
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1378 Session of
2014

INTRODUCED BY SCARNATI, HUTCHINSON, YAW, ERICKSON, WARD,
EICHELBERGER, VULAKOVICH, VOGEL, MENSCH, ALLOWAY, WHITE,
ARGALL, ROBBINS, FOLMER, WOZNIAK, FONTANA AND COSTA,
MAY 22, 2014

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MAY 22, 2014

AN ACT

1 Requiring the Environmental Quality Board to differentiate
2 regulations relating to conventional oil and gas wells and
3 unconventional gas wells in this Commonwealth.

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 Pennsylvania
8 Conventional Oil and Gas Well Regulations Act.

9 Section 2. Legislative findings and declarations.

10 The General Assembly finds and declares as follows:

11 (1) The conventional oil and gas industry has had a
12 benign impact on human health and the environment in this
13 Commonwealth since the former act of December 19, 1984
14 (P.L.1140, No.223), known as the Oil and Gas Act, was
15 enacted.

16 (2) Small businesses, which are often located in small
17 towns and rural areas of this Commonwealth, have

1 traditionally comprised much of the conventional oil and gas
2 industry in this Commonwealth.

3 (3) Regulations for the conventional oil and gas
4 industry must permit the optimal development of oil and gas
5 resources of this Commonwealth, protect the health, safety,
6 environment and property of the citizens of this Commonwealth
7 and not unreasonably hamper the ability of this Commonwealth
8 to compete effectively with other states.

9 (4) The provisions of 58 Pa.C.S. (relating to oil and
10 gas) create standards for unconventional gas wells that are
11 not applicable to conventional oil and gas wells.

12 (5) The regulations promulgated by the Environmental
13 Quality Board under 58 Pa.C.S. and other laws of this
14 Commonwealth relating to conventional oil and gas wells or
15 unconventional gas wells should differentiate between
16 conventional oil and gas wells and unconventional gas wells.

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 "Conventional oil and gas well." A bore hole drilled for the
22 purpose of producing oil or gas from a conventional formation.
23 Irrespective of technology or design, the term includes any of
24 the following:

25 (1) A well drilled to produce oil.

26 (2) A well drilled to produce natural gas from
27 formations other than shale formations.

28 (3) A well drilled to produce natural gas from shale
29 formations located above the base of the Elk Group or its
30 stratigraphic equivalent.

1 (4) A well drilled to produce natural gas from shale
2 formations located below the base of the Elk Group where
3 natural gas can be produced at economic flow rates or in
4 economic volumes without the use of vertical or nonvertical
5 well bores stimulated by hydraulic fracture treatments or by
6 using multilateral well bores or other techniques to expose
7 more of the formation to the well bore.

8 (5) Irrespective of formation, a well drilled for
9 collateral purposes, such as monitoring, geologic logging,
10 secondary and tertiary recovery or disposal injection.

11 "Unconventional formation." A geological shale formation
12 existing below the base of the Elk Sandstone or its geologic
13 stratigraphic equivalent where natural gas generally cannot be
14 produced at economic flow rates or in economical volumes except
15 by vertical or horizontal well bores stimulated by hydraulic
16 fracture treatments or by using multilateral well bores or other
17 techniques to expose more of the formation to the well bore.

18 "Unconventional gas well." A bore hole drilled for the
19 purpose of producing gas from an unconventional formation.

20 Section 4. Oil and gas well regulations.

21 (a) General rule.--Regulations promulgated by the
22 Environmental Quality Board under 58 Pa.C.S. (relating to oil
23 and gas) or other laws of this Commonwealth relating to
24 conventional oil and gas wells or unconventional gas wells shall
25 differentiate between conventional oil and gas wells and
26 unconventional gas wells.

27 (b) Codification.--Regulations under subsection (a) that
28 apply to conventional oil and gas wells shall be separate from
29 regulations that apply to unconventional gas wells.

30 Section 5. Applicability.

1 This act shall apply to regulations promulgated on or after
2 the effective date of this section.
3 Section 6. Effective date.
4 This act shall take effect immediately.