

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1594 Session of 2011

INTRODUCED BY REED, BAKER, BARRAR, CALTAGIRONE, CREIGHTON, EVERETT, FLECK, GINGRICH, GOODMAN, HELM, M. K. KELLER, KRIEGER, KULA, MAJOR, MICOZZIE, MILLARD, MUNDY, MURPHY, MUSTIO, PEIFER, QUINN, REICHLEY, SAYLOR, SCAVELLO, SCHRODER, STEVENSON, SWANGER, TOOHIL, WHITE AND DONATUCCI, MAY 25, 2011

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, MAY 25, 2011

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," in general
17 requirements, further providing for well permits.

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

20 Section 1. Section 201(b) of the act of December 19, 1984
21 (P.L.1140, No.223), known as the Oil and Gas Act, is amended to
22 read:

23 Section 201. Well permits.

1 * * *

2 (b) (1) The permit application shall be accompanied by a
3 plat prepared by a competent engineer or a competent surveyor,
4 on forms to be furnished by the department[, showing the
5 political subdivision and county in which the tract of land upon
6 which the well to be drilled is located, the name of the surface
7 landowner of record and lessor, the name of all surface
8 landowners or water purveyors whose water supplies are within
9 1,000 feet of the proposed well location, the name of the owner
10 of record or operator of all known underlying workable coal
11 seams, if any, the acreage in the tract to be drilled, the
12 proposed location of the well determined by survey, the courses
13 and distances of such location from two or more permanent
14 identifiable points or landmarks on said tract boundary corners,
15 the proposed angle and direction of such well, if the well is to
16 be deviated substantially from a vertical course, the number or
17 other identification to be given the well, the workable coal
18 seams, if any, underlying the tract of land upon which the well
19 is to be drilled or altered, which are to be cased off in
20 accordance with section 207, and such information needed by the
21 department to administer this act. The applicant shall forward,
22 by certified mail, a copy of said plat to the surface landowner,
23 all surface landowners or water purveyors whose water supplies
24 are within 1,000 feet of the proposed well location, the owner
25 and lessee, if any, of such coal seams, and every coal operator
26 required to be identified on the well permit application] and
27 shall show:

28 (i) the political subdivision and county in which the tract
29 of land upon which the well to be drilled is located;

30 (ii) the name of the surface landowner of record and lessor;

1 (iii) the name of all surface landowners of record and
2 lessees within 1,000 feet of the proposed well location;
3 (iv) the name of all surface landowners whose water supplies
4 are within 1,000 feet of the proposed well location and all
5 water purveyors whose water supplies are within 1,000 feet of
6 the proposed well location;
7 (v) the name of the owner of record or operator of all known
8 underlying workable coal seams, if any;
9 (vi) the workable coal seams, if any, underlying the tract
10 of land upon which the well is to be drilled or altered, which
11 are to be cased off in accordance with section 207;
12 (vii) the acreage in the tract to be drilled;
13 (viii) the proposed location of the well determined by
14 survey;
15 (ix) the courses and distances of the proposed location from
16 two or more permanent identifiable points or landmarks on the
17 tract boundary corners;
18 (x) the proposed angle and direction of the well, if the
19 well is to be deviated substantially from a vertical course;
20 (xi) the number or other identification to be given the
21 well; and
22 (xii) such other information needed by the department to
23 administer this act.
24 (2) The applicant shall forward, by certified mail, a copy
25 of the permit application and plat to:
26 (i) all surface landowners within 1,000 feet of the proposed
27 well;
28 (ii) water purveyors whose water supplies are within 1,000
29 feet of the proposed well location; and
30 (iii) the owner and lessee, if any, of the coal seams and

1 every coal operator required to be identified on the well permit
2 application.

3 (3) The applicant shall submit proof of such notification
4 with the well permit application. With respect to surface
5 owners, notification shall be accomplished under this section by
6 sending notice to the persons to whom the tax notices for said
7 surface property are sent, as indicated in the assessment books
8 in the county in which the property is located. With respect to
9 surface landowners whose water supplied are within 1,000 feet or
10 water purveyors whose water supplies are within 1,000 feet of
11 the proposed well location, notification shall be made on forms
12 and in a manner prescribed by the department sufficient to
13 identify, for such persons, the rights afforded them under
14 section 208 and the advisability of taking their own predrilling
15 or prealteration survey.

16 (4) If the applicant submits to the department written
17 approval of the proposed well location by the surface landowner
18 and the coal operator, lessee or owner, if any, of the coal
19 underlying the proposed well location and no objections are
20 raised by the department within 15 days of filing or if no such
21 approval has been submitted and no objections are made to such
22 proposed well location within 15 days from receipt of such
23 notice by the surface landowner and the coal operator, lessee or
24 owner, if any, or by the department, the same shall be filed and
25 become a permanent record of such location, subject to
26 inspection at any time by any interested person.

27 * * *

28 Section 2. This act shall take effect in 60 days.