

## PA Environmental Hearing Board Appeal Update (5.15.25):

PennEnergy Resources LLC (PennEnergy) is no longer planning to withdraw water from Big Sewickley Creek at Cooney Hollow Road in Economy Borough, Beaver County. At PennEnergy's request, the PA Department of Environmental Protection (PA DEP) rescinded the permits authorizing the water withdrawals, and therefore our PA Environmental Hearing Board (EHB) appeal, *Big Sewickley Creek Watershed Association's v. Commonwealth of Pennsylvania, Appellee: PennEnergy Resources LLC (Case Number 2024160)*, has been dismissed as moot.

On March 5, 2024, the Big Sewickley Creek Watershed Association submitted an appeal to the EHB regarding several actions of the PA DEP related to PennEnergy's B50 well pad:

- January 29, 2024 approval of amendments to Water Management Plan (WMP) No. WMP-294943-5
- January 29, 2024 issuance of State Water Obstruction and Encroachment Permit (WOEP) No. E0407222-001

These permits allowed PennEnergy to withdraw up to 1.5 million gallons of water a day from Big Sewickley Creek at a site near Cooney Hollow Road. The water was to be used for hydraulic fracturing of shale gas wells at the well pad, which is located on Amsler Ridge Road.

At PennEnergy's request, due to a naturally occurring change of flow conditions, PA DEP rescinded Big Sewickley Creek as a water source in the WMP on March 27, 2025 and rescinded the WOEP on April 22, 2025. Since PennEnergy surrendered the two permits that were the issue of our appeal, the EHB dismissed the appeal as moot on May 8, 2025.

As far as we are aware, PennEnergy did not withdraw any water from the creek during the period that these permits were valid (January 29, 2024 –April 22, 2025). In addition, the project features that PennEnergy constructed to support the proposed water withdrawals will be restored in accordance with their PA Code Chapter 102 Erosion and Sedimentation Control Permit.

*We wish to express our sincere gratitude to Evan D. Johns of Appalachian Mountain Advocates who served pro bono as counsel for the Big Sewickley Creek Watershed Association in our EHB appeal. Without his support, dedication, hard work, and insight our appeal would not have been possible.*

For additional information on the appeal, see: <https://efiling.ehb.pa.gov/docket-search/docket/2024160>

For additional information on the WMP and WOEP, see: <https://www.pa.gov/agencies/dep/about-dep/regional-office-locations/southwest-regional-office/southwest-community-information/pennenergy-water-management-plan.html>

For additional information on the Erosion and Sediment Control Permit and site restoration requirements, see:

[https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults\\_singleAuth.aspx?AuthID=1504994](https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults_singleAuth.aspx?AuthID=1504994);  
[https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults\\_singleAuth.aspx?AuthID=1419608](https://www.ahs.dep.pa.gov/eFACTSWeb/searchResults_singleAuth.aspx?AuthID=1419608)