

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2683 Session of  
2010

INTRODUCED BY CONKLIN, SIPTROTH, STABACK, BOBACK, MUNDY, PAYTON,  
GEORGE, READSHAW, GOODMAN, BRADFORD, BELFANTI, DALEY,  
CALTAGIRONE AND MILNE, SEPTEMBER 2, 2010

REFERRED TO COMMITTEE ON LABOR RELATIONS, SEPTEMBER 2, 2010

AN ACT

1 Providing for the establishment of response teams relating to  
2 certain well operations and for the powers and duties of the  
3 Secretary of Labor and Industry.

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 Faster Action  
8 Safety Team Emergency Response 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 "Completion." The date on which a well involved is properly  
14 equipped for the production of oil or gas, goes into production  
15 or, if a well is dry, the date on which the well is abandoned.

16 "Department." The Department of Labor and Industry of the  
17 Commonwealth.

18 "Drilling." The term includes the drilling or redrilling of

1 a well or the deepening or expansion of an existing well.

2 "Exploration." A drilling effort to obtain information  
3 relating to oil or gas extraction without the intent of  
4 immediate production.

5 "Operator." An individual or entity that locates, drills,  
6 operates, alters, directs, controls, supervises, maintains,  
7 plugs or abandons a well or reconditions a well with the purpose  
8 of production.

9 "Production." The retrieval of oil or gas from a well.

10 "Response team." A team of individuals established by an  
11 operator in accordance with this act, the members of which, at a  
12 minimum:

13 (1) are familiar with the operations and equipment of a  
14 well;

15 (2) participate at least annually in response training  
16 at a minimum of one well that is operated by the operator and  
17 covered by the response team;

18 (3) are trained in basic first aid and CPR training on  
19 an annual basis; and

20 (4) will be available with respect to the well involved  
21 not later than one hour by ground travel time after  
22 requested.

23 "Secretary." The Secretary of Labor and Industry of the  
24 Commonwealth.

25 "Well." A bore hole drilled or being drilled onshore for the  
26 purpose of, or to be used for, producing, extracting or  
27 injecting any gas, petroleum or other liquid related to oil or  
28 gas production or storage, including a hole drilled or being  
29 drilled for exploration. The term does not include a hole that  
30 has been plugged and abandoned.

1 Section 3. Response team regulations.

2 (a) General rule.--Not later than 18 months after the  
3 effective date of this section, the secretary shall promulgate  
4 regulations, in accordance with this section, relating to  
5 response teams.

6 (b) Requirements.--Regulations promulgated under subsection  
7 (a) shall:

8 (1) Not be construed to waive operator training  
9 requirements applicable to existing response teams.

10 (2) Require that the department establish, and update  
11 every five years thereafter, criteria to certify the  
12 qualifications of response teams.

13 (3) Require that the operator of a well:

14 (i) During the exploration or drilling phase, or  
15 before the completion phase:

16 (A) Have an employee knowledgeable in responding  
17 to emergency situations that may arise at the well  
18 who is employed and present at the well at all times.

19 (B) Make available a certified response team.

20 (ii) Make available a certified response team during  
21 the production phase.

22 (4) Ensure that the following options may be used by an  
23 operator to achieve compliance with the requirements of  
24 paragraph (3) relating to the availability of a response  
25 team:

26 (i) Making available a well response team.

27 (ii) Making available a multiemployer composite  
28 response team that is made up of team members who are  
29 knowledgeable about the operations of the well and who  
30 train on an annual basis at the well:

1           (A) Which provides coverage for multiple  
2 operators that have team members which include at  
3 least two active employees from each of the  
4 operators.

5           (B) Which provides coverage for multiple wells  
6 owned by the same operator.

7           (C) Which is a State-sponsored response team  
8 that is composed of at least two active employees  
9 from each of the operators.

10          (iii) Making available a commercial response team  
11 that is provided for through contract with a third-party  
12 vendor or a response team provided by another operator,  
13 if such team:

14           (A) Trains on a quarterly basis at a minimum of  
15 one well operated by the operator who contracted for  
16 the services of the commercial response team.

17           (B) Is knowledgeable about the operations of the  
18 wells that are covered under the contract for  
19 services.

20           (C) Is composed of individuals with a minimum of  
21 one year well experience that has occurred within the  
22 five-year period preceding their employment on the  
23 contract response team.

24          (iv) Making available a State-sponsored response  
25 team made up of State employees.

26          (5) Require that an operator of a well:

27           (i) Within 15 minutes of the commencement of an  
28 emergency, contact local first responders to inform them  
29 of the emergency.

30           (ii) Within one hour of the commencement of an

1 emergency, contact the department to inform it of the  
2 emergency.

3 (iii) Within one hour of the commencement of an  
4 emergency, contact a State response center.

5 (iv) Provide communication technology, within a  
6 reasonable distance of the well, that enables the  
7 operator to comply with the regulations under this  
8 paragraph.

9 (6) Require that an operator provide annual training to  
10 local first responders responsible for serving the area of  
11 each well operated by the operator, who may be required to  
12 respond to an emergency situation, on the hazards of a well  
13 and proper emergency response techniques.

14 (7) Require that an operator file a report, on an annual  
15 basis, with the department that provides detailed information  
16 on the response team assigned to each well of the operator  
17 and affirmatively states that the operator is in compliance  
18 with this act and all regulations promulgated under this act.

19 Section 4. Effective date.

20 This act shall take effect in 60 days.