
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 347 Session of
2015

INTRODUCED BY YUDICHAK, TEPLITZ, TARTAGLIONE, FONTANA, HUGHES
AND COSTA, JANUARY 28, 2015

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 28, 2015

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated
2 Statutes, in development, further providing for protection of
3 water supplies, for transportation records regarding
4 wastewater fluids, for inspection and production of
5 materials, witnesses, depositions and rights of entry and for
6 inspection reports.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 3218(b) and (b.4), 3218.3, 3258(a.1) and
10 3262 of Title 58 of the Pennsylvania Consolidated Statutes are
11 amended to read:

12 § 3218. Protection of water supplies.

13 * * *

14 (b) Pollution or diminution of water supply.--

15 (1) A landowner or water purveyor suffering pollution or
16 diminution of a water supply as a result of the drilling,
17 alteration or operation of an oil or gas well may so notify
18 the department and request that an investigation be
19 conducted.

20 (2) Within ten days of notification, the department

1 shall investigate the claim and make a determination within
2 45 days following notification or, in the event that
3 migration of natural gas is involved, within 90 days
4 following notification.

5 (3) If the department finds that the pollution or
6 diminution was caused by drilling, alteration or operation
7 activities or if it presumes the well operator responsible
8 for pollution under subsection (c), the department shall
9 issue orders to the well operator necessary to assure
10 compliance with subsection (a), including orders requiring
11 temporary replacement of a water supply where it is
12 determined that pollution or diminution may be of limited
13 duration.

14 * * *

15 (b.4) Website.--The department shall publish, on its
16 Internet website[, lists]:

17 (1) Lists of confirmed cases of subterranean water
18 supply contamination that result from hydraulic fracturing.

19 (2) Lists of probable cases of subterranean water supply
20 contamination that are supported by credible evidence.

21 * * *

22 § 3218.3. Transportation records regarding wastewater fluids
23 and drill cuttings.

24 (a) Requirements.--A well operator of an unconventional well
25 that generates or transports wastewater fluids or drill cuttings
26 and a person or company that transports wastewater fluids or
27 drill cuttings from an unconventional well shall do all of the
28 following:

29 (1) Maintain records for five years, in accordance with
30 regulations under subsection (b) and on a form approved by

1 the department, of the amount and destination of the fluids
2 and drill cuttings transported.

3 (2) Make the records under paragraph (1) available to
4 the department upon request.

5 (b) Recordkeeping.--Recordkeeping requirements shall be
6 determined by the department and shall include the following:

7 (1) The number of gallons of wastewater fluids produced
8 and the tons of drill cuttings generated in the drilling,
9 stimulation or alteration of a well.

10 (2) Upon completion of the well, the name of the person
11 or company that transported the wastewater fluids and drill
12 cuttings to a disposal site or to a location other than the
13 well site.

14 (3) Each location where wastewater fluids were disposed
15 of or transported and the volumes that were disposed of at
16 the location other than the well site.

17 (3.1) Each location where drill cuttings were disposed
18 of or transported and the volumes that were disposed of at
19 the location other than the well site.

20 (4) The method of disposal or treatment.

21 § 3258. Inspection and production of materials, witnesses,
22 depositions and rights of entry.

23 * * *

24 (a.1) [Preoperation inspections] Inspections.--

25 (1) The operator may not commence drilling activities
26 until the department has conducted an inspection of the
27 unconventional well site after the installation of erosion
28 and sediment control measures.

29 (2) The department shall inspect each unconventional
30 well site at least once every year after the well is in

1 production.

2 (3) The department may conduct follow-up inspections of
3 well sites and related activities to determine compliance
4 with this chapter.

5 * * *

6 § 3262. Inspection reports.

7 The department shall post inspection reports on its publicly
8 accessible Internet website. The inspection reports shall
9 include:

10 (1) The nature and description of violations.

11 (2) The operator's written response to the violation, if
12 available.

13 (3) The status of the violation.

14 (4) The remedial steps taken by the operator or the
15 department to address the violation.

16 (5) The written comments of the inspector that are
17 related to the well site.

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