

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 297 Session of
2009

INTRODUCED BY YAW, BAKER, PILEGGI, RAFFERTY, WONDERLING, BROWNE,
COSTA, O'PAKE, ALLOWAY, VANCE, EARLL, SMUCKER, FERLO AND
BRUBAKER, FEBRUARY 24, 2009

SENATOR M. WHITE, ENVIRONMENTAL RESOURCES AND ENERGY, AS
AMENDED, MAY 5, 2009

AN ACT

1 Amending the act of December 19, 1984 (P.L.1140, No.223),
2 entitled "An act relating to the development of oil and gas
3 and coal; imposing duties and powers on the Department of
4 Environmental Resources; imposing notification requirements
5 to protect landowners; and providing for definitions, for
6 various requirements to regulate the drilling and operation
7 of oil and gas wells, for gas storage reservoirs, for various
8 reporting requirements, including certain requirements
9 concerning the operation of coal mines, for well permits, for
10 well registration, for distance requirements, for well casing
11 requirements, for safety device requirements, for storage
12 reservoir obligations, for well bonding requirements, for a
13 Well Plugging Restricted Revenue Account to enforce oil and
14 gas well plugging requirements, for the creation of an Oil
15 and Gas Technical Advisory Board, for oil and gas well
16 inspections, for enforcement and for penalties," further
17 providing for well reporting requirements.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 212 of the act of December 19, 1984 (P.L.
21 1140, No.223), known as the Oil and Gas Act, amended July 2,
22 1992 (P.L.365, No.78), is amended to read:

23 Section 212. Well reporting requirements.

24 (a) [Every] EXCEPT AS PROVIDED IN SUBSECTION (A.1), EVERY



1 well operator shall file with the department, on a form provided
2 by the department, ~~a semi-annual and~~ an annual report specifying
3 the amount of production on the most well-specific basis
4 available. Annual reports shall also specify the status of each
5 well; however, in subsequent years, only changes in the status
6 need be reported. The [department shall {keep all such reports
7 confidential for five years: Provided, however, That the] ~~make~~
8 ~~the reports available on its publicly accessible Internet~~
9 ~~website. The~~ Commonwealth shall have the right to utilize such
10 information in enforcement proceedings, in making designations
11 or determinations under section 1927-A of the act of April 9,
12 1929 (P.L.177, No.175), known as The Administrative Code of
13 1929, or in aggregate form for statistical purposes.

14 (A.1) EVERY OPERATOR OF A WELL WHICH PRODUCES GAS FROM THE
15 MARCELLUS SHALE FORMATION SHALL FILE WITH THE DEPARTMENT, ON A
16 FORM PROVIDED BY THE DEPARTMENT, A SEMI-ANNUAL REPORT SPECIFYING
17 THE AMOUNT OF PRODUCTION ON THE MOST WELL-SPECIFIC BASIS
18 AVAILABLE. THE COMMONWEALTH SHALL HAVE THE RIGHT TO UTILIZE SUCH
19 INFORMATION IN ENFORCEMENT PROCEEDINGS, IN MAKING DESIGNATIONS
20 OR DETERMINATIONS UNDER SECTION 1927-A OF THE ACT OF APRIL 9,
21 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF
22 1929, OR IN AGGREGATE FORM FOR STATISTICAL PURPOSES. THE
23 DEPARTMENT SHALL MAKE THE REPORTS AVAILABLE ON ITS PUBLICLY
24 ACCESSIBLE INTERNET WEBSITE. ANY COSTS INCURRED BY THE
25 DEPARTMENT TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
26 SHALL BE PAID OUT OF THE FEES COLLECTED UNDER SECTION 201(D).

27 (b) It shall be the duty of the well operator to keep
28 records of any well drilled or altered. A record of the well
29 containing such information as required by regulation shall be
30 filed with the department within 30 days of cessation of

1 drilling. A completion report containing such additional
2 information as required by regulation shall be filed with the
3 department within 30 days after the completion of the well and
4 it shall be kept on file by the department. Within 90 days after
5 the completion of drilling or recompletion of a well, if
6 requested by the department, the well operator shall submit a
7 copy of the electrical, radioactive or other standard industry
8 logs if they have been run. In addition, if requested by the
9 department within one year, the well operator shall file a copy
10 of drill stem test charts, formation water analysis, porosity,
11 permeability or fluid saturation measurements, core analysis and
12 lithologic log or sample description or other similar data as
13 compiled. No such information shall be required unless the well
14 operator has had such information compiled in the ordinary
15 course of business. No interpretation of the data is to be
16 filed.

17 (c) Upon notification by the department prior to
18 commencement of drilling, the well operator shall collect for
19 the department additional data as the department shall specify,
20 such as representative drill cuttings and samples from cores
21 taken and any other such geological information that the
22 operator reasonably can compile. No interpretation of the data
23 is to be filed.

24 (d) All electrical, radioactive or other standard industry
25 logs, drill stem test charts, formation water analyses,
26 porosity, permeability or fluid saturation measurements, core
27 analysis and lithologic logs or sample description or other
28 similar data as compiled, required under subsection (b) or drill
29 cuttings required under subsection (c) shall be retained by the
30 well operator and shall be filed with the department three years

1 after completion of the well. Upon request of the well operator,
2 the department shall extend the date for the filing of the data,
3 but the extension shall not exceed five years from the date of
4 completion of the well: Provided, however, That the department
5 shall have the right to utilize such information in enforcement
6 proceedings, in making designations or determinations under
7 section 1927-A of the act of April 9, 1929 (P.L.177, No.175),
8 known as The Administrative Code of 1929, or in aggregate form
9 for statistical purposes.

10 Section 2. This act shall take effect immediately.