

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2350 Session of
2012

INTRODUCED BY GEORGE, BARBIN, HANNA, SANTARSIERO, GABLER,
BRADFORD, CALTAGIRONE, CARROLL, D. COSTA, DeLUCA, FRANKEL,
FREEMAN, JOSEPHS, MAHONEY, METZGAR, MUNDY, MURPHY, MURT,
M. O'BRIEN, SONNEY AND YOUNGBLOOD, APRIL 16, 2012

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 16, 2012

AN ACT

1 Providing for the Injection Well Safe Water Act, for
2 definitions, for disposal of waste in injection wells, for
3 department duties, for permit conditions and for expiration.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Injection
8 Well Safe Water Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Environmental Protection of
14 the Commonwealth.

15 "Injection well." A well that is used for the disposal of
16 waste products such as brine, hydraulic fracturing chemicals,
17 produced water and other waste products associated with oil or

1 natural gas activities. The term does not include a well drilled
2 solely for the extraction of oil or natural gas.

3 "Wild trout stream." A stream classified as supporting
4 naturally reproducing trout populations by the Pennsylvania Fish
5 and Boat Commission.

6 "Wilderness trout stream." A surface water designated by the
7 Pennsylvania Fish and Boat Commission to protect and promote
8 native trout fisheries and maintain and enhance wilderness
9 aesthetics and ecological requirements necessary for the natural
10 reproduction of trout.

11 Section 3. Disposal of waste in injection wells.

12 (a) Moratorium.--There is established a moratorium on the
13 drilling of any new injection well of any class within this
14 Commonwealth for the purpose of disposing of waste associated
15 with oil or gas activities. An injection well drilled for a
16 purpose other than disposing of oil-related or gas-related waste
17 is not affected by the moratorium.

18 (b) Prohibition.--An injection well drilled after January 1,
19 2012, may not accept waste associated with oil or gas
20 activities.

21 (c) Postexpiration.--For remaining wells and those drilled
22 after the expiration of subsections (a) and (b), the injection
23 or disposal of waste associated with oil or gas activities into
24 an injection well is prohibited under the following:

25 (1) within 2,000 feet of a private water supply unless
26 written consent is granted by the owner of the private water
27 supply;

28 (2) within 5,500 feet of a public water supply;

29 (3) within a floodplain;

30 (4) within 2,000 feet of an exceptional value or

high-quality water source, as designated under 25 Pa. Code § 93.4b (relating to qualifying as high quality or exceptional value waters);

(5) within 2,000 feet of a wild or wilderness trout stream; or

(6) within 2,000 feet of a known geological fault line identified by the department.

Section 4. Department duties.

The department shall perform the following duties:

(1) Complete a review of existing geologic data for known faulted areas within this Commonwealth. The department shall make the data from the review available on its publicly accessible Internet website within one year of the effective date of this act.

(2) Establish a maximum fluid injection pressure for waste disposed into injection wells.

(3) Evaluate the potential for conducting seismic surveys during routine inspections.

Section 5. Permit conditions.

Once an applicant receives a permit from the department to drill a deep injection well, he must be required to do the following:

(1) submit a plan for monitoring any seismic activity that may occur;

(2) conduct a measurement or calculation of original down hole reservoir pressure prior to initial injection;

(3) conduct a step-rate injection test to establish formation parting pressure and injection rates;

(4) install a continuous pressure monitoring system, with results being electronically available to the department

for review;

(5) install an automatic shut-off system set to operate if the fluid injection pressure exceeds a maximum level to be set by the department; and

(6) install an electronic data recording system for purposes of tracking all fluids brought by a brine transporter or oil or gas operator for injection.

Section 19. Expiration.

Section 3(a) and (b) shall expire two years after the effective date of this act.

Section 20. Effective date.

This act shall take effect in 60 days.