

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1542 Session of  
2013

INTRODUCED BY WHITE, PASHINSKI, FREEMAN, MUNDY, SABATINA,  
McGEEHAN, V. BROWN, HARHAI, PAINTER, O'BRIEN AND QUINN,  
JUNE 17, 2013

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
JUNE 17, 2013

AN ACT

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

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 "Closed containment system." A drilling system which  
14 consists of closed noncorrosive tanks or containers in which  
15 produced fluids, freshwater, treated water or industrial wastes  
16 are stored or contained during or after hydraulic fracturing in  
17 operations.

1 "Closed-loop system." A drilling system comprised of a  
2 series of interconnected, noncorrosive storage tanks or  
3 containers which separate liquids, such as produced fluids,  
4 freshwater, treated water or industrial wastes from solids,  
5 minimizing the amount of drilling waste and drill cuttings that  
6 require disposal, while maximizing the amount of drilling fluid  
7 which can be recycled and reused during hydraulic fracturing  
8 operations.

9 \* \* \*

10 "Noncorrosive tank or container." An impermeable,  
11 noncorrosive tank or container.

12 \* \* \*

13 "Open water impoundment." An open pit, pond, lake, lagoon or  
14 trench used for the containment of produced fluids, freshwater,  
15 treated water or industrial wastes which are used in or produced  
16 during hydraulic fracturing operations.

17 \* \* \*

18 Section 2. Section 3211(m) of Title 58 is amended by adding  
19 a paragraph to read:

20 § 3211. Well permits.

21 \* \* \*

22 (m) Water management.--The following shall apply to water  
23 management:

24 \* \* \*

25 (5) The use of open water impoundments is prohibited.  
26 The department may permit the use of a closed containment  
27 system or a closed-loop system.

28 Section 3. Section 3216(c) and (g)(2) of Title 58 are  
29 amended to read:

30 § 3216. Well site restoration.

1       \* \* \*

2       (c) Pits, drilling supplies and equipment.--Within nine  
3 months after completion of drilling of a well, the owner or  
4 operator shall restore the well site, remove [or fill all pits]  
5 all tanks or containers used to contain produced fluids,  
6 freshwater, treated water or industrial wastes, which are used  
7 in or produced during hydraulic fracturing operations, and  
8 remove all drilling supplies and equipment not needed for  
9 production. Drilling supplies and equipment not needed for  
10 production may be stored on the well site if express written  
11 consent of the surface landowner is obtained.

12       \* \* \*

13       (g) Extension.--

14               \* \* \*

15               (2) The demonstration under paragraph (1) shall do all  
16 of the following:

17                       (i) Include a site restoration plan that shall  
18 provide for:

19                               (A) the timely removal [or fill of all pits] of  
20 all tanks or containers used to contain produced  
21 fluids, freshwater, treated water or industrial  
22 wastes, which are used in or produced during  
23 hydraulic fracturing operations;

24                               (B) the removal of all drilling supplies and  
25 equipment not needed for production;

26                               (C) the stabilization of the well site that  
27 shall include interim postconstruction storm water  
28 management best management practices; or

29                               (D) other measures to be employed to minimize  
30 accelerated erosion and sedimentation in accordance

1           with The Clean Streams Law.

2           (ii) Provide for returning the portions of the site  
3 not occupied by production facilities or equipment to  
4 approximate original contours and making them capable of  
5 supporting the uses that existed prior to drilling the  
6 well.

7           \* \* \*

8       Section 4. This act shall take effect in 60 days.