

AMENDMENTS TO HOUSE BILL NO. 1401

Sponsor: REPRESENTATIVE OBERLANDER

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1 Amend Bill, page 1, line 11, by inserting after "TAX;"
2 in general provisions, providing for well site restoration;

3 Amend Bill, page 36, by inserting between lines 11 and 12

4 Section 2. The act is amended by adding a section to read:

5 Section 3003.23. Well site restoration.--(a) Each oil or
6 gas well owner or operator shall restore the land surface within
7 the area disturbed in siting, drilling, completing and producing
8 the well.

9 (b) During and after earthmoving or soil disturbing
10 activities, including, but not limited to, activities related to
11 siting, drilling, completing, producing and plugging the well,
12 erosion and sedimentation control measures shall be implemented
13 in accordance with an erosion and sedimentation control plan
14 prepared in accordance with the act of June 22, 1937 (P.L.1987,
15 No.394), known as "The Clean Streams Law."

16 (c) (1) Within nine months after completion of drilling of
17 a well, the owner or operator shall restore the well site,
18 remove or fill all pits used to contain produced fluids or
19 industrial wastes and remove all drilling supplies and equipment
20 not needed for production. Drilling supplies and equipment not
21 needed for production may be stored on the well site if express
22 written consent of the surface landowner is obtained.

23 (2) When multiple wells are drilled or permitted to be
24 drilled on a single well site, the restoration provisions
25 contained in this section shall apply within twenty-four months
26 after completion of all wells drilled on the well site or
27 twenty-four months after the expiration of all existing well
28 permits on the well site for wells which have not been drilled
29 to total depth, whichever is later.

30 (d) Within nine months after plugging a well, the owner or
31 operator shall remove all production or storage facilities,
32 supplies and equipment and restore the well site.

33 (e) Restoration activities required by this chapter or in
34 regulations promulgated under this chapter shall also comply
35 with all applicable provisions of "The Clean Streams Law."

36 (f) Failure to restore the well site as required in this
37 chapter or regulations promulgated under this chapter

1 constitutes a violation of this chapter.

2 (g) (1) The restoration period may be extended by the
3 Department of Environmental Protection for an additional period
4 of time not to exceed two years upon demonstration by the well
5 owner or operator that:

6 (i) the extension will result in less earth disturbance,
7 increased water reuse or more efficient development of the
8 resources; or

9 (ii) site restoration cannot be achieved due to adverse
10 weather conditions or a lack of essential fuel, equipment or
11 labor.

12 (2) The demonstration under paragraph (1) shall do all of
13 the following:

14 (i) Include a site restoration plan that shall provide for:

15 (A) the timely removal or fill of all pits used to contain
16 produced fluids or industrial wastes;

17 (B) the removal of all drilling supplies and equipment not
18 needed for production;

19 (C) the stabilization of the well site that shall include
20 interim postconstruction storm water management best management
21 practices; or

22 (D) other measures to be employed to minimize accelerated
23 erosion and sedimentation in accordance with "The Clean Streams
24 Law."

25 (ii) Provide for returning the portions of the site not
26 occupied by production facilities or equipment to approximate
27 original contours and making them capable of supporting the uses
28 that existed prior to drilling the well.

29 (3) The Department of Environmental Protection may condition
30 an extension under this subsection as is necessary in accordance
31 with "The Clean Streams Law."

32 (h) As used in this section, the term "well site" means
33 areas occupied by all equipment or facilities necessary for or
34 incidental to drilling, production or plugging a well.

35 Amend Bill, page 36, line 12, by striking out "2" and
36 inserting

37 3

38 Amend Bill, page 36, line 16, by striking out "3" and
39 inserting

40 4

41 Amend Bill, page 36, line 17, by striking out "3" and
42 inserting

43 4

44 Amend Bill, page 36, by inserting between lines 21 and 22

1 (3) The General Assembly declares that the repeal under
2 paragraph (4) is necessary to effectuate the addition of
3 section 3003.23 of the act.
4 (4) 58 Pa.C.S. § 3216 is repealed.
5 Amend Bill, page 36, line 22, by striking out "4" and
6 inserting
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