



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 875

PRINTERS NO. 1187

PRIME SPONSOR: Bartolotta

COST / (SAVINGS)

FUND	FY 2015/16	FY 2016/17
General Fund	\$0	\$0

SUMMARY: Senate Bill 875, Printer's Number 1187, provides for the use of treated mine water for oil and gas development and immunity to mine operators who provide treated mine water.

ANALYSIS: This bill establishes the Treated Mine Water Act, which provides immunity to mine operators who provide treated mine water from a permitted mining activity for any cost, injury or damage arising out of the use of the treated mine water if all of the following apply: the treated mine water is for use outside the boundaries of the permitted mining activity site; the treated mine water is for oil or gas well development; and the mine operator is not the same person using the treated mine water for oil or gas well development.

The bill also states that a person who acquires treated mine water from a mine operator for use in oil or gas well development is immune from liability for the treatment or abatement of the mine drainage or mine pool water as a result of acquiring or using treated mine water. However, nothing under the bill limits the liability of a person for unlawful spills or releases of treated mine water or relieves a mine operator or a person who acquires treated mine water for use in oil or gas well development from the mine operator's or person's obligations under law.

Additional language is added to clarify that treated mine water used for oil or gas development shall not be considered a solid waste as defined under the Solid Waste Management Act (Act 97 of 1980).

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT: Enactment of this legislation will have no adverse fiscal impact on Commonwealth funds.

PREPARED BY: Jeffrey Clukey
House Appropriations Committee (R)

DATE: September 21, 2015

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.