform within the constraints of their budget and manpower. They certainly don't have the time to act as the Lone Ranger going out to save everyone from their own actions. Whether those actions are right or wrong on the part of either party is not reason for the Department of Environmental Conservation or other State agencies to enter into it.

PHLW-7 See Topical Response Number 6 on Surface/Mineral Owner Lease Conflicts.
Some of these items in the Generic Environmental Impact Statement which we feel that the Department of Environmental Conservation is imposing itself on, where they have no business being, would be the taking of private property without compensation, not necessarily the oil and gas operator's private property. I refer to things such as demanding that the top soil be regraded over a location. In other words, if the farmer doesn't want something else done with that top soil, that might be an admirable thing to do with it, but it is the farmer's top soil. He may want to sell it. Top soil currently sells for about ten dollars a ton.

He may want to use that top soil for something else. He might want to put it on his garden or on the lawn of his home. If he can negotiate with the oil and gas operator to spread it for him, so much the better.

It is certainly not the Department of Environmental Conservation's business to tell the farmer what he can do with that top soil or taking of the mineral owner's minerals or the oil and gas operator who has it leased. Some of the things within the Generic Environmental Impact Statement can make it either economically or technically impossible to recover that mineral.
If this is the case, then under any other acts of condemnation, the State has to pay for a private property they take. There should be no difference here just because that property is top soil or minerals. If they are taken away, either technically or economically the State must compensate them for it.

As I mentioned earlier, many, many farms, ranches, et cetera in New York State were purchased subject to valid existing oil and gas leases. The surface owner today might not willingly enter into a lease that was valid when he bought that land. However, he did buy that land subject to the lease. No third party can interfere with that.

Now, the fourth and final area that Pennsoil had concerns about was actually rather a detailed one in which the Department of Environmental Conservation explained what activities in the future would require a permit, many of which don't currently require a permit, many of which the industry considers day to day routine operations, such things as well servicing where you do a casing repair or reset a packer or a string of tubing. These things are not permitable actions. They are simply day to day operations. Thank you.
MR. FOSTER: Thank you. I would just like to make a brief recommendation that the Department consider a fixed time for the confidential status of submitted drilling data. I believe that most producing states limit the confidential status of drilling data to periods on the order of six months to two years. I believe that New York State should be similar.

This data would then be available on a walk-in basis easily accessible to everyone rather than a somewhat cumbersome application situation. I have no objection to a time period of one or two years as long as the operators know from the start what the rule is so that they should be able to protect their interests down the road.

Hopefully this would benefit small operators and consultants such as myself who do not generally trade data with larger companies. I believe that we need readily accessible data effectively on a walk-in basis. That is all I have.

PHBF-1 The Department supports Mr. Foster's recommendation, and the Department has also sponsored legislative proposals to correct the currently cumbersome freedom of information access procedures.
MR. HAKER: I am Walter Haker, H-a-k-e-r, Subsea Oil and Gas Company. The statement that I want to make is that there is already enough regulations in the State of New York to do all of the things that you said that you are going to do. There was also a note that I saw on "noise". We are not making much noise in here, but we are not drilling a well. You cannot drill a well without making noise. Anyways, when a rig is there on the site, it is gone in a week.

I think that another statement that I wanted to make is about correlative rights. When we over-regulate, we slow down activity and then the land becomes splintered and sold and making the lease acquisition near impossible. You can't get a unit together. Those minerals are gone forever. I make a statement that the correlative rights are lost forever.

PHWH-1 Mr. Haker is correct in his statement that you cannot drill a well without making noise and that this noise is temporary. Under SEQR, noise impacts, however temporary, must be evaluated in an environmental assessment such as the GEIS.

PHWH-2 The Department supports simplification of the procedures for granting spacing variances under the conditions described by Mr. Haker. A recommended revision to the current rules and regulations is to give the Department greater flexibility in granting administrative spacing variances.
One other thing or one other statement that I want to make is that there is not increased drilling activity going on in New York State. I just got a letter in my office showing how many permits were applied for in the last month. There aren't any in Erie County. I have got five here. That is not a lot of activity.

One of the reasons is the price of gas. The other is the over-regulations. So, I guess that is what I want to say.

I drilled over one hundred wells up here. I don't get calls from landowners. I feel like a Maytag repairman. Either I am doing something right or someone else is complaining too much.

I think that the landowners can stick up for themselves. I think that a farmer is a pretty good businessman. He doesn't need the State of New York to come in and over-regulate, because when he rents out his field to a bean grower, for instance, what is then to prevent the State of New York to come in and regulate the guy leasing his land for growing of beans?

Therefore, I say that the oil and gas man is not being treated constitutionally fair because of the fact that he should be treated equally under the law. That is my statement. Thank you.

The current slowdown in drilling activity has occurred nationwide and it is the result of adverse economics, not over-regulation. Environmental regulations do cost industry money, but environmental clean-up costs even more.

We agree with Mr. Haker's statement that most landowners are capable of "sticking-up" for themselves. We believe that the farmer generally has the greatest expertise on land usage with respect to his own property.

The State does not regulate bean growing, but the State does regulate farming activities such as the application of pesticides. Any action requiring a discretionary State permit undergoes similar environmental reviews and is subject to restrictions. Oil and gas drillers are not treated unconstitutionally.
MR. LUENSMAN: First of all, I would say to Mr. Sovas that I never seen an agency work as hard and as diligently as it has in this situation. I and the agency that I represent have been continually encouraged to participate. It is very difficult sometimes to get the message across so the message comes back in this testimony in some instances.

I will not read the document. I have several documents if the news media is interested in it, if there is any news media here, or any other interested parties are interested in it. I have copies of my statement.

The most important issues that we are concerned about -- when I say "we", in this instance I mean the Chautauqua County Environmental Management Council and my department, and I expect other agencies of the Chautauqua County government to be endorsing this statement, and its just recently been completed and our endorsement process takes a period of time, but the most important things that we are concerned about, one of them is on Page 3-3 that deals with the identification of Municipal Well receiving certain types of protection, particularly the needs for an environmental assessment process under certain conditions.

We strongly state that to use the word "municipal" is too restrictive because it means that you are dealing with a well with a particular type of ownership. It doesn't necessarily relate to its use and the number of people that it serves.

The second very major point that we are interested in is the fact that this Generic Environmental Impact Statement took ten years to produce. I can understand the complexity of it. It suggests the creation of additional rules and regulations, however. I would hope that we are not working on that particular time scale.

The assumption as to the character of a lease as we read the document, it sounds like all leases are yet to be negotiated. We have thousands upon thousands of leases across the State of New York some of them that are anchored with the land for several decades depending upon how they were drawn. Many of the earlier leases that were created were basically blank checks. The landsmen were out representing and trying to get the least possible cost lease that they could.

This is not to paint the whole industry black because I know that some members of the
industry are very conscientious. There are some very blank check leases, however, many thousands of blank check leases in the files of county government. The next major issue, again, as we go through the document page by page, is on Page 824 where you talk about the tile drain system, but again dealing with the question of leasing and leases it could very well be that there is no protection for those types of systems.

The issue of casing and grouting of the well is spoken to in our presentation. It includes Resolution 42-85 of the Chautauqua County Legislature.

Now, the last and possibly one of the most important issues that we have discussed time and time again is what we call the third-party innocent. This is a party that has leased nothing to anyone and because of the activities of the industry in the vicinity of their property, they may have had to have left their home. They may have to live with water that has changed its quality and its character -- I happen to be one of those victims -- by an illegal operation and not by a legitimate operation that was under regulation.

In some instances, they have sold their homes. In at least one instance that I have been referred to, they sold their house for less than market value before the gas and oil activity took place in their community.

These people have no interest in the gas and oil industry, but yet they have been affected by it. They receive no relief. There is no mitigation.

The Environmental Impact Statement process demands an example of the impact and mitigation plan I don't see it from what we have heard at a number of hearings before the Department as to the third-party innocent. I believe that needs to be examined.

Due to the heat of the evening, I will leave the rest of the paper to stand on its own.

Thank you very much.

Please see the responses to Mr. John Luensman's written statement on behalf of the Chautauqua County Environmental Management Council.
MR. KIDDER: My name is Rolland E. Kiddr. I am President of Kiddr Exploration, Inc.

Kiddr Exploration, Inc. is an independent natural gas drilling company located here in Jamestown, New York. We are pleased that after many years of work, we now have a Draft Generic Environmental Impact Statement and hope that it, or a variation of it, will be adopted by the Department in the days ahead.

The New York Independent Oil and Gas Association (IOGA) of which we are a member created a special committee to deal with the technical aspects of this document.

There are a couple of things that were in the IOGA comments that I wanted to allude to though. First, the issue of technical aspects of all business.

To me this is one of the areas where the New York Independent Oil and Gas Association Advisory Board really ought to have a lot of input on. As far as I know, it had a lot of input in drafting the Department's regulations.

For example, grouting, what is it? What does it do? What doesn't it do?
The other issue brought up in the IOGA comments and alluded to by Mr. Luensman is a question of leases. I think that the Department should realize, and those that are involved in the Division of Minerals do realize that oil and gas leases are a real property transaction between the operator and the landowner, that is, the lessee and the lessor. This document is entered into voluntarily.

I might say that as we got into the oil and gas drilling business in Chautauqua County that the landowners have become much more savvy on what is good and not good for themselves. Maybe in the early days people just signed leases and then ended up being clouded on their title. In recent days, landowners have become much more sophisticated. We don't have a current or a present problem.

My recommendation, one, if you want to do something with leases, if they should be canceled or illegal in some manner, and there have been proposed laws put in as to the change of the real property law in Albany which I think probably that is a better way to deal with it whether the lease is valid or not valid instead of trying to do it by over-regulation.

I would like to focus my comments tonight...
First of all, the Draft Environmental Impact Statement recognizes that the Department of Environmental Conservation is to be the lead agency in regulating the oil and gas industry in New York. It is vital for the health of our industry that state primacy in the regulation of our industry continue.

All major oil and gas producing states have provided statewide regulation for this industry. In Texas, the largest oil and gas producing state, this regulatory control was given in the 1930s to the Texas Railroad Commission.

The reason that it was given to the Texas Railroad Commission because it was the only Commission at that time with the staff and expertise to take on the job, but today still the Texas Railroad Commission regulates the oil and gas industry state-wide in Texas. They have set down a lot of parameters for agencies like the Department of Environmental Conservation in New York State.
DR. PANZARELLA: I am Dr. Marion
Panzarella, 743 Falconer Street, Jamestown, New York.
I am Chairman of the Board of Public Utilities in
City of Jamestown.

Many of you realize that we were very
actively engaged some two years ago when our aquifer
was in danger of being contaminated by the gas and
oil drilling in the area. Contamination by and
large has decreased significantly for a number of
reasons.

First of all, the production of the wells
has dropped.

Secondly, there has been better drilling.
For instance, the last gentleman who spoke, Mr.
Kidder, he goes the extra mile to eliminate or to
try to eliminate chances of contamination.

Since then we have sampled our water.
We have detected small amounts of radon. In the
past there has been no concern about that because
I don't think that we knew too much about it.

However, my concern today is what has
the Department of Environmental Conservation done
in order to get a better understanding or background
to lower the levels of radon that happen to be in
the aquifer regions?

I came about this information when I went
to an old stamping ground, the Shumacker's, who
live in Levant. Mrs. Shumacker called me and said
that their water had more gas in it than ever before.
That took place after a new well had been drilled.
So, you see, some people don't do a very good job
of drilling wells.

Also, the information came to me that in
the area of Ellington, many sources or many discover-
ies of radon gas existed. That is where a great
deal of drilling took place.

So, therefore, we then began to look at
this very seriously in our case. We sent samples
or had samples sent to the Health Department.
There they found that we were well below the maximum
contaminant level as far as the Jamestown water
system was concerned.

However, we then snuck in a sample from
the Shumaker place and we found that to be rather
close to the maximum contaminant level. This leads
me to conclude that as you frac gas wells, you're
opening up new channels for radon gas, the constant
decay of radon into the environment. It can be
very serious in some cases.
Presently, however, we have readings for our water wells. If there is any drilling done in the area, we know whether or not it will produce or is as a result of the drilling in our aquifer, otherwise an individual is really lost and has no background whatsoever in order to protect the condition of the well. Thank you.

My question this evening is: What has the Department of Environmental Conservation done in order to research this new threatening contaminant? If anything, what can be done?

I do know, however, as a result of the Exxon Restitution Fund for their overcharge for oil, there is money available for radon detection. I know that in this instance, we had to send our case in to Albany. In the meantime, the radon that is in the water does decay. You do not get a true testing so that the percentage of error is quite large.

My concern is before a new well goes in, before a new gas well goes in, what responsibility does the Department of Environmental Conservation have to see that the contaminant of radon in the water is at a certain point so that if fracking does increase the amount of radon, I think that the individuals or the municipality should be reimbursed for the damage that might be done.

PHMP-1
High levels of radon gas most closely correlate to the type of surficial material and geology. Higher levels of radon are not caused by oil and gas well fracture stimulation operations. The effect of these operations is limited to the producing formation adjacent to the wellbore at depths of a thousand feet or more below the surface. The Department of Health is the New York State Agency responsible for protecting homeowners from radon. For further information, contact their Bureau of Environmental Protection.
MR. VAN TYNE: I am Arthur Van Tyne, President of the Independent Oil and Gas Association of New York.

Thank you for the opportunity to present my views about the GEIS document. We have already made a statement for the membership of IOGANY which was read into the record at your Albany hearing on June 6, 1988. We will also file with you a detailed listing of comments from our membership. These comments have been compiled by a special committee of IOGANY.

In general, the Draft GEIS is a comprehensive and well written document. One can see that a lot of time and effort has gone into the preparation of this study. It certainly covers every aspect of oil and gas activity in New York, as well as many other aspects which we feel should not be the concern of the DEC. Our previous general comments, and detailed comments to be filed, have addressed these points.

We believe that the overall affect, and perhaps purpose, of a document such as this will be to increase the regulation of the oil and gas industry in New York. The industry has already agreed that certain facets of our activities probably have needed increased attention and perhaps some degree of regulation.

We have cooperated with the DEC-DMR in setting up guidelines and regulations to handle these concerns and will continue to do so. However, the tone of the GEIS is to set the stage for increased regulation of every aspect of our activities.

The GEIS has been portrayed as a document which will save the industry a great deal of time and effort in not having to prepare a specific EIS for each well drilled. Be that as it may, it also opens the door for additional regulation in so many areas that the overall affect, in time, could be an increase in the time and effort needed by operators to abide by these regulations. This, of course, would also result in increased operating costs in New York.

Since the end of 1985, the oil and gas industry nationwide has been in a serious downturn. We in New York, as a microcosm of the larger industry, have suffered the same decline. Many operators have been, and continue to be, forced out of business. Prices for our products, oil and gas,
are less than half what they were at their peaks and we don't see much in the way of increases for a long time.

Indeed, production in New York is almost always of very low volume and most operators work very close to the margin of profit or loss. Any increase in costs brought about by additional unnecessary regulation will drive more people out of business. Now, in this climate, we are being overwhelmed by the prospect of regulation which a healthy industry would have difficulty coping with.

It is in this light that we respectfully request that our comments about the GEIS be given serious consideration. We ask that changes be made in the wording, and intent, of this document so that, if possible, it can fulfill its purported intent of aiding the industry.

It appears that if the GEIS is approved as it now stands that the New York oil and gas industry, now at its lowest ebb, could be dealt a crippling blow from which it might not recover. It could make a textbook case of an industry overregulated to death.

PHAVT-1 The GEIS was prepared to satisfy the legal mandate under SEQR which requires a governmental agency to examine its entire regulatory program. Many of the proposed regulations detailed in the GEIS are part of the existing regulatory program and are currently implemented through guidelines or special permit conditions. Most New York State operators have been willing and able to comply with the guidelines and permit conditions without curtailing their exploration and drilling programs beyond what would be expected because of current adverse economics. Any new regulations must be promulgated through the State Administrative Procedures Act (SAPA). Long-term environmental protection cannot be sacrificed for cycles of economic adversity and prosperity.

All comments received on the GEIS are given serious review and consideration. In addition, reasonable alternatives to DMN proposed regulations (those which will achieve the intended environmental goals) have been identified through this procedure for consideration during the rulemaking process. Aiding the industry is a goal of the GEIS, but it is not the only goal. The Department and DMN are responsible to all the people of New York State for ensuring that the operations of the industries we regulate are carried out in such a manner that the environment, public safety, and correlative rights are all protected.
MR. HASKINS: Good afternoon. My name is Mark Haskins. I am here to represent Ebenezer Oil Co., Inc., with production of oil and gas in this area for over 70 years.

I am not going to get into specifics from the Generic Environmental Impact Statement contents, but rather point out its dangers to the oil and gas industry as well as the community.

I would like to begin by quoting from Page 1 of the GEIS. "Aside from strictly environmental concerns, DEC is responsible for preventing waste of the State's oil and gas resources and protecting correlative rights; that is, the right of any mineral owner to recover the oil and gas resources beneath his land."

Currently, this is not the case. I believe the Department of Environmental Conservation has aided to the premature abandonment of oil and gas reserves.

Companies and individuals are being forced to permanently plug and abandon wells that are currently not economical to produce, but the situation of economics can turn around and the operator is out his entitled production. How much more does the DEC expect us to take?

The oil and gas industry is being regulated out of our right to produce resources we are entitled to. Where does the danger to the community lie? Dollars! The Generic Environmental Impact Statement opens up a whole new set of regulations that will be too costly for the industry to comply with.

You will see less drilling activity to explore for more reserves and increasingly less production. The oil and gas producers are taxed on production. This means less tax dollars to your County and State.

With these newer, more extensive regulations comes the threat of the operator walking away from his obligation to plug and abandon his wells in an environmentally sound manner. Today's methods of plugging wells has been proven for over 70 years to be sufficient.

Under the Generic Environmental Impact Statement proposal costs will increase and deter the responsible operator from any plugging at all.

Operators are getting tired of this. Soon they will turn their backs and lock their doors. The Department of Environmental Conservation should be to blame for this.
I would also remind both the DEC and the public here that there is over $5 million annually now in payroll to workers in Allegany County in the oil patch. We don't need to see these people in the unemployment line.

In closing, I would like to ask the repeated question: How much money has it cost so far to prepare this Draft Generic Environmental Impact Statement and couldn't it have been spent elsewhere more wisely to enhance energy reserves in New York State?

If possible, I would like to have an answer to that question some time today. Thank you.

PHMH-1

The Department has not caused the premature abandonment of oil and gas reserves in New York State. The average production for a stripper oil well in New York State is 1/4 barrel of oil per day. This is approximately one-twentieth of the economic producing limit in other states. (The economic limit is the point where operating costs exceed production returns.) One of the primary reasons that production has been sustained below levels that are economical in other states is the historic very low cost of regulatory compliance in New York. Even with no regulation (as was the case for the old oilfields of New York for many years) production rates eventually decline below a level which can be economically produced.

There are thousands of old wells in New York whose plugging and abandonment has been deferred well past that limit typically considered economical. It is not true that regulation is causing these old wells to be abandoned prematurely. Some oil and gas operators, who have profited from oil and gas production for many years, now wish to escape the legal responsibility and expense of properly plugging and abandoning their wells.

The Department recognizes the current adverse economic conditions facing the oil and gas industry. Regulations requiring proper plugging and abandonment of wells are not aimed at worsening the situation and causing operators to go out of business, as some have claimed. There are provisions in the regulatory program for obtaining legal shut-in status for wells that cannot now be economically produced, but which might be economically producible in the future when market conditions improve (6NYCRR 555.2 and pages 11-7 through 11-11 of the GEIS). There is no intention to eliminate these provisions or to use them to force operators to prematurely plug and abandon wells.