

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1211 Session of
2011

INTRODUCED BY VITALI, BRIGGS, CALTAGIRONE, CONKLIN, CURRY,
GALLOWAY, HANNA, JOSEPHS, MURPHY, MURT AND YOUNGBLOOD,
MARCH 28, 2011

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 28, 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," further
17 providing for definitions; providing for well spacing
18 requirements; and making a related repeal.

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

21 Section 1. Section 103 of the act of December 19, 1984
22 (P.L.1140, No.223), known as the Oil and Gas Act, is amended by
23 adding a definition to read:

24 Section 103. Definitions.

25 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 * * *

4 "Unconventional shale formation." A shale formation that
5 typically produces natural gas through high volume hydraulic
6 fracturing or horizontal well bores. The term shall include the
7 Rhinestreet, Burket, Marcellus, Mandata and Utica Shale
8 formations and other formations designated by the department.

9 * * *

10 Section 2. Section 205 of the act is amended by adding a
11 subsection to read:

12 Section 205. Well location restrictions.

13 * * *

14 (d) A permit for a well intending to produce from an
15 unconventional shale formation shall not be issued by the
16 department unless it is located not less than two miles from the
17 nearest well drilled into an unconventional shale formation. For
18 the purposes of this subsection, multiple wells on a single
19 drill pad shall constitute a single well. The well spacing
20 requirements under this subsection shall not be waived.

21 Section 3. Repeals are as follows:

22 (1) The General Assembly declares that the repeal under
23 paragraph (2) is necessary to effectuate the addition of
24 section 205(d) of the act.

25 (2) Section 7(a) of the act of December 18, 1984
26 (P.L.1069, No.214), known as the Coal and Gas Resource
27 Coordination Act, is repealed insofar as it applies to
28 drilling in unconventional shale formations as defined in the
29 act.

30 Section 4. This act shall take effect in 60 days.