



IMPORTANT NOTICE ABOUT YOUR WATER SUPPLY

Shannon Compton Well Pad (Kooser Road) Baseline Water Testing & Protecting Your Rights

Dear Neighbor,

On December 1, 2025, the Pennsylvania Department of Environmental Protection (DEP) approved an Erosion & Sedimentation (E&S) permit for the proposed Shannon Compton Well Pad on Kooser Road. This approval advances a fracked gas project that may pose risks to nearby groundwater and surface water resources.

If you rely on a **private well, spring, or cistern**, there are important steps you can take **now** to protect your water supply and preserve your options if problems arise later.

Why baseline water testing matters — for everyone nearby

Once drilling or hydraulic fracturing begins, it becomes very difficult to prove what your water quality or quantity was **before** operations started.

Without reliable, pre-drilling water test results:

- It may be extremely hard to demonstrate that drilling caused a problem
- DEP may have limited ability to require corrective action
- Legal claims for water damage become much harder to prove

Baseline testing creates a factual record. That record can matter whether impacts show up months or years later — and whether or not you live within a specific distance from the well.

Special legal protection within 2,500 feet

(Rebuttable presumption — 58 Pa.C.S. § 3218)

Pennsylvania law includes a narrow protection called a **rebuttable presumption of liability**.

This presumption applies **only if all of the following are true**:



- Your private water supply is located **within 2,500 feet** of an unconventional (fracked) gas well, **and**
- The quality or quantity of your water supply is affected **within 12 months** of drilling or completion

If those conditions are met, the law presumes the operator is responsible **unless the operator proves otherwise**.

Important limitation:

This presumption depends heavily on having **reliable information about your water supply before drilling begins**. Without baseline data, it is much easier for an operator to dispute responsibility.

If you live beyond 2,500 feet

Even if you are **outside** the 2,500-foot presumption zone:

- Your water **can still be impacted**
- You may still have legal and regulatory options
- But **you bear the burden of proof**

That makes baseline testing **even more important**, because you will likely need to show:

- What your water was like before drilling
- How it changed
- When the change occurred

Baseline testing does not guarantee relief — but **not having it can seriously limit your options**.

Requesting pre-drill water testing from the operator

Gas well operators often offer pre-drill water surveys to nearby property owners. If you received a survey form, you may still be able to request testing.

Even if:

- You did not receive a survey
- You are outside 2,500 feet
- You previously did not respond



You can still make a **written request** for baseline sampling.

Best practices:

- Make your request **in writing** (email is sufficient)
- Request sampling by a **PADEP-accredited laboratory**
- Ask for **copies of all test results**
- ****Send a copy of your request to PADEP to create a record that you sought baseline documentation before drilling**

Why this matters:

If an operator claims later that testing was offered and declined, that argument can weaken your position. Creating a written record now helps protect you.

Independent baseline testing is also an option

You may want — or need — to arrange your own baseline testing if:

- The operator refuses to test
- You want testing independent of the operator
- You live outside the presumption area

To be taken seriously by regulators or courts, testing should be:

- Conducted by a **PADEP-accredited laboratory**
- Collected by the lab or its certified contractor
- Documented with proper **chain of custody**

Important:

DIY kits or unaccredited testing may be useful for personal knowledge, but they may **not** be relied upon in disputes with an operator or DEP.

Local PA-accredited laboratory

(See attached parameter list. If funding assistance is needed, contact MWA to discuss potential support.)

Geochemical Testing

2005 N. Center Avenue
Somerset, PA 15501
(814) 443-1671



Final notes

This handout is **not legal advice**. Water-supply protections depend on specific facts, timing, and documentation.

Taking early, documented steps — **before drilling begins** — helps preserve options that may not be available later.

While permits for this site have been issued, there is still important work underway to protect the Laurel Ridge watershed. You can stay involved by:

- Posting a yard sign
- Participating in community and legislative advocacy
- Supporting independent monitoring efforts

In solidarity,

Mountain Watershed Association Advocacy Team

Nate, Stacey, Eric, and Sarah

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