

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL****No. 297** Session of  
2009

INTRODUCED BY YAW, BAKER, PILEGGI, RAFFERTY, WONDERLING, BROWNE,  
COSTA, O'PAKE, ALLOWAY, VANCE, EARLL, SMUCKER, FERLO AND  
BRUBAKER, FEBRUARY 24, 2009

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JANUARY 26, 2010

## 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 well reporting requirements.

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

20 Section 1. Section 212 of the act of December 19, 1984 (P.L.  
21 1140, No.223), known as the Oil and Gas Act, amended July 2,  
22 1992 (P.L.365, No.78), is amended to read:

23 Section 212. Well reporting requirements.

24 (a) [Every] Except as provided in subsection (a.1), every

1 well operator shall file with the department, on a form provided  
2 by the department, an annual report specifying the amount of  
3 production on the most well-specific basis available. Annual  
4 reports shall also specify the status of each well; however, in  
5 subsequent years, only changes in the status need be reported.  
6 The [department shall keep all such reports confidential for  
7 five years: Provided, however, That the] Commonwealth shall have  
8 the right to utilize such information in enforcement  
9 proceedings, in making designations or determinations under  
10 section 1927-A of the act of April 9, 1929 (P.L.177, No.175),  
11 known as The Administrative Code of 1929, or in aggregate form  
12 for statistical purposes.

13 (a.1) Every operator of a well which produces gas from the  
14 Marcellus Shale formation shall file with the department, on a  
15 form provided by the department, a semi-annual report specifying  
16 the amount of production on the most well-specific basis  
17 available. THE INITIAL REPORT REQUIRED UNDER THIS SUBSECTION ←  
18 SHALL BE FILED WITH THE DEPARTMENT ON OR BEFORE AUGUST 15, 2010,  
19 AND SHALL INCLUDE PRODUCTION DATA FROM THE PRECEDING CALENDAR  
20 YEAR. INITIAL REPORTS SHALL ALSO SPECIFY THE STATUS OF EACH  
21 WELL; HOWEVER, IN SUBSEQUENT REPORTS, ONLY CHANGES IN THE STATUS  
22 MUST BE REPORTED. SUBSEQUENT SEMI-ANNUAL REPORTS SHALL BE FILED  
23 WITH THE DEPARTMENT ON OR BEFORE FEBRUARY 15 AND AUGUST 15 OF  
24 EACH YEAR AND SHALL INCLUDE PRODUCTION DATA FROM THE PRECEDING  
25 REPORTING PERIOD. The Commonwealth shall have the right to  
26 utilize such information in enforcement proceedings, in making  
27 designations or determinations under section 1927-A of the act  
28 of April 9, 1929 (P.L.177, No.175), known as The Administrative  
29 Code of 1929, or in aggregate form for statistical purposes. The ←  
30 BEGINNING NOVEMBER 1, 2010, THE department shall make the ←

1 reports available on its publicly accessible Internet website.  
2 Any costs incurred by the department to comply with the  
3 requirements of this subsection shall be paid out of the fees  
4 collected under section 201(d).

5 (b) It shall be the duty of the well operator to keep  
6 records of any well drilled or altered. A record of the well  
7 containing such information as required by regulation shall be  
8 filed with the department within 30 days of cessation of  
9 drilling. A completion report containing such additional  
10 information as required by regulation shall be filed with the  
11 department within 30 days after the completion of the well and  
12 it shall be kept on file by the department. Within 90 days after  
13 the completion of drilling or recompletion of a well, if  
14 requested by the department, the well operator shall submit a  
15 copy of the electrical, radioactive or other standard industry  
16 logs if they have been run. In addition, if requested by the  
17 department within one year, the well operator shall file a copy  
18 of drill stem test charts, formation water analysis, porosity,  
19 permeability or fluid saturation measurements, core analysis and  
20 lithologic log or sample description or other similar data as  
21 compiled. No such information shall be required unless the well  
22 operator has had such information compiled in the ordinary  
23 course of business. No interpretation of the data is to be  
24 filed.

25 (c) Upon notification by the department prior to  
26 commencement of drilling, the well operator shall collect for  
27 the department additional data as the department shall specify,  
28 such as representative drill cuttings and samples from cores  
29 taken and any other such geological information that the  
30 operator reasonably can compile. No interpretation of the data

1 is to be filed.

2 (d) All electrical, radioactive or other standard industry  
3 logs, drill stem test charts, formation water analyses,  
4 porosity, permeability or fluid saturation measurements, core  
5 analysis and lithologic logs or sample description or other  
6 similar data as compiled, required under subsection (b) or drill  
7 cuttings required under subsection (c) shall be retained by the  
8 well operator and shall be filed with the department three years  
9 after completion of the well. Upon request of the well operator,  
10 the department shall extend the date for the filing of the data,  
11 but the extension shall not exceed five years from the date of  
12 completion of the well: Provided, however, That the department  
13 shall have the right to utilize such information in enforcement  
14 proceedings, in making designations or determinations under  
15 section 1927-A of the act of April 9, 1929 (P.L.177, No.175),  
16 known as The Administrative Code of 1929, or in aggregate form  
17 for statistical purposes.

18 Section 2. This act shall take effect ~~immediately~~ IN 60  
19 DAYS. ←