

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1555 Session of  
2012

INTRODUCED BY KASUNIC, BOSCOLA, BREWSTER, COSTA, FARNESE, FERLO,  
FONTANA, HUGHES, MCILHINNEY, RAFFERTY, SCHWANK, TARTAGLIONE,  
WAUGH, D. WHITE AND YUDICHAK, JUNE 12, 2012

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JUNE 12, 2012

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated  
2 Statutes, in development, further providing for enforcement  
3 orders.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 3253(c) of Title 58 of the Pennsylvania  
7 Consolidated Statutes, added February 14, 2012 (P.L.87, No.13),  
8 is amended to read:

9 § 3253. Enforcement orders.

10 \* \* \*

11 (c) Written notice.--

12 (1) Prior to suspension or revocation of a well permit  
13 or registration, the department shall serve written notice on  
14 the well operator or its agent, stating specifically the  
15 statutory provision, regulation or other reason relied upon,  
16 along with factual circumstances surrounding the alleged  
17 violation. If the department suspends or revokes the permit  
18 or registration, the department may order the operator to cap

1 the well if the likely result of the violation is an unsafe  
2 operation or environmental damage.

3 (2) If both of the following apply:

4 (i) the department issues an enforcement order for a  
5 continuing violation of any of the following:

6 (A) this chapter;

7 (B) the Clean Streams Law;

8 (C) the Solid Waste Management Act; or

9 (D) any other statute administered by the  
10 department;

11 and

12 (ii) the likely result of the violation is an unsafe  
13 operation or environmental damage,

14 then the department shall provide a copy of the enforcement  
15 order and written notice to the surface owner, if the surface  
16 is owned by a person other than the well operator, and all  
17 surface users. The notice shall specifically state the  
18 statutory provision, regulation or other reason relied upon  
19 and the factual circumstances surrounding the violation which  
20 serve as the basis for the enforcement order.

21 \* \* \*

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