

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 801 Session of
2013

INTRODUCED BY MUNDY, CALTAGIRONE, D. COSTA, V. BROWN, McGEEHAN,
COHEN, CARROLL, SANTARSIERO, MCCARTER, HAGGERTY, ROZZI,
VITALI, FRANKEL, O'BRIEN, MOLCHANY, FREEMAN, MULLERY, MURT
AND FABRIZIO, FEBRUARY 25, 2013

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 25, 2013

AN ACT

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

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

6 Section 1. Section 3203 of Title 58 of the Pennsylvania
7 Consolidated Statutes is amended by adding definitions to read:
8 § 3203. Definitions.

9 The following words and phrases when used in this chapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Drill cuttings." Rock cuttings and related mineral residues
14 generated during the drilling of an oil or gas well.

15 * * *

16 "Flowback." The return flow of water and formation fluids
17 recovered from the well bore of an unconventional well:

1 (1) following the release of pressures induced as part
2 of the hydraulic fracture stimulation of a target geologic
3 formation; and

4 (2) until the well is placed into production.

5 * * *

6 "Production brine." Water or formation fluids recovered at
7 the wellhead of a producing unconventional well as a by-product
8 of the production activity.

9 * * *

10 "Waste." Any of the following:

11 (1) Drilling mud.

12 (2) Flowback.

13 (3) Production brine.

14 (4) Drill cuttings.

15 (5) Any other drilling by-product generated at the well
16 site.

17 * * *

18 Section 2. Section 3222 of Title 58 is amended by adding
19 subsections to read:

20 § 3222. Well reporting requirements.

21 * * *

22 (b.3) Waste reporting.--Each operator of an unconventional
23 well shall:

24 (1) Maintain a record of the amount of each type of
25 waste generated at the well site, each facility that accepted
26 waste for disposal, treatment or reuse and the amount of each
27 type of waste accepted by each facility.

28 (2) File with the department, on a form provided by the
29 department, a semiannual report specifying, on the most
30 well-specific basis possible, the information required under

1 paragraph (1). The report shall be published on the
2 department's publicly accessible Internet website.

3 (b.4) Right-to-Know Law.--Waste shall not be considered to
4 be a trade secret or confidential proprietary information for
5 purposes of section 708 of the act of February 14, 2008 (P.L.6,
6 No.3), known as the Right-to-Know Law.

7 * * *

8 Section 3. This act shall take effect in 60 days.