

## Hopewell resident says seismic testing damaged his home

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HOPEWELL TWP. — A Hopewell Township resident says seismic testing conducted by Seitel Data Ltd. has damaged his house.

But Seitel officials said they do not believe their process caused damage at this Hopewell home.

Gary Bufalini, who has lived on Cleveland Avenue in Hopewell for 26 years, said he was at work Tuesday when he received several text messages and photos from his son.

“Mitch came home from school around 2:30 p.m. and sent me a picture of these big trucks out in front of my house,” Bufalini said Thursday. “I asked him what that was and he said, ‘They are doing some kind of testing.’ He said the whole house was (shaking), like mini earthquakes.”

Bufalini said his house sits about 40 feet from the road.

He said he didn’t think much about it until later that night, when he went into his laundry room, which is on the main floor of his bi-level home.

“I was going to wash some clothes, and I saw water coming out through my water line,” he said. “I started looking around — and outside, there’s a big crack in my driveway that never was there before. I called my neighbor over, and we see the front of my brick (house) between the garages is cracked. I go into my garage; all my block is all cracked in the joints. My (garage) floor is cracked on one side.”

Shawn Gallagher of Buchanan Ingersoll & Rooney, who represents Seitel, said the company “had no reason to believe” that seismic testing caused the damage at Bufalini’s home.

“Based upon its investigation to date, its experience with numerous other similar projects in Pennsylvania and across the country, as well as abundant scientific evidence of its operations having a de minimis impact on properties, Seitel has no reason to believe its seismic testing activities caused any damage to a house located at 3004 Cleveland Ave. in Hopewell Township,” he said Thursday.

Gallagher also said the company takes “extraordinary measures” to avoid damage.

“Seitel conducts its operations at low peak particle velocity — or vibration levels — that do not cause damage to structures,” he said. “An independent third party expert in vibrations measures Seitel’s vibration levels to make sure that they are at levels that protect against structural damage.”

Gallagher did confirm that Seitel completed seismic testing Tuesday on Cleveland Avenue.

He also said the company investigates complaints of damage.

“In the event a resident makes a complaint of damage, a field agent experienced in such claims is immediately assigned to investigate the complaint,” he said. “The claim is discussed and reviewed with the landowner and photos and information are gathered regarding the vibration levels and readings. Based on the information, the claim is reviewed to determine if damage is related to the seismic operations.”

The company has been in the area since last year, conducting a 157-square mile 3-D seismic surveying project in Beaver and Allegheny counties. The company uses the testing to create a map of subterranean rock layers, then sells the information to oil and gas companies, who then use it to determine where to drill for oil and gas. Dawson Geophysical, a contractor for Seitel, is conducting the seismic testing in Hopewell.

Gallagher said that with this particular project, there have been “very few” complaints.

Bufalini said a Seitel employee came to his house Tuesday to see and take photos of the damage, but he hasn’t heard back from him yet.

“He looked at everything, he took some pictures, was apologizing up and down,” he said. “He said, ‘I can’t authorize anything being fixed right now. It’s way over my head. I will get back to you tonight or the first thing in the morning.’ (That would have been) Tuesday night, yesterday morning. Never heard anything else from them.”

Then he called his insurance company, the Pittsburgh-based Erie Insurance.

“She listened to my story and it was quiet,” he said. “Nobody said a word. Then she said, ‘You’re not going to like what I have to tell you. We can’t do anything for you. You can make a claim, but I guarantee you that it’s going to be denied.’”

A representative from Erie Insurance said Thursday that damages from seismic testing are not covered under their homeowner’s policy.

The seismic testing situation is a complicated one.

A court order issued last month in Commonwealth Court banned Hopewell Township officials from telling residents to remove, destroy or prohibit Seitel from placing receivers — or geophones — in the right-of-way, and also forbids them from “arbitrarily and unreasonably interfering by any means whatsoever” with Seitel’s seismic testing activities on or in a resident’s right of way.

In August, Seitel sued Hopewell and Potter townships, seeking permission to conduct seismic testing on local roads, and the company was granted a court order in the Commonwealth Court forbidding Hopewell and Potter townships from ordinances to regulate seismic testing, court documents show.

And in October, the Center Township Water Authority, the Municipal Water Authority of Aliquippa, and Wayne Lipecky, a Hopewell Township resident, sued Seitel, Hopewell, Center and Potter in Beaver County Court, saying that seismic testing could damage infrastructure beneath some roads.

An agreement was reached for that case in December in Beaver County Court, in which Seitel says it will not vibrate roads directly over the municipalities’ infrastructures. It also requires Seitel to post various bonds and secure insurance should any damage occur from seismic testing on roads.

Also in October, Seitel sued Center, Greene Township and Shippingport, and was granted a court order that said that these municipalities “are hereby (prohibited) pending further order of court from enforcing and applying seismic regulations either by resolution or agreement to petitioner’s survey operations and from arbitrarily and unreasonably prohibiting petitioner’s use of the municipality’s respective roads.” That order is still in place, pending further action of the Commonwealth Court.

Hopewell officials filed an appeal of the order in the Supreme Court of Pennsylvania and requested an emergency stay of the two Commonwealth Court orders — meaning they are asking that they not be enforced until the appeal is decided.

