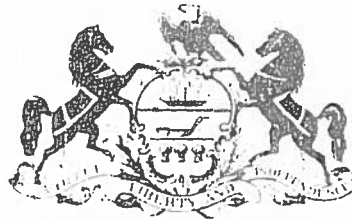


**KAREN BOBACK, MEMBER
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March 29, 2011

MEMORANDUM

SUBJECT: Co-sponsorship of Legislation -- Drinking Water Source Legislation
(Marcellus Shale)

TO: All House Members

FROM: Representative Karen Boback
Room 141-B, East Wing

In the near future, I plan to introduce legislation which amends the Pennsylvania Oil and Gas Act. Recent events such as the natural gas well incident in Clearfield County point to the inherent environmental challenges associated with the development of the Marcellus Shale natural gas resource. While I believe that the development of the Marcellus Shale formation can be an important economic engine for this Commonwealth, the environment, and especially drinking water supplies must be securely protected. It is with this goal in mind that I am offering this legislation. Specifically, the legislation that I am proposing will address the following items:

- Require that a permit application must contain names of all surface landowners with water supplies within 5,500 feet of a proposed well.
- Require the applicant (well operator) to forward a copy of the plat plan to surface landowners whose water supplies are within 5,500 feet of the proposed well.
- Add a provision stipulating that a permit application must be accompanied by information on:
 - (1) the zone of influence on groundwater;
 - (2) an analysis of the travel time of a release to the nearest waterway; and
 - (3) the inclusion of an emergency contingency plan.

Cosponsorship Memorandum

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- Require the Department of Environmental Protection (DEP) to notify, all public drinking water operators within the watershed that a well permit has been submitted within 10 days of its receipt. In addition, within 25 days, the department would be required to convene a meeting between the well operator, the department, and the public water supply operator to review the permit application.
- Require DEP to publish a notice in the PA Bulletin if it believes that a proposed well site will have the potential to affect a public water supply. The notice shall provide for a 30-day public comment period.
- Require that no well site may be drilled, using hydraulic fracking or horizontal drilling within 3,000 feet of a reservoir that serves as a water source for a community water system, or within 3,000 feet of any lake that lies within the corporate boundaries of any borough or second class township within this Commonwealth. Further, this legislation would prohibit horizontal drilling to occur under a reservoir or lake that is used as a public drinking water source or a lake within the boundaries of a borough or second class township within this Commonwealth.
- Increase the distance a well may be located from the nearest building and any watercourse to 1,000 feet.

I believe this legislation provides for extra levels of environmental protection which is vitally important if Pennsylvanians are to continue to enjoy the natural beauty of this Commonwealth. If you are interested in joining me in co-sponsoring this legislation, please contact or email Brenda Zablotzky at (717) 787-1117 or bzablots@pahousegop.com. Thank you for your interest and support.

KB:brz