

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2700 Session of 2012

INTRODUCED BY MARSHALL, GEORGE, DeLUCA, DENLINGER, NEILSON,
SCHMOTZER AND SWANGER, OCTOBER 17, 2012

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
OCTOBER 17, 2012

AN ACT

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

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

6 Section 1. Section 3215(a) and (b) of Title 58 of the
7 Pennsylvania Consolidated Statutes, added February 14, 2012
8 (P.L.87, No.13), are amended to read:

9 § 3215. Well location restrictions.

10 (a) [General rule] Proximity and variance.--

11 (1) Wells may not be drilled within 200 feet, or, in the
12 case of an unconventional gas well, 500 feet, measured
13 horizontally from the vertical well bore to a building or
14 water well, existing when the copy of the plat is mailed as
15 required by section 3211(b) (relating to well permits)
16 without written consent of the owner of the building or water
17 well.

18 (2) Unconventional gas wells may not be drilled within

1 1,000 feet measured horizontally from the vertical well bore
2 to any existing water well, surface water intake, reservoir
3 or other water supply extraction point used by a water
4 purveyor without the written consent of the water purveyor.

5 (3) If consent required under paragraph (2) is not
6 obtained and the distance restriction would deprive the
7 owner of the oil and gas rights of the right to produce or
8 share in the oil or gas underlying the surface tract, the
9 well operator [shall] may be granted a variance from the
10 distance restriction upon submission of a plan identifying
11 the additional measures, facilities or practices as
12 prescribed by the department to be employed during well site
13 construction, drilling and operations.

14 (4) The variance shall include additional terms and
15 conditions required by the department to ensure safety and
16 protection of affected persons and property, including
17 insurance, bonding, indemnification and technical
18 requirements.

19 (5) Notwithstanding section 3211(e), if a variance
20 request has been submitted, the department may extend its
21 permit review period for up to 15 days upon notification to
22 the applicant of the reasons for the extension.

23 (b) Limitation.--

24 (1) No well site may be prepared or well drilled within
25 100 feet or, in the case of an unconventional well, 300 feet
26 from the vertical well bore or 100 feet from the edge of the
27 well site, whichever is greater, measured horizontally from
28 any solid blue lined stream, spring or body of water as
29 identified on the most current 7 1/2 minute topographic
30 quadrangle map of the United States Geological Survey.

1 (2) The edge of the disturbed area associated with any
2 unconventional well site must maintain a 100-foot setback
3 from the edge of any solid blue lined stream, spring or body
4 of water as identified on the most current 7 1/2 minute
5 topographic quadrangle map of the United States Geological
6 Survey.

7 (3) No unconventional well may be drilled within 300
8 feet of any wetlands greater than one acre in size, and the
9 edge of the disturbed area of any well site must maintain a
10 100-foot setback from the boundary of the wetlands.

11 (4) The department [shall] may waive the distance
12 restrictions upon submission of a plan identifying additional
13 measures, facilities or practices to be employed during well
14 site construction, drilling and operations necessary to
15 protect the waters of this Commonwealth. The waiver, if
16 granted, shall include additional terms and conditions
17 required by the department necessary to protect the waters of
18 this Commonwealth. Notwithstanding section 3211(e), if a
19 waiver request has been submitted, the department may extend
20 its permit review period for up to 15 days upon notification
21 to the applicant of the reasons for the extension.

22 * * *

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