

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 402

Session of
1983

INTRODUCED BY WILT, LINCOLN, KUSSE, RHOADES, ROMANELLI, EARLY,
HOPPER, MELLOW, BRIGHTBILL, LYNCH, STAPLETON, ANDREZESKI,
STOUT, PECORA AND KELLEY, FEBRUARY 24, 1983

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 24, 1983

AN ACT

1 Relating to the development of oil and gas and coal; imposing
2 duties and powers on the Department of Environmental
3 Resources; imposing notification requirements to protect
4 landowners; and providing for definitions, for various
5 requirements to regulate the drilling and operation of oil
6 and gas wells, for gas storage reservoirs, for various
7 reporting requirements, including certain requirements
8 concerning the operation of coal mines, for well permits, for
9 distance requirements, for well casing requirements, for
10 safety device requirements, for storage reservoir
11 obligations, for well bonding requirements, for a Well
12 Plugging Restricted Revenue Fund to enforce oil and gas well
13 plugging requirements, for the creation of an Oil and Gas
14 Technical Advisory Board, for oil and gas well inspections,
15 for enforcement and for penalties.

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

20 CHAPTER 1

21 PRELIMINARY PROVISIONS

22 Section 101. Short title.

23 This act shall be known and may be cited as the Oil and Gas
24 Act.

25 Section 102. Declaration of purpose.

26 The purposes of this act are to:

27 (1) Permit the optimal development of the oil and gas
28 resources of Pennsylvania consistent with the protection of
29 the health, safety, environment and property of the citizens
30 of the Commonwealth.

1 (2) Protect the safety of personnel and facilities
2 employed in the exploration, development, storage and
3 production of natural gas, oil or the mining of coal.

4 (3) Protect the safety and property rights of persons
5 residing in areas where such exploration, development,
6 storage or production occurs.

7 (4) Protect the natural resources, environmental rights
8 and values secured by the Pennsylvania Constitution.

9 Section 103. Definitions.

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

13 "Abandoned well." Any well that has not been used to
14 produce, extract or inject any gas, petroleum or other liquid
15 within the preceding 12 months, or any well for which the
16 equipment necessary for production, extraction or injection has
17 been removed, except that it shall not include any well granted
18 inactive status.

19 "Alteration." Any operation which changes the physical
20 characteristics of the well bore, including stimulation or
21 removing, repairing or changing the casing. The term shall not
22 include repairing of casing or replacing of casing with casing
23 of the same size and length in noncoal areas, nor shall it
24 include stimulation as a normal initial completion procedure.

25 "Board." The Oil and Gas Technical Advisory Board.

26 "Bridge." An obstruction placed in a well at any specified
27 depth.

28 "Building." An occupied structure with walls and roof within
29 which persons live or work.

30 "Casing." A string or strings of pipe commonly placed in

1 wells drilled for natural gas or petroleum.

2 "Cement" or "cement grout." Hydraulic cement properly mixed
3 with water only or any mixture of materials adequate for bonding
4 or sealing of well bores as approved by regulations promulgated
5 hereunder.

6 "Coal mine." Those operations in a coal seam which include
7 the excavated and abandoned portions as well as the places
8 actually being worked, also all underground workings and shafts,
9 slopes, tunnels and other ways and openings and all such shafts,
10 slopes, tunnels and other openings in the course of being sunk
11 or driven, together with all roads and facilities connected with
12 them below the surface.

13 "Coal operator." Any person as herein defined who proposes
14 to or does operate a coal mine either as owner or lessee.

15 "Completion of a well." The date after treatment, if any,
16 that the well is properly equipped for production of oil or gas,
17 or if the well is dry, the date the well is abandoned.

18 "Department." The Department of Environmental Resources.

19 "Drilling." The drilling or redrilling of any well or the
20 deepening of any existing well.

21 "Fresh ground water." Water in that portion of the generally
22 recognized hydrologic cycle which occupies the pore spaces and
23 fractures of saturated subsurface materials.

24 "Gas." Any fluid, either combustible or noncombustible,
25 which is produced in a natural state from the earth and which
26 maintains a gaseous or rarified state at standard temperature of
27 60 degrees Fahrenheit and pressure 14.7 PSIA, any manufactured
28 gas, any by-product gas or any mixture of gases.

29 "Inactivate." To shut off all flow of gas from a well by
30 means of a temporary plug or other suitable device or by

1 injecting bentonitic mud or other such equally nonporous
2 material into the well.

3 "Linear foot." A unit or measurement in a straight line on a
4 horizontal plane.

5 "Oil" or "petroleum." Hydrocarbons in liquid form at
6 standard temperature of 60 degrees Fahrenheit and pressure 14.7
7 PSIA.

8 "Operating coal mine."

9 (1) An underground coal mine which is producing coal or
10 has been in production of coal at any time during the 12
11 months immediately preceding the date its status is put in
12 question under this act and any worked-out or abandoned coal
13 mine connected underground with or contiguous to such
14 operating coal mine as herein defined.

15 (2) Any underground coal mine to be established or
16 reestablished as an operating coal mine in the future
17 pursuant to this act.

18 "Operating well." Any well not plugged and abandoned.

19 "Outside coal boundaries." When used in conjunction with the
20 term "operating coal mine," means the boundaries of the coal
21 acreage assigned to such coal mine and which can be practicably
22 and reasonably expected to be mined through such coal mine.

23 "Owner." Any person who owns, manages, leases, controls or
24 possesses any well or coal property, except that for purposes of
25 section 210, the term "owner" shall not include those owners or
26 possessors of surface real property who did not participate or
27 incur costs in the drilling or extraction operation of the
28 abandoned well, had no right of control over the drilling or
29 extraction operation of the abandoned well and had no right of
30 possession over the oil or gas extracted from the abandoned

1 well.

2 "Pillar." A solid block of coal surrounded by either active
3 mine workings or a mined-out area.

4 "Plat." A map, drawing or print accurately drawn to scale
5 showing the proposed or existing location of a well or wells as
6 herein defined.

7 "Person." Any individual, association, partnership,
8 corporation, political subdivision or agency of the State or
9 Federal government.

10 "Reservoir protective area." All of that area outside of and
11 surrounding the storage reservoir boundary but within 2,000
12 linear feet thereof.

13 "Retreat mining." The removal of such coal pillars, ribs and
14 stumps as remain after the development mining has been completed
15 in that section of a coal mine.

16 "Storage operator." Any person who proposes to or does
17 operate a storage reservoir either as owner or lessee.

18 "Storage reservoir." That portion of any subterranean sand
19 or rock stratum or strata into which gas is or may be injected
20 for the purpose of storage or for the purpose of testing whether
21 said stratum is suitable for storage.

22 "Well." A bore hole drilled or being drilled for the purpose
23 of or to be used for producing, extracting or injecting any gas,
24 petroleum or other liquid related to oil or gas production or
25 storage, including brine disposal, but excluding bore holes
26 drilled to produce potable water to be used as such.

27 "Well operator." Any person who locates, drills, operates,
28 plugs or reconditions any well with the purpose of commercial
29 production therefrom. In cases where a well is used in
30 connection with the underground storage of gas, the term also

1 means a "storage operator."

2 "Wetland." Those areas of greater than one acre in size that
3 are inundated or saturated by surface or groundwater at a
4 frequency and duration sufficient to support and that under
5 normal circumstances do support a prevalence of vegetation
6 typically adapted for life in saturated soil conditions,
7 including swamps, marshes, bogs and similar areas.

8 "Workable coal seams."

9 (1) A coal seam in fact being mined in the area in
10 question under this act by underground methods.

11 (2) A coal seam, which in the judgment of the
12 department, can be and that is reasonable to be expected,
13 will be mined by underground methods.

14 CHAPTER 2

15 GENERAL REQUIREMENTS

16 Section 201. Well permits.

17 (a) No person shall drill a well or alter any existing well,
18 except for alterations which satisfy the requirements of
19 subsection (k), without having first obtained a well permit
20 pursuant to subsections (b), (c), (d) and (e). Any person
21 operating an unpermitted well drilled prior to the effective
22 date of this act shall have one year from that date to obtain a
23 permit pursuant to subsection (j).

24 (b) The permit application shall be accompanied by a plat
25 prepared by a competent engineer or a competent surveyor, on
26 forms to be furnished by the department, showing the political
27 subdivision and county in which the tract of land upon which the
28 well to be drilled is located, the name of the surface landowner
29 and lessor, the name of the owner or operator of all known
30 underlying workable coal seams, if any, the acreage in the tract

1 to be drilled, the proposed location of the well determined by
2 survey, the courses and distances of such location from two or
3 more permanent points or landmarks on said tract, the proposed
4 angle and direction of such well, if the well is to be deviated
5 substantially from a vertical course, the number or other
6 identification to be given the well, the workable coal seams, if
7 any, underlying the tract of land upon which the well is to be
8 drilled or altered which are to be cased off in accordance with
9 section 207 and such information needed by the department to
10 administer this act. The department shall forward, by certified
11 mail, a copy of said plat to the surface landowner and the owner
12 and lessee, if any, of such coal and every coal operator as they
13 are identified on the well permit application. In the event
14 there are multiple surface owners, notification shall be
15 accomplished under this section by sending notice to the persons
16 to whom the tax notices for said surface property are sent, as
17 indicated in the assessment books in the county in which the
18 property is located. If the applicant submits to the department
19 written approval of the proposed well location by the surface
20 landowner and the coal operator, lessee or owner, if any, of the
21 coal underlying the proposed well location and no objections are
22 raised by the department within 15 days of filing or if no such
23 approval has been submitted and no objections are made to such
24 proposed well location within 15 days from receipt of such
25 notice by the surface landowner and the coal operator, lessee or
26 owner, if any, or by the department, the same shall be filed and
27 become a permanent record of such location, subject to
28 inspection at any time by any interested person.

29 (c) If the applicant for a well permit is a corporation,
30 partnership or a person nonresident of the Commonwealth, then

1 there shall be designated the name and address of an agent for
2 such operator who shall be the attorney in fact for the operator
3 and who shall be a resident of the Commonwealth upon whom
4 notices, orders or other communications issued pursuant to this
5 act or the regulations adopted hereunder may be served and upon
6 whom process may be served. Every well operator required to
7 designate an agent under this section shall within five days
8 after the termination of such designation notify the department
9 of such termination and designate a new agent.

10 (d) Every application for a well permit shall be accompanied
11 by a permit fee established by regulation of the department
12 which bears a reasonable relationship to the cost of
13 administering this act: Provided, however, That the permit fee
14 shall be \$75 for two years immediately following the effective
15 date of this act.

16 (e) The department shall make a determination on a permit
17 application within 45 days of its submission; however, the
18 department shall have the right to extend such period for causes
19 upon notification to the applicant of the reasons for that
20 extension. The department may impose such permit terms and
21 conditions as are necessary to assure compliance with this act
22 and other laws administered by the department. The department
23 shall have the right to deny a permit to any person for the
24 following reasons:

25 (1) the well site for which a permit is requested is in
26 violation of any of the provisions of this act, or if
27 issuance of such permit would result in a violation of this
28 act or any other applicable environmental statute, rule or
29 regulation;

30 (2) the permit application is incomplete;

1 (3) unresolved objections to the well location by coal
2 mine owner or operator remain;

3 (4) there is no bond on file with the department for the
4 well; or

5 (5) the applicant, with respect to any other well or
6 wells which the applicant operates, is in continuing
7 violation of this act or any other applicable statute
8 administered by the department. The right of the department
9 to deny a permit under this paragraph shall not be effective
10 until a final administrative determination has been made of
11 any of these violations and no appeal is pending in which a
12 stay has been granted.

13 (f) Upon issuance of a permit, the well operator may proceed
14 with the drilling of the well at the exact location shown on the
15 plat after providing the department and the surface landowner
16 reasonable notice of the date that drilling will commence. In
17 noncoal areas where more than one well is to be drilled as part
18 of the same development project, only the first well of the
19 project need be located by survey. The remaining wells of the
20 project shall be shown on the plat in a manner prescribed by
21 regulation. Prior to drilling each of the additional project
22 wells, the well operator shall notify the department of his
23 intention and provide reasonable notice of the date drilling
24 will commence. Whenever, during the drilling of any well which
25 is not underlain by an operating coal mine, the well operator
26 shall encounter conditions of such a nature as to render
27 continued drilling the same bore hole more hazardous than usual,
28 or otherwise impossible, then the well operator shall have the
29 right, upon verbal notice to the appropriate department
30 representative, to plug such bore hole immediately and to

1 commence a new bore hole not more than 50 feet distant if the
2 location of the new bore hole does not violate section 205 and
3 if, for wells subject to the act of July 25, 1961 (P.L.825,
4 No.359), known as the Oil and Gas Conservation Law, the new
5 location complies with any existing law, regulation or spacing
6 order and if the new bore hole is a minimum of 330 feet distant
7 from the nearest lease boundary. Within ten days of commencement
8 of the new bore hole, the well operator shall file with the
9 department a written notice of intention to plug, a well record,
10 a completion report, a plugging certificate for the original
11 bore hole, and an amended plat for the new bore hole.

12 (g) A copy of the well permit shall be posted at the
13 drilling site, in a conspicuous manner, prior to commencement of
14 drilling.

15 (h) The well operator shall install the permit number issued
16 by the department in a legible, visible and permanent manner on
17 the well upon completion.

18 (i) Well permits issued for drilling of wells covered by
19 this act shall expire one year after issuance unless operations
20 for drilling the well are commenced within such period and
21 prosecuted with due diligence or unless the permit is renewed in
22 accordance with regulations of the department. If drilling is
23 commenced during the one-year period, the well permit shall
24 remain in force until the well is plugged in accordance with
25 section 210 or the permit is revoked. Any drilling permit issued
26 prior to the effective date of this act for a well which is an
27 operating well on said date shall remain in force as a well
28 permit until the well is plugged in accordance with section 210.
29 Nothing in this subsection shall be construed to rescind the
30 provisions pertaining to drilling permits contained in the Oil

1 and Gas Conservation Law.

2 (j) Any operating wells drilled prior to the effective date
3 of this act which have not received a drilling permit from the
4 department shall be entitled to receive a well permit from the
5 department upon the submission of a well permit application, on
6 forms prescribed in the department, which shall contain the
7 following information:

8 (1) the name and address of the well operator and, if
9 the well operator is a corporation, partnership or a person
10 nonresident of the Commonwealth, there shall be designated on
11 the well permit application the name and address on an agent
12 for such operator upon whom notices, orders, process or other
13 communications issued pursuant to this act may be served;

14 (2) the well name of such well and the location of the
15 well indicated by a point on a 7 1/2 minute United States
16 Geological Survey topographic map or any other location
17 description sufficient to enable the department to locate the
18 well on the ground;

19 (3) the approximate date of the drilling, completion of
20 said well and the approximate depth of said well, the
21 producing horizons, well construction information and
22 driller's logs, if available; and

23 (4) a permit fee of \$25 per well and an indemnity bond
24 satisfying the requirements of section 215.

25 The department may extend the one-year time period provided
26 in subsection (a) for compliance with the permitting
27 requirements of this act for previously unpermitted wells for
28 good cause shown. However, such extension shall not exceed a
29 period ending two years from the effective date of this act. The
30 department may adopt and promulgate guidelines designed to

1 insure a fair implementation of this subsection which recognizes
2 the practical difficulties of locating unpermitted wells and
3 complying with the reporting requirements of this act.

4 (k) The department may establish by regulation certain
5 categories of alterations of permitted wells for which the
6 permitting requirements of subsection (a) shall not apply. The
7 well operator or owner who proposes to conduct such alteration
8 activity shall first obtain a permit modification from the
9 department. Requirements for permit modification shall be as the
10 department shall require by regulation.

11 Section 202. Permit objections.

12 (a) In case any well location referred to in section 201(b)
13 is made so that the well, when drilled, will be located on a
14 tract whose surface is owned by a person other than the well
15 operator then the surface landowner affected shall be notified
16 of the intent to drill and have right to file objections, based
17 on the assertion that information in the application is untrue
18 in any material respect or that the well location violates
19 section 205, in accordance with section 501 to such proposed
20 location within 15 days of the receipt by the surface owner of
21 the plat provided for in section 201(b). If no such objections
22 are filed or none are raised by the department within 15 days
23 after receipt of the plat by the surface landowner, or if
24 written approval by the surface landowner is filed with the
25 department and no objections are raised by the department within
26 15 days of filing, the department shall process the permit
27 application.

28 (b) In case any well location referred to in section 201(b)
29 is made so that the well when drilled will penetrate anywhere
30 within the outside coal boundaries of any operating coal mine or

1 coal mine already projected and platted but not yet being
2 operated or within 1,000 linear feet beyond such boundaries and
3 the well when drilled or the pillar of coal about the well will,
4 in the opinion of the coal owner or operator, unduly interfere
5 with or endanger such mine, then the coal owner or operator
6 affected shall have the right to file objections in accordance
7 with section 501 to such proposed location within 15 days of the
8 receipt by the coal operator of the plat provided for in section
9 201(b). An alternative location at which the proposed well could
10 be drilled to overcome such objections shall, if possible, be
11 indicated. If no such objections to the proposed location are
12 filed or if none are raised by the department within 15 days
13 after receipt of the plat by the coal operator or owner, or if
14 written approval by the coal operator or owner of the location
15 is filed with the department and no objections are raised by the
16 department within 15 days of filing, the department shall process
17 the permit application.

18 (c) If any objections are filed by any coal operator or
19 owner or are made by the department, the department shall fix a
20 time and place for a conference in accordance with section 501
21 not more than ten days from the date of the service of such
22 objections on the well operator at which conference the well
23 operator and such coal operators or owners as are present or
24 represented shall consider the objections and attempt to agree
25 upon a location. If they fail to agree upon a location, the
26 department shall by an appropriate order, determine a location
27 on such tract of land as near to the original location as
28 possible where, in the judgment of the department, the well can
29 be safely drilled without unduly interfering with or endangering
30 such mine as defined in subsection (b). Such new location as

1 agreed upon by said parties or as determined by the department
2 shall be indicated on the plat on file with the department and
3 shall become a permanent record, whereupon the department shall
4 promptly process the permit application.

5 (d) Within 120 days after the commencement of drilling
6 operations, the coal operator shall accurately locate the well
7 by a closed survey on the same datum as the mine workings or
8 coal boundaries are mapped and file the results of the survey
9 with the department and forward, by certified mail, a copy to
10 the well operator.

11 Section 203. Permit suspension; revocation; cease and desist
12 orders.

13 (a) The department shall have the right to suspend the
14 permit for any well with respect to which the operator is in
15 violation of the act or other applicable laws, rules and
16 regulations of the department or of the conditions of the well
17 permit. Prior to any suspension of a permit, the department
18 shall give written notice to the well operator of its intended
19 action. Said well operator shall have 15 days to request a
20 conference with the department to give cause why such action
21 should not be taken. Upon receipt of such written notice, the
22 department shall hold a conference and shall, within ten days
23 thereafter, make a determination.

24 (b) The department shall have the authority and order
25 immediate cessation of operations or activities on any well or
26 well site from which arises a threat of imminent harm to person
27 or property of or pollution of waters of the Commonwealth.

28 (c) The department shall have the power to revoke a well
29 permit pursuant to this section for any operating well where the
30 well site is shown to be in continuing violation of this act,

1 the act of June 22, 1937 (P.L.1987, No.394), known as The Clean
2 Streams Law, the act of July 7, 1980 (P.L.380, No.97), known as
3 the Solid Waste Management Act, or other statutes administered
4 by the department and where the violation is caused by the
5 drilling, completion or continued operation of a well.

6 (d) Prior to the revocation of a well permit, the department
7 shall serve written notice upon the well operator or its agent
8 of the intention of the department to revoke said well permit
9 and shall state with specificity the statutory provisions,
10 appropriate rule or regulation or other reason and the factual
11 circumstances which surround the violation upon which the permit
12 revocation is to be based. Within 15 days of the receipt of such
13 written notice by the well operator or its agent, there shall be
14 scheduled a conference pursuant to this act unless the right to
15 such conference is waived by the well operator or its authorized
16 agent. Such conference shall be for the purpose of determining
17 the exact nature of the violation and to determine whether said
18 violation continues to exist. The department shall determine
19 within 15 days of the conclusion of such conference whether or
20 not the violation is continuing and upon a written finding that
21 the well site is in continuing violation, the department may
22 revoke the well permit for the well involved effective upon
23 receipt of written notice of same by the well operator or its
24 agent unless the well operator or its agent requests a hearing
25 before the Environmental Hearing Board within five days of the
26 receipt of such notice.

27 (e) Upon a finding by the department that the well permit
28 should be revoked, the well operator shall be entitled to a
29 hearing before the Environmental Hearing Board within 30 days of
30 the departmental finding for permit revocation. Upon a similar

1 finding by the Environmental Hearing Board that a continuing
2 violation of this act exists and that the well permit should be
3 revoked, the permit shall be revoked subject to any appeal in
4 which a stay has been granted.

5 (f) Nothing contained in this section shall affect or impair
6 the enforcement powers granted the department pursuant to this
7 act.

8 Section 204. Inactive status.

9 (a) Upon application, the department may grant inactive
10 status for any permitted well which satisfies the following
11 requirements:

12 (1) the condition of the well is sufficient to prevent
13 damage to the producing zone, migration of hydrocarbons or
14 water from one strata to another, contamination of fresh
15 water or other natural resources or surface leakage of any
16 substance;

17 (2) the well is temporarily plugged in a manner
18 prescribed by regulation which stops the vertical flow of
19 fluids or gas within the well bore and which is adequate to
20 protect freshwater aquifers;

21 (3) the applicant certifies that the well is of future
22 utility and presents a viable plan for utilizing the well
23 within a reasonable time; and

24 (4) the applicant satisfies such bonding requirements as
25 the department shall establish by regulation to ensure the
26 proper plugging of wells granted inactive status.

27 (b) The owner or operator of any well granted inactive
28 status shall be responsible for monitoring the mechanical
29 integrity of such well and shall report the same on an annual
30 basis to the department in a manner and form as the department

1 shall prescribe by regulation.

2 (c) Approval of inactive status under this section shall be
3 valid for a period of five years unless renewed pursuant to the
4 requirements of this section. The department shall have the
5 right to revoke such status and order the immediate plugging of
6 said well if it is in violation of this act or any other
7 statute, rule or regulation administered by the department or
8 upon receipt by the department of notice of bankruptcy
9 proceedings by the permittee.

10 Section 205. Well location restrictions.

11 (a) Wells may not be drilled within 200 feet measured
12 horizontally from any building or existing water well without
13 the written consent of the owner thereof. Where the distance
14 restriction would deprive the owner of the oil and gas rights of
15 the right to produce or share in the oil or gas from said
16 surface tract, the well operator may be granted a variance from
17 said distance restriction upon submission of a plan which shall
18 identify the additional measures, facilities or practices to be
19 employed during well site construction, drilling and operations.
20 The variance, if granted, shall include such additional terms
21 and conditions as the department shall require to insure the
22 safety and protection of affected persons and property. The
23 provisions may include insurance, bonding and indemnification,
24 as well as technical requirements.

25 (b) No well site may be prepared or well drilled within 100
26 feet measured horizontally from any stream, spring or body of
27 water as identified on the most current 7 1/2 minute topographic
28 quadrangle map of the United States Geological Survey or within
29 100 feet of any wetlands as defined herein. The department may
30 waive such distance restrictions upon submission of a plan which

1 shall identify the additional measures, facilities or practices
2 to be employed during well site construction, drilling and
3 operations. Such waiver, if granted, may impose such permit
4 conditions as are necessary to protect the waters of the
5 Commonwealth.

6 Section 206. Well site restoration.

7 (a) Each oil or gas well owner or operator shall restore the
8 land surface within the area disturbed in siting, drilling,
9 completing and producing the well.

10 (b) During and after all earthmoving or soil disturbing
11 activities, including but not limited to, the activities related
12 to siting, drilling, completing, producing and plugging the
13 well; erosion and sedimentation control measures shall be
14 implemented in accordance with an erosion and sedimentation
15 control plan prepared in accordance with the act of June 22,
16 1937 (P.L.1987, No.394), known as The Clean Streams Law.

17 (c) Within nine months after completion of drilling of any
18 well, the owner or operator shall restore the well site by
19 removing or filling all pits used to contain produced fluids or
20 industrial wastes and remove all drilling supplies and equipment
21 not needed for production. Drilling supplies and equipment not
22 needed for production may be stored on the well site if the
23 express written consent of the surface landowner is obtained.

24 (d) Within nine months after plugging a well, the owner or
25 operator shall remove all production or storage facilities,
26 supplies and equipment and restore the well site.

27 (e) Restoration activities required by this act or in
28 regulations promulgated hereunder shall also comply with all
29 applicable provisions of The Clean Streams Law.

30 (f) Failure to restore the well site as required in this act

1 or in regulations promulgated hereunder is a violation of this
2 act.

3 (g) The restoration period may be extended by the department
4 for an additional six months upon application of the well owner
5 or operator providing evidence of inability to comply due to
6 adverse weather conditions or lack of essential fuel, equipment
7 or labor.

8 Section 207. Casing requirements.

9 (a) To prevent the migration of gas or fluids into sources
10 of fresh ground water and to prevent intermingling of fresh
11 ground waters, there shall be run and permanently cemented a
12 string of casing in each well drilled through the fresh water
13 bearing strata in a manner prescribed by regulation by the
14 department.

15 (b) When a well is drilled at a location where the coal has
16 been removed from one or more coal seams, the well shall be
17 drilled and cased to prevent the migration of gas or fluids into
18 the seam from which the coal has been removed in a manner
19 prescribed by regulation of the department. The department and
20 the coal operator, owner or lessee shall be given at least 72
21 hours' notice prior to commencement of the work protecting the
22 mine.

23 (c) When a well is drilled at a location where the coal seam
24 has not been removed, the well shall be drilled to such a depth
25 and of size as will permit the placing of casing, packers in,
26 and vents on, the hole at such points and in such a manner
27 prescribed by the department by regulation as will exclude all
28 gas or fluids from the coal seam, except such as may be found
29 naturally in the coal seam itself and will enable the monitoring
30 of the integrity of the production casing.

1 Section 208. Protection of water supplies, rebuttable
2 presumption.

3 (a) Any well operator who affects a public or private water
4 supply by contamination or diminution shall restore or replace
5 the affected supply with an alternate source of water adequate
6 in quantity or quality for the purposes served by the supply.

7 (b) It shall be presumed, as a matter of law, that a well
8 operator is responsible, without proof of fault, negligence or
9 causation, for all pollution or diminution of public or private
10 water supplies within 1,000 feet of the perimeter of the well,
11 which occurred within six months after the completion of such
12 drilling or alteration activity but which did not exist prior to
13 the drilling or alteration of the well as determined by a
14 predrilling or prealteration survey. There shall be only four
15 defenses to the presumptions of liability provided herein. The
16 well operator must affirmatively prove by clear and convincing
17 evidence that:

18 (1) the landowner or water supply company refused to
19 allow the operator access to conduct a predrilling or
20 prealteration survey;

21 (2) the structure or water supply is not within the
22 relevant zone of presumed damage;

23 (3) the pollution or diminution existed prior to the
24 drilling or alteration as determined by a predrilling or
25 prealteration survey or occurred more than six months after
26 completion of such drilling or alteration activities; or

27 (4) the pollution or diminution occurred as the result
28 of some cause other than said drilling or alteration.

29 (c) Any landowner or water supply company who suffers
30 pollution or diminution of a water supply within the relevant

1 zone of presumed damage shall file a written claim with the well
2 operator or owner within 90 days of such pollution or
3 diminution. The well operator or owner shall repair, replace,
4 restore or remedy coverage for any pollution or diminution of
5 public or private water supplies within 30 days after receiving
6 written notice of a claim. The well operator or owner may,
7 within 30 days after receiving written notice of a claim,
8 request conference to arbitrate the claim with the affected
9 landowner or water supply company in accordance with section
10 501.

11 (d) Nothing herein shall prevent any landowner or water
12 supply company who claims pollution or diminution of a water
13 supply from seeking any other remedy that may be provided at law
14 or in equity.

15 Section 209. Use of safety devices.

16 Any person engaged in drilling any oil or gas well shall
17 equip the well with casings of sufficient strength and with such
18 other safety devices as may be necessary in a manner as
19 prescribed by regulation of the department and shall use every
20 effort and endeavor effectively to prevent blowouts, explosions
21 and fires.

22 Section 210. Plugging requirements.

23 (a) Upon abandoning or ceasing to operate any well, the
24 owner or operator thereof shall plug the well in a manner
25 prescribed by regulation of the department in order to stop any
26 vertical flow of fluids or gas within the well bore unless the
27 department has granted inactive status for such well pursuant to
28 section 204.

29 (b) Prior to the abandonment of any well in an area
30 underlain by a workable coal seam, the well operator or owner

1 shall notify the coal operator, lessee or owner and the
2 department of his intention to plug and abandon any such well
3 and submit a plat, on a form to be furnished by the department,
4 showing the location of the well and fixing the date and time at
5 which the work of plugging will be commenced, which time shall
6 be not less than 72 hours after the time when such notice is
7 received, nor more than 30 days thereafter in order that their
8 representatives may be present at the plugging of the well. Such
9 notice may be waived by the department and said coal operator,
10 lessee or owner and any of them may likewise waive their right
11 to be present but such waiver by coal operator, lessee or owner
12 shall be in writing and a copy thereof attached to notice of
13 abandonment, filed with the department under this section.
14 Whether or not such representatives appear, the well operator
15 may, if he has fully complied with the requirements of this
16 section, proceed at the time fixed, to plug the well in the
17 manner as prescribed by regulation of the department. When such
18 plugging has been completed, a certificate shall be prepared and
19 signed, on a form to be furnished by the department, by two
20 experienced and qualified people who participated in the work
21 setting forth the time and manner in which the well has been
22 plugged. One copy of this certificate shall be mailed to each
23 coal operator, lessee or owner to whom notice was given by
24 certified mail and another copy shall be mailed to the
25 department.

26 (c) Prior to the abandonment of any well, except an
27 uncompleted bore hole plugged immediately upon suspension of
28 drilling in an area not underlain by a workable coal seam, the
29 well operator shall notify the department of his intention to
30 plug and abandon any such well and submit a plat, on a form to

1 be furnished by the department, showing the location of the well
2 and fixing the date and time at which the work of plugging will
3 be commenced, which time shall not be less than 72 hours nor
4 more than 30 days after the time of mailing such notice, in
5 order that the department representative may be present at the
6 plugging of the well. Such notice or waiting period may be
7 verbally waived by the department. In noncoal areas where more
8 than one well has been drilled as part of the same development
9 project and these wells are now to be plugged, it is required
10 that the department be given 72 hours' notice prior to plugging
11 the first well of such project subject to waiver of notice
12 described herein. In the plugging of subsequent wells, no
13 additional notice shall be required if the plugging on the
14 project is continuous. If the plugging of subsequent wells is
15 delayed for any reason, notice shall be given to the department
16 of the continuation of such project. Whether or not such
17 department representative appears, the well operator may, if he
18 has fully complied with the requirements of this section,
19 proceed at the time fixed to plug the well in the manner as
20 prescribed by regulation of the department. When such plugging
21 has been completed, a certificate shall be prepared, on a form
22 to be furnished by the department, by two experienced and
23 qualified people who participated in the work, setting forth the
24 time and manner in which the well was plugged. A copy of this
25 certificate shall be mailed to the department.

26 (d) Whenever any well is to be abandoned immediately after
27 completion of drilling, the well operator shall give at least 24
28 hours' notice by telephone, confirmed by certified mail, to the
29 department and to the coal operator, lessee or owner, if any,
30 fixing the date and time at which the work of plugging will be

1 commenced. Such notice may be waived by the department and said
2 coal operator, lessee or owner, and any of them may likewise
3 waive their right to be present. Whether or not any
4 representative of the department or of the coal operator, lessee
5 or owner, if any, appear, the well operator may, if he has fully
6 complied with the requirements of this section, proceed at the
7 time fixed, to plug the well in the manner provided by
8 regulation prescribed by the department. The well operator shall
9 prepare the certificate of plugging and mail copies of the same
10 as provided in subsections (b) and (c).

11 (e) If a well is abandoned without plugging, the department
12 shall have the right to enter upon the well site and plug the
13 abandoned well and to sell such equipment casing and pipe as may
14 have been used in the production of the well in order to recover
15 the costs of plugging. Said costs of plugging shall have
16 priority over all liens on said equipment, casing and pipe and
17 said sale shall be free and clear of any such liens to the
18 extent the costs of plugging exceed the sale price. If the
19 equipment price obtained for casing and pipe salvaged at the
20 abandoned well site is inadequate to pay for the cost of
21 plugging the well, the owner or operator of the well shall be
22 legally liable for the additional costs of plugging the well. An
23 abandoned, unplugged well is hereby declared to constitute a
24 public nuisance.

25 Section 211. Alternative methods.

26 Whenever provision is made in this act for adoption of
27 regulatory requirements for casing, plugging or equipping a
28 well, a well operator may request the authority to use an
29 alternative method of material by filing an application with the
30 department, describing such proposed alternative method or

1 material in reasonable detail indicating the manner in which it
2 will accomplish the goals of this act and regulations adopted
3 pursuant hereto. Notice of filing of any such application shall
4 be given by the well operator by certified mail to any coal
5 operator or operators affected. Any such coal operator may,
6 within 15 days following such notice, file objections to such
7 proposed alternative method or material. If no objections are
8 filed within said 15-day period and if none is raised by the
9 department, the department shall forthwith make a determination
10 whether to allow the use of the proposed alternative method or
11 material.

12 Section 212. Well reporting requirements.

13 (a) Every well operator shall file with the department, on a
14 form provided by the department, an annual report specifying the
15 amount of production from each well on an individual well basis.
16 Where said data is not available on a well basis, it may be
17 reported on the most well-specific basis available. Annual
18 reports shall also specify the status of each well, however, in
19 subsequent years, only changes in the status need be reported.
20 All such reports shall be kept confidential for one year after
21 the date the information is required to be filed hereunder if
22 the operator requests such confidential treatment at the time
23 the information is submitted to the department. Upon request of
24 the well operator, the department shall for good cause shown
25 extend the period of confidentiality for two years. The total
26 period of confidentiality shall not exceed three years. For
27 statistical purposes the department may utilize such
28 confidential information in an aggregate form.

29 (b) It shall be the duty of the well operator to keep
30 records of any well drilled or altered. A record of the well

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

19 (c) Upon notification by the department prior to
20 commencement of drilling, the well operator shall collect for
21 the department additional data as the department shall specify,
22 such as representative drill cuttings and samples from cores
23 taken and any other such geological information that the
24 operator reasonably can compile. No interpretation of the data
25 is to be filed.

26 (d) All electrical, radioactive or other standard industry
27 logs, drill stem test charts, formation water analyses,
28 porosity, permeability or fluid saturation measurements, core
29 analysis and lithologic logs or sample description or other
30 similar data as compiled, furnished under subsection (b) or

1 drill cuttings furnished under subsection (c) shall be kept
2 confidential for one year after the date of information is
3 required to be filed hereunder. Upon request of the well
4 operator, the department shall for good cause shown extend the
5 period of confidentiality for two years. The total period of
6 confidentiality shall not exceed three years.

7 Section 213. Notification of transfer.

8 The owner or operator of any well shall notify the
9 department, in writing, in such form as the department may
10 direct by regulation, of the sale, assignment, transfer,
11 conveyance or exchange by the owner or to the owner of such well
12 within 30 days after such sale, assignment, conveyance or
13 exchange. No such transfer shall relieve the well owner or
14 operator of any liability accrued under this act, nor shall it
15 relieve him of the obligation to plug said well until a
16 replacement bond has been filed with the department by the new
17 owner.

18 Section 214. Coal operator responsibilities, coal pillar
19 permits.

20 (a) Hereafter, at any time prior to removing any coal or
21 other underground material or extending the workings in any coal
22 mine within 500 feet of any oil or gas well of which the coal
23 operator has knowledge, or any approved well location of which
24 the coal operator has knowledge, the coal operator shall
25 forward, by certified mail, to or file with the well operator
26 and the department a copy of such relevant part of its maps and
27 plans which it is presently required by law to prepare and file
28 with the department, showing the pillar which the coal operator
29 proposes to leave in place around each oil or gas well in the
30 projected workings. Following the filing of maps and plans, the

1 coal operator may proceed with mining operations in the manner
2 projected on said maps and plans but he shall not remove any
3 coal or cut any passageway within 150 feet of any such well or
4 approved well location until a permit has been issued as
5 hereinafter provided. If, in the opinion of the well operator or
6 the department, such plan indicates that the pillar proposed to
7 be left around any such well or approved well location is
8 insufficient in size, then the well operator affected shall
9 attempt to agree with the coal operator upon a suitable pillar,
10 subject to the approval of the department, but failing to agree,
11 such well operator may, within ten days from receipt by them of
12 such plan, file objections in accordance with section 501 to
13 such proposed plan, indicating the size of the pillar to be left
14 with respect to each such well. If no objections are filed
15 within said ten-day period or if none are raised by the
16 department, the department shall forthwith issue a permit to the
17 coal operator reciting the filing of said maps or plans, that no
18 objections have been made thereto and that the pillar proposed
19 to be left for each such well is approved in the manner as
20 projected.

21 (b) If any objections are filed by such well operator or are
22 raised by the department, the department shall direct that a
23 conference be held in accordance with section 501 within ten
24 days of the filing of such objections. At such conference the
25 coal operator and the person who has filed such objections shall
26 attempt to agree upon a proposed plan, showing the pillar to be
27 left around each well, which will satisfy such objections and be
28 approved by the department and, if such plan is agreed upon, the
29 department shall forthwith issue to the coal operator a permit
30 reciting the filing of said plan and that the pillar to be left

1 for each such well is approved as agreed upon. If no such plan
2 showing the pillar to be left with respect to each well can be
3 agreed upon at such conference, the department shall by an
4 appropriate order, determine the pillar to be left with respect
5 to such well. In a proceeding under this section, the department
6 shall follow as nearly as is possible the original plan filed by
7 the coal operator. The department shall not require the coal
8 operator to leave a pillar in excess of 100 feet in radius,
9 except that, if it is established that unusual conditions exist
10 requiring the leaving of a larger pillar, the department may
11 require a pillar up to but not exceeding 150 feet in radius. The
12 pillar to be left with respect to each well as determined by the
13 department shall be shown on the maps or plans on file with the
14 department as provided in subsection (a) and the department
15 shall thereupon issue to the coal operator a permit approving
16 the pillar to be left for each such well.

17 (c) Every application for a coal pillar permit shall be
18 accompanied by a fee established by regulation of the
19 department.

20 (d) Application may be made at any time to the department by
21 the coal operator to leave a pillar of less size than that shown
22 on the plan filed by him or approved or determined by the
23 department pursuant to the provisions of this section. If any
24 such application is filed, the department may, following the
25 procedure hereinbefore in this section prescribed, by an
26 appropriate order, determine a different plan showing a pillar
27 of less size with respect to any or all wells covered by such
28 application and an amended permit shall thereupon be issued
29 approving the pillar to be left with respect to each such well.

30 (e) No coal operator shall, without the written approval of

1 the department after notice and opportunity for hearing as
2 prescribed in this section, remove any coal or cut any
3 passageway so as to leave a pillar of less size with respect to
4 any oil or gas well than shown on a permit issued under this
5 act.

6 (f) Nothing in this act shall be construed to require a well
7 operator to pay for any coal pillar required by the act to be
8 left around any well drilled prior to the effective date of this
9 act. Nothing contained in this act, which may require a coal
10 operator to leave a pillar of coal of a certain size around a
11 well drilled after the effective date of this act, shall in any
12 way affect any right which the coal operator would have had
13 prior to the effective date of this act to obtain payment for
14 such coal, nor any duty or right which the well operator,
15 storage operator or land owner may have had prior to the
16 effective date of this act to pay for or not to pay for such
17 coal.

18 Section 215. Bonding.

19 (a) Upon filing an application for a well permit or upon
20 registration of an operating well and before continuing to
21 operate any oil or gas well, the owner or operator thereof shall
22 file with the department a bond for the well and the well site
23 on a form to be prescribed and furnished by the department,
24 payable to the Commonwealth and conditioned that the operator
25 shall faithfully perform all of the requirements of this act.
26 The amount of the bond required shall be in the amount of \$2,500
27 per well.

28 In lieu of individual bonds for each well an owner or
29 operator may file a blanket bond, on a form prepared by the
30 department, covering all of its wells in Pennsylvania as

1 enumerated on the bond form. A blanket bond shall be in the
2 amount of \$25,000.

3 Liability under such bond shall continue until the well has
4 been properly plugged in accordance with this act and for a
5 period of one year after filing of the certificate of plugging
6 with the department. Each bond shall be executed by the operator
7 and a corporate surety licensed to do business in the
8 Commonwealth and approved by the secretary. The operator may
9 elect to deposit cash, bank certificates of deposit,
10 automatically renewable irrevocable bank letters of credit which
11 may be terminated by the bank at the end of a term only upon the
12 bank giving 90 days prior written notice to the permittee and
13 the department or negotiable bonds of the United States
14 Government or the Commonwealth, the Pennsylvania Turnpike
15 Commission, the General State Authority, the State Public School
16 Building Authority or any municipality within the Commonwealth,
17 with the department in lieu of a corporate surety. The cash
18 deposit, bank certificate of deposit, amount of such irrevocable
19 letter of credit or market value of such securities shall be
20 equal at least to the sum of the bond. The secretary shall, upon
21 receipt of any such deposit of cash, letters of credit or
22 negotiable bonds, immediately place the same with the State
23 Treasurer, whose duty it shall be to receive and hold the same
24 in the name of the Commonwealth, in trust, for the purpose for
25 which such deposit is made. The State Treasurer shall at all
26 times be responsible for the custody and safekeeping of such
27 deposits. The operator making deposit shall be entitled from
28 time to time to demand and receive from the State Treasurer, on
29 the written order of the secretary, the whole or any portion of
30 any collateral so deposited, upon depositing with him, in lieu

1 thereof, other collateral of the classes herein specified having
2 a market value at least equal to the sum of the bond, and also
3 to demand, receive and recover the interest and income from said
4 negotiable bonds as the same becomes due and payable. Where
5 negotiable bonds, deposited as aforesaid, mature or are called,
6 the State Treasurer, at the request of the owner thereof, shall
7 convert such negotiable bonds into such other negotiable bonds
8 of the classes herein specified as may be designated by the
9 owner. Where notice of intent to terminate a letter of credit is
10 given, the department shall give the operator 30 days' written
11 notice to replace the letter of credit with other acceptable
12 bond guarantees as provided herein and if the owner or operator
13 fails to replace the letter of credit within the 30-day
14 notification period, the department shall draw upon and convert
15 such letter of credit into cash and hold it as a collateral bond
16 guarantee.

17 (b) No bond shall be fully released until all requirements
18 of this act are fully met. Upon release of all of the bonds and
19 collateral as herein provided, the State Treasurer shall
20 immediately return to the owner the amount of cash or securities
21 specified therein.

22 (c) If the well owner or operator fails or refuses to comply
23 with the requirements of this act, the regulations promulgated
24 hereunder or the conditions of the permit, the department shall
25 declare the bond forfeited and shall certify the same to the
26 Attorney General, who shall proceed to enforce and collect the
27 full amount of the bond and where the owner or operator has
28 deposited cash or securities as collateral in lieu of a
29 corporate surety, the department shall declare said collateral
30 forfeited and shall direct the State Treasurer to pay the full

1 amount of said funds into the Well Plugging Restricted Revenue
2 Account, or to proceed to sell said security to the extent
3 forfeited and pay the proceeds thereof into the Well Plugging
4 Restricted Revenue Account. Should any corporate surety or bank
5 fail to promptly pay, in full, a forfeited bond, it shall be
6 disqualified from writing any further bonds under the act or any
7 other environmental act administered by the department. Any
8 person aggrieved by reason of forfeiting the bond or converting
9 collateral, as herein provided, shall have a right to appeal to
10 the Environmental Hearing Board in the manner provided by law.
11 Upon forfeiture of a blanket bond for a violation occurring at
12 one or more well sites, the person whose bond is forfeited shall
13 submit a replacement bond to cover all other wells of which he
14 is owner or operator within ten days of said forfeiture. Failure
15 to submit said replacement bond constitutes a violation of this
16 section as to each of the wells owned or operated by said
17 person.

18 (d) All remedies for violation of this act, the regulations
19 adopted hereunder or the conditions of permits are expressly
20 preserved. Nothing in subsections (a), (b) and (c) shall be
21 construed as an exclusive penalty or remedy for such violations
22 of law. No action taken pursuant to subsection (c) shall waive
23 or impair any other remedy or penalty provided in law.

24 Section 216. Oil and Gas Technical Advisory Board.

25 (a) There shall be created an Oil and Gas Technical Advisory
26 Board. Said board shall include at least three petroleum
27 engineers, petroleum geologists or experienced driller
28 representatives from the oil and gas industry with three years
29 of experience in Pennsylvania and one mining engineer
30 representative from the coal industry with three years of

1 experience in Pennsylvania, all appointed by the secretary for a
2 term of three years. Said members shall not receive a salary but
3 shall be reimbursed for all necessary expenses incurred in the
4 performance of their duties. The board shall meet upon the call
5 of the secretary. Vacancies on the board shall be filled by the
6 secretary within six months.

7 (b) The department shall consult with the board in the
8 formulation, drafting and presentation stages of all regulations
9 of a technical nature promulgated under this act. The board
10 shall be given a reasonable opportunity to review and comment on
11 all regulations of a technical nature prior to submission to the
12 Environmental Quality Board for initial consideration. The
13 written report of the board shall be presented to the
14 Environmental Quality Board with any regulatory proposal.

15 CHAPTER 3

16 UNDERGROUND GAS STORAGE

17 Section 301. Reporting requirements for gas storage operations.

18 (a) Any person who is injecting into or storing gas in a
19 storage reservoir which underlies or is within 3,000 linear feet
20 of an operating coal mine which is operating in a coal seam that
21 extends over the storage reservoir or the reservoir protective
22 area, shall, within 60 days thereafter, file with the department
23 a copy of a map and certain data in the form and manner provided
24 in this subsection or as otherwise prescribed by regulation of
25 the department.

26 Any person who is injecting gas into or storing gas in a
27 storage reservoir which is not under or within 3,000 linear feet
28 but is less than 10,000 linear feet from an operating coal mine
29 which is operating in a coal seam that extends over the storage
30 reservoir or the reservoir protective area, shall file such map

1 and data within such time in excess of 60 days as the department
2 may fix or as otherwise prescribed by regulation.

3 Any person who proposes to inject or store gas in a storage
4 reservoir located as above, shall file the required map and data
5 with the department not less than six months prior to the
6 starting of actual injection or storage.

7 The map provided for herein shall be prepared by a competent
8 engineer or competent geologist. It shall show the stratum or
9 strata in which the existing or proposed storage reservoir is or
10 is to be located, the geographic location of the outside
11 boundaries of the said storage reservoir and reservoir
12 protective area, the location of all known oil or gas wells
13 which have been drilled into or through the storage stratum
14 within the reservoir or within 3,000 linear feet thereof,
15 indicating which of these wells have been or are to be cleaned
16 out and plugged or reconditioned for storage and also indicating
17 the proposed location of all additional wells which are to be
18 drilled within the storage reservoir or within 3,000 linear feet
19 thereof.

20 The following information, if available, shall be furnished
21 for all known oil or gas wells which have been drilled into or
22 through the storage stratum within the storage reservoir or
23 within 3,000 linear feet thereof, name of the operator, date
24 drilled, total depth, depth of production if the well was
25 productive of oil or gas, the initial rock pressure and volume,
26 the depths at which all coal seams were encountered and a copy
27 of the driller's log or other similar information. At the time
28 of the filing of the aforesaid maps and data, such person shall
29 file a detailed statement of what efforts he has made to
30 determine that the wells shown on said map are accurately

1 located thereon and that, to the best of his knowledge, they are
2 all the oil or gas wells which have ever been drilled into or
3 below the storage stratum within the proposed storage reservoir
4 or within the reservoir protective area. This statement shall
5 also include information as to whether or not the initial
6 injection is for testing purposes, the maximum pressure at which
7 injection and storage of gas is contemplated and a detailed
8 explanation of the methods to be used or which, theretofore,
9 have been used in drilling, cleaning out, reconditioning and
10 plugging wells in the storage reservoir or within the reservoir
11 protective area. The map and data required to be filed hereunder
12 shall be amended or supplemented semiannually in case any
13 material changes have occurred. The department may required a
14 storage operator to amend or supplement such map or data at more
15 frequent intervals if material changes have occurred justifying
16 such earlier filing.

17 (b) Any person who is injecting gas into or storing gas in a
18 storage reservoir not then subject to subsection (a), by a
19 process other than that of secondary recovery or gas recycling,
20 shall, with such time in excess of 60 days as the department may
21 fix, file with the department a copy of a map and certain data
22 in the form and manner provided in this subsection or as
23 prescribed by regulation of the department.

24 Any person who, after the effective date of this chapter,
25 proposes to inject or store gas in a storage reservoir in an
26 area not covered by subsection (a) by a process other than that
27 of secondary recovery or gas recycling, shall file the required
28 map and data with the department not less than six months prior
29 to the starting of actual injection or storage.

30 The map provided for herein shall be prepared by a competent

1 engineer or competent geologist. It shall show the stratum or
2 strata in which the existing or proposed storage reservoir is or
3 is to be located, the geographic location of the outside
4 boundaries of the said storage reservoir, the location of all
5 known oil or gas wells which have been drilled into or through
6 the storage stratum within the reservoir or within 3,000 linear
7 feet thereof, indicating which of these wells have been or are
8 to be cleaned out and plugged or reconditioned for storage and
9 also indicating the proposed location of all additional wells
10 which are to be drilled within the storage reservoir or within
11 3,000 linear feet thereof.

12 The following information, if available, shall be furnished
13 for all known oil or gas wells which have been drilled into or
14 through the storage stratum within the storage reservoir or
15 within 3,000 linear feet thereof, name of the operator, date
16 drilled, total depth, depth of production if the well was
17 productive of oil or gas, the initial rock pressure and volume
18 and a copy of the driller's log or other similar information. At
19 the time of the filing of the aforesaid maps and data, such
20 person shall file a detailed statement of what efforts he has
21 made to determine that the wells shown on said map are
22 accurately located thereon and that, to the best of that
23 person's knowledge, they are all the oil or gas wells which have
24 ever been drilled into or below the storage stratum within the
25 proposed storage reservoir. This statement shall also include
26 information as to whether or not the initial injection is for
27 testing purposes, the maximum pressure at which injection and
28 storage of gas is contemplated and a detailed explanation of the
29 methods to be used or which, theretofore, have been used in
30 drilling, cleaning out, reconditioning and plugging wells in the

1 storage reservoir. The map and data required to be filed
2 hereunder shall be amended or supplemented semiannually in case
3 any material changes have occurred. The department may require a
4 storage operator to amend or supplement such map or data at more
5 frequent intervals if material changes have occurred justifying
6 such earlier filing.

7 (c) Storage operators shall give notice to the department of
8 the name of each political subdivision and county in which said
9 operator maintains and operates a gas storage reservoir.

10 (d) At the time of the filing of maps and data and the
11 filing of amended or supplemental maps or data required by this
12 section, the person filing the data shall give written notice of
13 said filing to all persons who may be affected under the
14 provisions of this act by the storage reservoir described in
15 such maps or data. Such notices shall contain a description of
16 the boundaries of such storage reservoir. When a person
17 operating a coal mine or owning an interest in coal properties
18 which are or may be affected by the storage reservoir requests,
19 in writing, a copy of any map or data filed with the department,
20 such copy shall be furnished by the storage operator.

21 (e) For all purposes of this act, the outside boundaries of
22 a storage reservoir shall be defined by the location of those
23 wells around the periphery of the storage reservoir which had no
24 gas production when drilled in said storage stratum. The
25 boundaries as thus defined shall be originally fixed or
26 subsequently changed where, based upon the number and nature of
27 such wells, and upon the geological and production knowledge of
28 the storage stratum, its character, permeability, distribution
29 and operating experience, it is determined in a conference under
30 section 501 that modification should be made.

1 (f) The requirements of this section shall not apply to the
2 operator of an underground gas storage reservoir so long as said
3 reservoir is located more than 10,000 linear feet from an
4 operating coal mine. Such storage operator shall give notice to
5 the department of the name of each political subdivision and
6 county in which said operator maintains and operates a gas
7 storage reservoir. In those political subdivisions and counties
8 where both gas storage reservoirs and coal mines are being
9 operated, the department may request the storage operator to
10 furnish maps showing the geographical location and outside
11 boundaries of such storage reservoirs. The department shall keep
12 a record of such information and shall promptly notify the coal
13 operator and the storage operator when notified by them that the
14 coal mine and storage reservoir are within 10,000 linear feet of
15 each other.

16 Section 302. Reporting requirements for coal mining operations.

17 (a) Any person owning or operating a coal mine shall file
18 with the department a map prepared by a competent engineer,
19 showing the outside coal boundaries of the said operating coal
20 mine, the existing workings and exhausted areas and the
21 relationship of said boundaries to identifiable surface
22 properties and landmarks. Any operating coal mine, which has
23 been penetrated by a well shall furnish a mine map to the
24 department each year indicating the excavations for the
25 preceding year and the projections for the ensuing year. Any
26 person who is storing or contemplating the storage of gas in the
27 vicinity of such operating coal mines shall, upon written
28 request, be furnished a copy of the aforesaid map by the coal
29 operator and such person and the department shall, thereafter,
30 be informed of any boundary changes at the time such changes

1 occur. The department shall keep a record of such information
2 and shall promptly notify the coal operator and the storage
3 operator when notified by them that the coal mine and the
4 storage reservoir are within 10,000 linear feet of each other.

5 (b) Any person owning or operating any coal mine which is or
6 which hereafter comes within 10,000 linear feet of a storage
7 reservoir and where the coal seam being operated extends over
8 the storage reservoir or the reservoir protective area, shall,
9 within 45 days after he has notice from the storage operator of
10 such fact, file with the department and furnish to the person
11 operating such storage reservoir a map in the form hereinabove
12 provided and showing, in addition, the existing and projected
13 excavations and workings of such operating coal mine for the
14 ensuing 18-month period and, also, the location of any oil or
15 gas wells of which said coal operator has knowledge. Such person
16 owning or operating said coal mine shall, each six months
17 thereafter, file with the department and furnish to the person
18 operating such storage reservoir a revised map showing any
19 additional excavations and workings, together with the projected
20 excavations and workings for the then ensuing 18-month period,
21 which may be within 10,000 linear feet of said storage
22 reservoir. The department may require a coal operator to file
23 such revised map at more frequent intervals if material changes
24 have occurred justifying such earlier filing. Such person owning
25 or operating said coal mine shall also file with the department
26 and furnish the person operating said reservoir prompt notice of
27 any wells which have been cut into, together with all available
28 pertinent information.

29 (c) Any person owning or operating a coal mine who has
30 knowledge that it overlies or is within 2,000 linear feet of a

1 gas storage reservoir shall, within 30 days, notify the
2 department and the storage operator of such fact.

3 (d) When any person owning or operating a coal mine
4 hereafter expects that within the ensuing nine-month period,
5 such coal mine will be extended to a point which will be within
6 2,000 linear feet of any storage reservoir, he shall notify the
7 department and the storage operator in writing of such fact.

8 (e) Any person hereafter intending to establish or
9 reestablish an operating coal mine which, when established or
10 reestablished, will be over a storage reservoir or within 2,000
11 linear feet of a storage reservoir or which, upon being
12 established or reestablished, may, within nine months
13 thereafter, be expected to be within 2,000 linear feet of a
14 storage reservoir, shall notify the department and the storage
15 operator, in writing, before doing so and such notice shall
16 include the date on which it is intended the operating coal mine
17 will be established or reestablished. Any person who serves such
18 notice of an intention to establish or reestablish an operating
19 coal mine under this subsection, without intending in good faith
20 to establish or reestablish such mine, shall be liable for
21 continuing damages to any storage operator injured by the
22 serving of such improper notice and shall be guilty of a
23 misdemeanor under this chapter and subject to the same penalties
24 as set forth in section 505.

25 Section 303. General gas storage reservoir operations.

26 (a) Any person who operates or proposes to operate a storage
27 reservoir, except one that is filled by the secondary recovery
28 or gas recycling process, shall:

29 (1) Use every known method which is reasonable under the
30 circumstances for discovering and locating all wells which

1 have or may have been drilled into or through the storage
2 reservoir.

3 (2) Plug or recondition in the manner provided in
4 regulations of the department pursuant to this act all known
5 wells, except to the extent otherwise provided in subsections
6 (b) and (c), drilled into or through the storage reservoir.

7 (b) In order to meet the requirements of subsection (a),
8 wells which are to be plugged shall be plugged in the manner
9 specified in section 210. When a well located within the storage
10 reservoir area has been plugged prior to the enactment of this
11 act and on the basis of the data, information and other evidence
12 submitted to the department, it is determined that such plugging
13 was done in the manner required in section 210 or in a manner
14 approved as an alternative method in accordance with section 211
15 and the plugging is still sufficiently effective to meet the
16 requirements of this act, the obligations imposed by subsection
17 (a) as to plugging the well shall be considered fully satisfied.

18 (c) In order to meet the requirements of subsection (a),
19 wells which are to be reconditioned shall, unless the department
20 by regulation specifies a different procedure, be cleaned out
21 from the surface through the storage horizon and the producing
22 casing and such other casing strings which are determined not to
23 be in good physical condition shall be replaced with new casing
24 using the same procedure as is applicable to drilling a new well
25 as provided for in this act. In the case of wells to be used for
26 gas storage, the annular space between each string of casing and
27 the annular space behind the largest diameter casing to the
28 extent possible shall be filled to the surface with cement or
29 bentonitic mud or such nonporous material as is approved by the
30 department pursuant to section 211. At least 15 days prior to

1 the time when a well is to be reconditioned, the storage
2 operator shall give notice thereof to the department, setting
3 forth in such notice the manner in which it is planned to
4 recondition such well and any pertinent data known to the
5 storage operator which will indicate the then existing condition
6 of such well. In addition, the storage operator shall give the
7 department at least 72 hours' notice of the time when such
8 reconditioning is to begin. If no objections are raised by the
9 department within ten days, the storage operator may proceed
10 with the reconditioning in accordance with the plan as
11 submitted. If any objections are made by the department, it may
12 fix a time and place for a conference in accordance with section
13 501 at which conference the storage operator and the department
14 shall endeavor to agree upon a plan of reconditioning which
15 meets the requirements herein and which will satisfy such
16 objections. If no plan is approved at such conference, the
17 department may, by an appropriate order, determine whether the
18 plan as submitted meets the requirements set forth herein or
19 what changes, if any, should be made to meet such requirements.
20 If, in reconditioning a well in accordance with said plan,
21 physical conditions are encountered which justify or necessitate
22 a change in said plan, the storage operator may request that the
23 plan be changed. If the request is denied, the department shall
24 arrange for a conference in accordance with section 501 to
25 determine the matter in the same manner as set forth herein in
26 connection with original objections to said plan. Applications
27 may be made to the department in the manner prescribed in
28 section 211 for approval of an alternative method of
29 reconditioning a well. When a well located within the storage
30 reservoir has been reconditioned prior to the enactment of this

chapter or was so drilled and equipped previously and on the basis of the data, information and other evidence submitted to the department, it is determined that:

(1) Such conditioning or previous drilling and equipping was done in the manner required in this subsection or in regulations promulgated hereunder or in a manner approved as an alternative method in accordance with section 211.

(2) Such reconditioning or previous drilling and equipping is still sufficiently effective to meet the requirements of this act, the obligations imposed by subsection (a), as to reconditioning said well, shall be considered fully satisfied. Where a well requires emergency repairs, this subsection shall not be construed to require the storage operator to give the notices specified herein before making such repairs.

(d) The requirements of subsection (a) shall not apply to the injection of gas into any stratum when the sole purpose of such injection, such purpose being herein referred to as testing, is to determine whether the said stratum is suitable for storage purposes. Testing shall be conducted only in compliance with the following requirements:

(1) The person testing or proposing to test shall comply with all of the provisions and requirements of section 301 and shall verify the statement required to be filed thereby.

(2) The storage operator shall give at least six months' written notice to the department of the fact that injection of gas for testing purposes is proposed.

(3) If the department shall have any objections, it shall fix a time and place for a conference in accordance with section 501, not more than ten days from the date of

1 notice to the storage operator, at which conference the
2 storage operator and the department shall attempt to agree on
3 the questions involved. If such agreement cannot be reached
4 at such conference, the department may issue an appropriate
5 order.

6 (e) If, in any proceeding under this act, the department
7 shall determine that any operator of a storage reservoir has
8 failed to carry out any lawful order issued under this act, it
9 shall have authority to require such storage operator to suspend
10 the operation of such reservoir and to withdraw the gas
11 therefrom until such violation is remedied. In such an event the
12 gas shall be withdrawn under the following conditions: the
13 storage operator shall remove the maximum amount of gas which is
14 required by the department to be removed from the storage
15 reservoir that can be withdrawn in accordance with recognized
16 engineering and operating procedures and shall proceed with due
17 diligence insofar as existing facilities used to remove gas from
18 the reservoir will permit.

19 (f) In addition to initial compliance with the other
20 provisions of this act and any lawful orders issued thereunder,
21 it shall be the duty, at all times, of the person owning or
22 operating any storage reservoir which is subject to the
23 provisions of this chapter, to keep all wells drilled into or
24 through the storage reservoir in such condition and to operate
25 the same in such manner as to prevent the escape of gas
26 therefrom and to operate and maintain such storage reservoir and
27 its facilities in such manner as prescribed by regulation of the
28 department and at such pressures as will prevent gas from
29 escaping from such reservoir or its facilities, but in no case
30 shall such pressure exceed the highest rock pressure found to

1 have existed during the production history of the reservoir or
2 such other high pressure as the department may approve after
3 conference under section 501 based upon geological and
4 production knowledge of the reservoir, its character,
5 permeability distribution and operating experience. This duty
6 shall not be construed to include the inability to prevent the
7 escape of gas where such escape results from an act of God or an
8 act of any person not under the control of the storage operator
9 other than in connection with any well which the storage
10 operator has failed to locate and to make known to the
11 department. If any escape of gas does result from an act of God
12 or an act of any person not under the control of the storage
13 operator, the storage operator shall be under the duty of taking
14 such action thereafter as is reasonably necessary to prevent
15 further escape of gas.

16 Section 304. Gas storage reservoir operations in coal areas.

17 (a) Any person who operates a storage reservoir which
18 underlies or is within 2,000 linear feet of an operating coal
19 mine which is operating in a coal seam that extends over the
20 storage reservoir or the reservoir protective area shall:

21 (1) Use every known method which is reasonable under the
22 circumstances for discovering and locating all wells which
23 have or may have been drilled into or through the storage
24 stratum in that acreage which is within the outside coal
25 boundaries of such operating coal mine and which overlies the
26 storage reservoir or the reservoir protective area.

27 (2) Plug or recondition in the manner provided by
28 section 210 and subsection (e), all known wells, except to
29 the extent otherwise provided in subsections (e), (f), (g)
30 and (h), drilled into or through the storage stratum and

1 which are located within that portion of the acreage of the
2 operating coal mine overlying the storage reservoir or the
3 reservoir protective area, however, where objection is raised
4 as to the use of any well as a storage well and after a
5 conference in accordance with section 501, it is determined
6 by the department, taking into account all the circumstances
7 and conditions that such well should not be used as a storage
8 well, such well shall be plugged, unless, in the opinion of
9 the storage operator, the well to which such objection has
10 been raised may at some future time be used as a storage
11 well, the storage operator may recondition and inactivate
12 such well instead of plugging it if such alternative is
13 approved by the department after taking into account all of
14 the circumstances and conditions.

15 The requirements of paragraph (2) shall be deemed to have
16 been fully complied with if, as the operating coal mine is
17 extended, all wells which from time to time come within the
18 acreage described in paragraph (2) are reconditioned or plugged
19 as provided in subsection (e) or (f) and in section 210 so that
20 by the time the coal mine has reached a point within 2,000
21 linear feet of any such wells, they will have been reconditioned
22 or plugged so as to meet the requirements of subsection (e) or
23 (f) and of section 210.

24 (b) Any person operating a storage reservoir referred to in
25 subsection (a) shall file with the department and furnish a copy
26 to the person operating the affected operating coal mine a
27 verified statement setting forth:

28 (1) That the map and any supplemental maps required by
29 section 301(a) have been prepared and filed in accordance
30 with section 301.

1 (2) A detailed explanation of what the storage operator
2 has done to comply with the requirements of subsection (a)(1)
3 and (2) and the results thereof.

4 (3) Such additional efforts, if any, as the storage
5 operator is making and intends to make to locate all wells.

6 (4) Any additional wells that are to be plugged or
7 reconditioned to meet the requirements of subsection (a)(2).

8 If such statement is not filed by the storage reservoir
9 operator within the time specified herein, the department may
10 order such operator to file such statement.

11 (c) Within 120 days after the receipt of any such statement,
12 the department may direct that a conference be held in
13 accordance with section 501 to determine whether the information
14 as filed indicates that the requirements of section 301 and of
15 subsection (a) have been fully complied with. At such
16 conference, if any person shall be of the opinion that such
17 requirements have not been fully complied with, the parties
18 shall attempt to agree on what additional things are to be done
19 and the time within which they are to be completed, subject to
20 the approval of the department to meet the said requirements.

21 If such agreement cannot be reached, the department shall
22 determine whether the requirements of section 301 and of
23 subsection (a) have been met. If the department shall determine
24 that any of the said requirements have not been met, the
25 department shall issue an order which shall specify in detail
26 both the extent to which such requirements have not been met and
27 the things which the storage operator must do to meet such
28 requirements. The order shall grant to the storage operator such
29 time as is reasonably necessary to complete each of the things
30 which he is directed to do. If, in carrying out said order, the

1 storage operator encounters conditions which were not known to
2 exist at the time of the issuance of the order and which
3 materially affect the validity of said order or the ability of
4 the storage operator to comply with the order, the storage
5 operator may apply for a rehearing or modification of said
6 order.

7 (d) Whenever in compliance with subsection (a), a storage
8 operator, after the filing of the statement provided for in
9 subsection (b), plugs or reconditions a well, he shall so notify
10 the department and the coal operator affected, in writing,
11 setting forth such facts as will indicate the manner in which
12 the plugging or reconditioning was done. Upon receipt thereof,
13 the coal operator affected or the department may request a
14 conference in accordance with section 501.

15 (e) In order to meet the requirements of subsection (a),
16 wells which are to be plugged shall be plugged in the manner
17 specified in regulations promulgated pursuant to section 201.
18 When a well, located within the storage reservoir or the
19 reservoir protective area, has been plugged prior to the
20 enactment of this act and on the basis of the data information
21 and other evidence submitted to the department, it is determined
22 that such plugging was done in the manner required in section
23 210, or in a manner approved as an alternative method in
24 accordance with section 211, and said plugging is still
25 sufficiently effective to meet the requirements of this act, the
26 obligations imposed by subsection (a) as to plugging said well
27 shall be considered fully satisfied.

28 (f) In order to meet the requirements of subsection (a),
29 wells which are to be reconditioned shall, unless the department
30 by regulation specifies a different procedure, be cleaned out

1 from the surface through the storage horizon and the following
2 casing strings shall be pulled and replaced with new casing,
3 using the same procedure as is applicable to drilling a new well
4 as provided for in this act, the producing casing, the largest
5 diameter casing passing through the lowest workable coal seam
6 unless such casing extends at least 25 feet below the bottom of
7 such coal seam and is determined to be in good physical
8 condition, but the storage operator may, instead of replacing
9 the largest diameter casing, replace the next largest casing
10 string if such casing string extends at least 25 feet below the
11 lowest workable coal seam and such casing strings which are
12 determined not to be in good physical condition. In the case of
13 wells to be used for gas storage, the annular space between each
14 string of casing and the annular space behind the largest
15 diameter casing to the extent possible, shall be filled to the
16 surface with cement or aquagel or such equally nonporous
17 material as is approved by the department pursuant to section
18 211. At least 15 days prior to the time when a well is to be
19 reconditioned, the storage operator shall give notice thereof to
20 the coal operator, lessee or owner and to the department,
21 setting forth in such notice the manner in which it is planned
22 to recondition such well and any pertinent data known to the
23 storage operator which will indicate the then existing condition
24 of such well. In addition, the storage operator shall give the
25 coal operator, lessee or owner and the department at least 72
26 hours' notice of the date and time when reconditioning is to
27 begin. The coal operator, lessee or owner shall have the right
28 to file, within ten days after the receipt of the first notice
29 required herein, objections to the plan of reconditioning as
30 submitted by the storage operator. If no such objections are

1 filed or if none is raised by the department, within such ten-
2 day period, the storage operator may proceed with the
3 reconditioning in accordance with the plan as submitted. If any
4 such objections are filed or are made by the department, it
5 shall fix a time and place for a conference in accordance with
6 section 501, at which conference the storage operator and the
7 person who has filed such objections shall endeavor to agree
8 upon a plan of reconditioning which meets the requirements
9 herein and which will satisfy such objections. If no plan is
10 approved at such conference, the department shall, by an
11 appropriate order, determine whether the plan as submitted meets
12 the requirements set forth herein or what changes, if any,
13 should be made to meet such requirements. If, in reconditioning
14 a well in accordance with said plan, physical conditions are
15 encountered which justify or necessitate a change in said plan,
16 the storage operator or the coal operator may request that the
17 plan be changed. If said parties cannot agree upon such change,
18 the department shall arrange for a conference to determine the
19 matter in the same manner as set forth herein in connection with
20 original objections to said plan. Application may be made to the
21 department in the manner prescribed in section 211 for approval
22 of an alternative method of reconditioning a well. When a well
23 located within the storage reservoir or the reservoir protective
24 area has been reconditioned prior to the enactment of this act,
25 or was so drilled and equipped previously and on the basis of
26 the data, information and other evidence submitted to the
27 department, it is determined that:

28 (1) Such reconditioning or previous drilling and
29 equipping was done in the manner required in this subsection,
30 or in regulations promulgated hereunder, or in a manner

1 approved as an alternative method in accordance with section
2 211.

3 (2) Such reconditioning or previous drilling and
4 equipping is still sufficiently effective to meet the
5 requirements of this act, the obligations imposed by
6 subsection (a) as to reconditioning said well shall be
7 considered fully satisfied. Where a well requires emergency
8 repairs, this subsection shall not be construed to require
9 the storage operator to give the notices specified herein
10 before making such repairs.

11 (g) When a well located within the reservoir protective area
12 is a producing well in a stratum below the storage stratum, the
13 obligations imposed by subsection (a) shall not begin until such
14 well ceases to be a producing well.

15 (h) When a well within a storage reservoir or the reservoir
16 protective area penetrates the storage stratum but does not
17 penetrate the coal seam being mined by an operating coal mine,
18 the department may, upon application of the operator of such
19 storage reservoir, exempt such well from the requirements of
20 this section. Either party affected may request a conference
21 with respect to the exemption of any such well in accordance
22 with section 501.

23 (i) In fulfilling the requirements of subsection (a)(2) with
24 respect to a well within the reservoir protective area, the
25 storage operator shall not be required to plug or recondition
26 such well until he has received from the coal operator written
27 notice that the mine workings will, within the period stated in
28 such notice, be within 2,000 linear feet of such well. Upon the
29 receipt of such notice, the storage operator shall use due
30 diligence to complete the plugging or reconditioning of such

1 well in accordance with the requirements of this section and of
2 section 210. If the said mine workings do not, within a period
3 of three years after said well has been plugged, come within
4 2,000 linear feet of said well, the coal operator shall
5 reimburse the storage operator for the cost of said plugging,
6 provided such well is still within the reservoir protective area
7 as of that time.

8 (j) When retreat mining approaches a point, where within 90
9 days, it is expected that such retreat work will be at the
10 location of the pillar surrounding an active storage well, the
11 coal operator shall give written notice of such approach to the
12 storage operator and by agreement said parties shall determine
13 whether it is necessary or advisable to inactivate effectively
14 said well temporarily. The well shall not be reactivated until a
15 reasonable period has elapsed, such reasonable period to be
16 determined by said parties. In the event that said parties
17 cannot agree upon either of the foregoing matters, such question
18 shall be submitted to the department for a decision. The number
19 of wells required to be temporarily inactivated during the
20 retreat period shall not be such as to materially affect the
21 efficient operation of such storage pool. This provision shall
22 not preclude the temporary inactivation of a particular well
23 where the practical effect of inactivating such well is to
24 render the pool temporarily inoperative.

25 (k) The requirements of subsections (a), (l) and (m) shall
26 not apply to the injection of gas into any stratum when the
27 whole purpose of such injection, such purpose being herein
28 referred to as testing, is to determine whether the said stratum
29 is suitable for storage purposes. Testing shall be conducted
30 only in compliance with the following requirements:

1 (1) The person testing or proposing to test shall comply
2 with all of the provisions and requirements of section 301
3 and shall verify the statement required to be filed thereby.

4 (2) If any part of the proposed storage reservoir is
5 under or within 2,000 linear feet of an operating coal mine
6 which is operating in a coal seam that extends over the
7 proposed storage reservoir or the reservoir protective area,
8 the storage operator shall give at least six months' written
9 notice to the department and to the coal operator of the fact
10 that injection of gas for testing purposes is proposed.

11 (3) The coal operator affected may, at any time, file
12 objections with the department and the department shall fix a
13 time and place for a conference in accordance with section
14 501, not more than ten days from the date of the notice to
15 the storage operator, at which conference the storage
16 operator and the person who has filed such objections shall
17 attempt to agree, subject to the approval of the department,
18 on the questions involved. If such agreement cannot be
19 reached at such conference, the department may issue an
20 appropriate order.

21 (4) Where, at any time, a proposed storage reservoir
22 being tested comes under or within 2,000 linear feet of an
23 operating coal mine, either because of the extension of the
24 storage reservoir being tested or because of the extension or
25 establishment or reestablishment of the operating coal mine,
26 then and at the time of any such event, the requirements of
27 this subsection shall become applicable to such testing.

28 (1) Any person who proposes to establish a storage reservoir
29 under or within 2,000 linear feet of an operating coal mine
30 which is operating in a coal seam that extends over the storage

1 reservoir or the reservoir protective area shall, prior to
2 establishing such reservoir in addition to complying with the
3 requirements of section 301 and subsection (a), file the
4 verified statement required by subsection (b) and fully comply
5 with such order or orders, if any, as the department may issue
6 in the manner provided for under subsection (b) or (c) before
7 beginning the operation of such storage reservoir. After the
8 person proposing to operate such storage reservoir shall have
9 complied with such requirements and shall have thereafter begun
10 to operate such reservoir, he shall continue to be subject to
11 all of the provisions of this chapter.

12 (m) When a gas storage reservoir is in operation on the
13 effective date of this act and at any time thereafter, it is
14 under or within 2,000 linear feet of an operating coal mine, or,
15 when a gas storage reservoir is put in operation after the
16 effective date of this act and at any time after such storage
17 operations begin, it is under or within 2,000 linear feet of an
18 operating coal mine, then and in either such event, the storage
19 operator shall comply with all of the provisions of this
20 section, except that the time for filing the verified statement
21 under subsection (b) shall be 60 days after the date stated in
22 the notice filed by the coal operator under section 302(d) and
23 (e), the coal operator shall give notice of such delay to the
24 department and the department shall, upon the request of the
25 storage operator, extend the time for filing such statement by
26 the additional time which will be required to extend or
27 establish or reestablish such operating coal mine to a point
28 within 2,000 linear feet of such reservoir. Such verified
29 statement shall also indicate that the map referred to in
30 section 301(a) has been currently amended as of the time of the

1 filing of such statement. The person operating any such storage
2 reservoir shall continue to be subject to all of the provisions
3 of this chapter.

4 (n) If, in any proceeding under this act, the department
5 shall determine that any operator of a storage reservoir has
6 failed to carry out any lawful order issued under this act, the
7 department shall have authority to require such storage operator
8 to suspend the operation of such reservoir and to withdraw the
9 gas therefrom until such violation is remedied. In such an
10 event, the gas shall be withdrawn under the following
11 conditions: the storage operator shall remove the maximum amount
12 of gas which is required by the department to be removed from
13 the storage reservoir that can be withdrawn in accordance with
14 recognized engineering and operating procedures and shall
15 proceed with due diligence insofar as existing facilities used
16 to remove gas from the reservoir will permit.

17 (o) In addition to initial compliance with the other
18 provisions of this act and any lawful orders issued thereunder,
19 it shall be the duty, at all times, of the person owning or
20 operating any storage reservoir which is subject to the
21 provisions of this chapter, to keep all wells drilled into or
22 through the storage stratum in such condition and to operate the
23 wells in such manner as to prevent the escape of gas out of the
24 storage reservoir and its facilities and to operate and maintain
25 such storage reservoir and its facilities in such manner as
26 prescribed by regulation of the department and at such pressures
27 as will prevent gas from escaping from such reservoir or its
28 facilities. This duty shall not be construed to include the
29 inability to prevent the escape of gas where such escape results
30 from an act of God or an act of any person not under the control

1 of the storage operator other than in connection with any well
2 which the storage operator has failed to locate and to make
3 known to the department. If any escape of gas does result from
4 an act of God or an act of any person not under the control of
5 the storage operator, the storage operator shall be under the
6 duty of taking such action thereafter as is reasonably necessary
7 to prevent further escape of gas out of the storage reservoir
8 and its facilities.

9 Section 305. Inspection of facilities and records.

10 (a) The person operating any storage reservoir affected by
11 the terms of this act shall, at all reasonable times, be
12 permitted to inspect the applicable records and facilities of
13 any coal mine overlying such storage reservoir or the reservoir
14 protective area and the person operating any such coal mine
15 affected by the terms of this act shall, similarly at all
16 reasonable times, be permitted to inspect the applicable records
17 and facilities of any such storage reservoir underlying any such
18 coal mine.

19 (b) In the event that either such storage operator or coal
20 operator shall refuse to permit any such inspection of records
21 or facilities, the department may, on its own motion or on
22 application of the party seeking the inspection after reasonable
23 written notice and a hearing thereon, if requested by either of
24 the parties affected, make an order for such inspection.

25 Section 306. Reliance on maps; burden of proof.

26 (a) In determining whether a particular coal mine or
27 operating coal mine is or will be within any distance material
28 under this act from any storage reservoir, the owner or operator
29 of such coal mine and the storage operator may rely on the most
30 recent map of the storage reservoir or coal mine filed by the

1 other with the department.

2 (b) Where the accuracy of any map or data filed by any
3 person pursuant to the requirements of this act is in issue, the
4 person filing the same shall, at the request of the objecting
5 party, be required to disclose the information and method used
6 in compiling such map and data and such information as is
7 available to such person that might affect the current validity
8 of such map or data. If any material question is raised as to
9 the accuracy of such map or data with respect to any particular
10 matter or matters contained therein, the person filing such map
11 or data shall then have the burden of providing the accuracy of
12 the map or data with respect to such matter or matters.

13 Section 307. Exemptions.

14 (a) The provisions of this chapter shall not apply to the
15 following types of coal mines:

16 (1) Strip mines and auger mines operating from the
17 surface.

18 (2) Mines to which the provisions of the act of June 9,
19 1911 (P.L.756, No.319), entitled "An act to provide for the
20 health and safety of persons employed in and about the
21 bituminous coal-mines of Pennsylvania, and for the protection
22 and preservation of property connected therewith," did not
23 apply as provided in section 3 of Article XXVIII thereof, and
24 mines to which the provisions of the act of June 2, 1891
25 (P.L.176, No.177), entitled "An act to provide for the health
26 and safety of persons employed in and about the anthracite
27 coal mines of Pennsylvania and for the protection and
28 preservation of property connected therewith," did not apply
29 as provided in section 1 of Article I thereof.

30 (b) Injection of gas for storage purposes in any workable

1 coal seam, whether or not such seam is being or has been mined,
2 shall be prohibited. Nothing in this chapter shall be construed
3 to prohibit the original extraction of natural gas, crude oil or
4 coal.

5 (c) Nothing contained in this chapter shall apply to the
6 storage of gas or liquids in storage reservoirs excavated in
7 rock formations specifically for storage purposes.

8 CHAPTER 4

9 EMINENT DOMAIN

10 Section 401. Appropriation of interest in real properties.

11 (a) Any and all corporations empowered to transport, sell or
12 store, natural or manufactured gas, within this Commonwealth,
13 shall have the right, subject to the following limitations, to
14 appropriate interests in real property located within the
15 storage reservoir and the reservoir and the reservoir protective
16 area, for the injection, storage and removal from storage of
17 natural or manufactured gas in any stratum which is or
18 previously has been commercially productive of natural gas. The
19 right of eminent domain shall not be exercised to acquire for
20 the purpose of gas storage:

21 (1) any interest in any geological stratum within the
22 area of the proposed storage reservoir, unless the original
23 recoverable oil or gas reserves therein have been depleted or
24 exhausted by at least 80% and unless and until the condemnor
25 shall have acquired the right by grant, lease or other
26 agreement to store gas in the said geological stratum
27 underlying at least 75% of the area of the proposed storage
28 reservoir; or

29 (2) any interest in any geological stratum within the
30 area of the proposed storage reservoir owned directly or

1 indirectly by a gas company or by a person engaged in the
2 local distribution of natural gas which interest is being
3 used by such gas company or by such person for present
4 storage of gas in the performance of service to customers
5 within its service area.

6 (b) This act shall be construed to authorize appropriation
7 within the storage reservoir and the reservoir protective area
8 of the stratum to be used for storage, any gas reserve remaining
9 therein and any active or abandoned well or wells drilled into
10 said stratum and further to authorize the appropriation within
11 the storage reservoir and the reservoir protective area of the
12 right to enter upon and use the surface of lands for the purpose
13 of locating, reconditioning, maintaining, plugging or replugging
14 any active or abandoned wells or operating any wells drilled
15 into or through said storage stratum. This act shall not be
16 construed, however, to preclude the owner of nonstorage strata
17 from the drilling of wells for the purpose of producing oil or
18 gas from any stratum above or below the storage stratum
19 appropriated by such corporation, but the corporation
20 appropriating or holding storage rights shall have access to and
21 the right to inspect and examine any such drilling or completed
22 well and the drilling logs and all other records relating to the
23 drilling, equipping or operating of such well for the purpose of
24 determining whether the storage stratum is being adequately
25 protected to prevent the escape of gas stored therein. This act
26 shall not authorize the appropriation of any coal or coal
27 measure whether or not being mined or any interest therein.

28 (c) Any person drilling, operating, using or plugging any
29 well through any stratum which has been appropriated under this
30 act shall so drill, case, equip, operate or plug the same as to

1 prevent any avoidable escape of gas that may be stored in the
2 storage stratum. Upon failure, neglect or refusal of such person
3 or persons to comply with this section, the court of common
4 pleas of the county in which the tract of land is situated shall
5 have the power to compel compliance by injunction or to grant
6 other appropriate relief upon action brought by the corporations
7 storing gas in the storage stratum.

8 (d) Prior to any appropriation, the corporation shall
9 attempt to agree with the owner or owners of the interests in
10 real property involved as to the damage properly payable for the
11 property rights or interests to be appropriated in or on his,
12 her or their property, if such owner or owners can be found and
13 are sui juris. Failing to agree, the corporation shall tender to
14 the property owner or owners a surety bond to secure him, he or
15 them in the payment of damages. If the owner or owners refuse to
16 accept said bond or cannot be found or are not sui juris, said
17 bond, after reasonable notice to the property owner or owners by
18 advertisement or otherwise, shall then be presented for approval
19 to the court of common pleas of the county in which the tract of
20 land is situated. Upon the approval of the bond and its being
21 filed in said court, the right of the corporation to enter upon
22 the enjoyment of the powers given it by this act to store gas
23 and to enter on the property for the purpose of locating,
24 reconditioning, maintaining, plugging or replugging any active
25 or abandoned wells or operating any wells drilled into or
26 through said storage stratum within the storage reservoir
27 boundary or within the reservoir protective area shall be
28 complete.

29 (e) Upon petition of either the property owner or owners or
30 the corporation exercising the right of eminent domain

1 hereunder, said court shall appoint three disinterested
2 freeholders of the county to serve as viewers to assess the
3 damages proper to be paid to the property owner or owners for
4 the rights appropriated by said corporation and shall fix a time
5 for their meeting of which notice shall be given to both
6 parties. After the viewers have filed their report with the
7 court, said court shall fix reasonable compensation for the
8 service of said viewers.

9 (f) Either party may appeal from the report of the viewers
10 within 20 days after the filing thereof with the court of common
11 pleas and have a jury trial and the right of appeal as in
12 ordinary cases.

13 (g) Nothing contained in this section shall relieve the
14 person operating a storage reservoir from the requirements of
15 this act.

16 CHAPTER 5

17 ENFORCEMENT AND REMEDIES

18 Section 501. Conferences.

19 (a) The department or any person having a direct interest in
20 the subject matter of this act may, at any time, request that a
21 conference be held for the purpose of discussing and endeavoring
22 to resolve by mutual agreement any matter arising under the
23 provisions of this act. Prompt notice of any such conference
24 shall be given by the department to all such interested parties.
25 At such conference a representative of the department shall be
26 in attendance and the department may make such recommendations
27 as it deems appropriate. Any agreement reached at such
28 conference shall be consistent with the requirements of this act
29 and, if approved by the department, shall be in attendance and
30 the department may make such recommendations as it deems

1 appropriate. Any agreement reached at such conference shall be
2 consistent with the requirements of this act and, if approved by
3 such representative of the department, it shall be reduced to
4 writing and shall be effective, unless reviewed and rejected by
5 the department within ten days after the close of the
6 conference. The record of any such agreement approved by the
7 department shall be kept on file by the department with copies
8 furnished to the parties. Scheduling of a conference shall not
9 affect the authority of the department to issue an appropriate
10 order to compel compliance with this act.

11 (b) Whenever a coal operator is to be given notice by the
12 department of any proceeding to be held under this section, the
13 department shall also send simultaneously a copy of such notice
14 to the collective bargaining representative of the employees of
15 the coal operator.

16 Section 502. Public nuisances.

17 Any violation of the provisions of this act, any rule or
18 regulation of the department, any order of the department or any
19 term or condition of any permit relating to the casing of wells,
20 plugging of wells, well site restoration, use of safety devices
21 or the protection of water supplies shall constitute a public
22 nuisance. Any person committing such a violation shall be liable
23 for the costs of abatement of any pollution and any public
24 nuisance caused by such violation. The Environmental Hearing
25 Board and any court of competent jurisdiction is hereby given
26 jurisdiction over actions to recover the costs of such
27 abatement.

28 Section 503. Enforcement orders.

29 The department may issue orders to such persons as it deems
30 necessary to aid in the enforcement of the provisions of this

1 act. An order issued under this act shall take effect upon
2 notice, unless the order specifies otherwise. An appeal to the
3 Environmental Hearing Board shall not act as a supersedeas. The
4 power of the department to issue an order under this act is an
5 addition to any other remedy which may be afforded to the
6 department pursuant to this act or any other act.

7 Section 504. Restraining violations.

8 (a) In addition to any other remedies provided in this act,
9 the department may institute a suit in equity in the name of the
10 Commonwealth where a violation of law or nuisance exists for an
11 injunction to restrain a violation of this act or the rules,
12 regulations, standards or orders adopted or issued thereunder
13 and to restrain the maintenance or threat of a public nuisance.
14 In any such proceeding, the court shall, upon motion of the
15 Commonwealth, issue a prohibitory or mandatory preliminary
16 injunction if it finds that the defendant is engaging in
17 unlawful conduct as defined by this act or is engaged in conduct
18 which is causing immediate and irreparable harm to the public.
19 The Commonwealth shall not be required to furnish bond or other
20 security in connection with such proceedings. In addition to an
21 injunction, the court in such equity proceedings, may level
22 civil penalties as specified in section 506.

23 (b) In addition to any other remedies provided for in this
24 act, upon relation of any district attorney of any county
25 affected, or upon relation of the solicitor of any municipality
26 affected, an action in equity may be brought in a court of
27 competent jurisdiction for an injunction to restrain any and all
28 violations of this act or the rules and regulations promulgated
29 hereunder, or to restrain any public nuisance or detriment to
30 health.

1 (c) The penalties and remedies prescribed by this act shall
2 be deemed concurrent and the existence of or exercise of any
3 remedy shall not prevent the department from exercising any
4 other remedy hereunder, at law or in equity.

5 (d) Actions instituted under this section may be filed in
6 the appropriate court of common pleas or in the Commonwealth
7 Court, which courts are hereby granted jurisdiction to hear such
8 actions.

9 Section 505. Penalties.

10 (a) Any person who violates any provisions of the act is
11 guilty of a summary offense and, upon conviction thereof, shall
12 be sentenced to pay a fine of not more than \$300 or undergo
13 imprisonment of not more than 90 days, or both. Each day's
14 continuance of such violation shall be a separate and distinct
15 offense.

16 (b) Any person who willfully violates any provisions of this
17 act or any order of the department issued pursuant to the
18 provisions of this act is guilty of a misdemeanor and, upon
19 conviction thereof, shall be sentenced to pay a fine of not more
20 than \$5,000, or undergo imprisonment of not more than one year,
21 or both. Each day's continuance of such violation shall be a
22 separate distinct offense.

23 Section 506. Civil penalties.

24 In addition to proceeding under any other remedy available at
25 law or in equity for a violation of a provision of this act or a
26 rule or regulation of the department or any order of the
27 department, the Environmental Hearing Board, after hearing, may
28 assess a civil penalty upon a person for such violation. Such a
29 penalty may be assessed whether or not the violation was
30 willful. The civil penalty so assessed shall not exceed \$25,000,

1 plus \$1,000 for each day of continued violation. In determining
2 the amount of the civil penalty, the board shall consider the
3 willfulness of the violation, damage or injury to the natural
4 resources of the Commonwealth of their uses, endangerment of the
5 safety of others, costs of remedying the harm, savings resulting
6 to the person in consequence of such violation and other
7 relevant factors. It shall be payable to the Commonwealth and
8 shall be collectible in any manner provided at law for the
9 collection of debts. If any person liable to pay any such
10 penalty neglects or refuses to pay the same after demand, the
11 amount, together with interest and any costs that may accrue,
12 shall be a lien in favor of the Commonwealth upon the property,
13 both real and personal, of such person but only after same has
14 been entered and docketed of record by the prothonotary of the
15 county where such is situated. The board may, at any time,
16 transmit to the prothonotaries of the respective counties
17 certified copies of all such liens and it shall be the duty of
18 each prothonotary to enter and docket the same of record in his
19 office and to index the same as judgments are indexed, without
20 requiring the payment of costs as a condition precedent to the
21 entry thereof.

22 Section 507. Existing rights and remedies preserved;

23 cumulative remedies authorized.

24 Nothing in this act shall be construed as estopping the
25 Commonwealth or any district attorney from proceeding in courts
26 of law or equity to abate pollution forbidden under this act or
27 abate nuisances under existing law. It is hereby declared to be
28 the purposes of this act to provide additional and cumulative
29 remedies to control activities related to drilling for or
30 production of oil and gas within the Commonwealth and nothing

1 contained in this act shall in any way abridge or alter rights
2 of action or remedies now or hereafter existing in equity, or
3 under the common law or statutory law, criminal or civil, nor
4 shall any provision in this act, or the granting of any permit
5 under this act, or any act done by virtue of this act, be
6 construed as estopping the Commonwealth in the exercise of its
7 rights under the common law or decisional law or in equity, from
8 proceeding in courts of law or equity to suppress nuisances, or
9 to abate any pollution now or hereafter existing or to enforce
10 common law or statutory rights. No courts of this Commonwealth
11 having jurisdiction to abate public or private nuisances shall
12 be deprived of such jurisdiction in any action to abate any
13 private or public nuisance instituted by any person for the
14 reasons that such nuisance constitutes air or water pollution.

15 Section 508. Production of materials; witnesses; depositions;
16 rights of entry.

17 (a) The department and its agents and employees shall:

18 (1) Have access to and require the production of books
19 and papers, documents and physical evidence pertinent to any
20 matter under investigation.

21 (2) Enter any building, property, premises or place
22 where for the purposes of making such investigation or
23 inspection as may be necessary to ascertain the compliance or
24 noncompliance by any person with the provisions of this act
25 and the rules or regulations promulgated hereunder. In
26 connection with such inspection or investigation, samples may
27 be taken of any solid, semisolid, liquid or contained gaseous
28 material for analysis.

29 (b) The department shall have the power in any part of the
30 Commonwealth to subpoena witnesses, to administer oaths, examine

1 witnesses or to take such testimony or compel the production of
2 such books, records, maps, plats, papers, documents and other
3 writings as it may deem necessary or proper in and pertinent to
4 any proceedings or investigation held or had by it. In case of
5 refusal to obey any subpoena served upon any person, any court
6 shall, on application of the department, have power to enforce
7 such subpoenas in contempt proceedings. The fees for serving a
8 subpoena shall be the same as those paid sheriffs for similar
9 services.

10 (c) The department or any party to proceedings before the
11 department may cause the deposition of witnesses, residing
12 within or without the Commonwealth, to be taken in the manner
13 prescribed by law for taking depositions in civil actions.

14 (d) Witnesses who are summoned before the department shall
15 be paid the same fees as are paid to witnesses in the courts of
16 record of general jurisdiction. Witnesses whose depositions are
17 taken pursuant to the provisions of this act and the officers
18 taking the same shall be entitled to the same fees as are paid
19 for like services in such courts.

20 Section 509. Unlawful conduct.

21 It shall be unlawful for any person to:

22 (1) Drill, alter, operate or utilize an oil or gas well
23 without a permit from the department as required by this act
24 or in violation of the rules or regulations adopted under
25 this act, or orders of the department, or in violation of any
26 term or condition of any permit issued by the department.

27 (2) Conduct any activities related to drilling for, or
28 production of, oil and gas, contrary to the rules or
29 regulations adopted under this act, or orders of the
30 department, or any term or any condition of any permit, or in

1 any manner as to create a public nuisance or to adversely
2 affect the public health, safety, welfare or the environment.

3 (3) Refuse, obstruct, delay or threaten any agent or
4 employee of the department in the course of performance of
5 any duty under this act including, but not limited to, entry
6 and inspection under any circumstances.

7 (4) Attempt to obtain a permit by misrepresentation or
8 failure to disclose all relevant facts.

9 Section 510. Collection of fines and penalties.

10 All fines and penalties shall be collectible in any manner
11 provided by law for the collection of debts. If any person
12 liable to pay any such penalty neglects or refuses to pay the
13 same after demand, the amount together with interest and any
14 costs that may accrue, shall be a judgment in favor of the
15 Commonwealth upon the property of such person, but only after
16 same has been entered and docketed of record by the prothonotary
17 of the county where such property is situated. The department
18 may, at any time, transmit to the prothonotaries of the
19 respective counties certified copies of all judgments and it
20 shall be the duty of each prothonotary to enter and docket the
21 same of record in his office and to index the same as judgments
22 are indexed, without requiring the payment of costs as a
23 condition precedent to the entry thereof.

24 Section 511. Third party liability.

25 Where a person other than the well operator as herein
26 defined, renders a service or product to a well or well site,
27 that person shall be jointly and severally liable with the well
28 owner or operator for violations of this act arising out of and
29 caused by his actions at the well or well site.

30 CHAPTER 6

MISCELLANEOUS PROVISIONS

Section 601. Well Plugging Restricted Revenue Account.

All fines, civil penalties, permit and registration fees collected under this act shall be paid into the State Treasury into a restricted revenue account to be known as the Well Plugging Restricted Revenue Account, hereby established, which shall be administered by the department for the plugging and sealing of abandoned wells and to cover the purposes of administering this act. All the moneys from time to time paid into the Well Plugging Restricted Revenue Account are specifically appropriated upon annual approval by the Governor to the Department of Environmental Resources to carry out the purposes of this act.

In consideration of the establishment in section 215 of bond amounts which may not be adequate to fully indemnify the Commonwealth for the cost of plugging abandoned wells, there shall be added to the permit fee established by the department under section 201 for new wells a \$50 surcharge. All moneys deposited in this restricted revenue account from the surcharge shall be expended by the department to plug abandoned wells which threaten potential pollution of waters of this Commonwealth.

Section 602. Local ordinances.

Except with respect to ordinances adopted pursuant to the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code and the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act, all local ordinances and enactments purporting to regulate oil and gas well drilling are hereby superseded. The Commonwealth, by this enactment, hereby preempts the regulation of oil and gas

1 wells as herein defined.

2 Section 603. Effect on department authority.

3 The provisions of this act shall not be construed to affect,
4 limit or impair any right or authority of the department under
5 the act of June 22, 1937 (P.L.1987, No.394), known as The Clean
6 Streams Law, the act of January 8, 1960 (1959 P.L.2119, No.787),
7 known as the Air Pollution Control Act, the act of November 26,
8 1978 (P.L.1375, No.325), known as the Dam Safety and
9 Encroachments Act and the act of July 7, 1980 (P.L.380, No.97),
10 known as the Solid Waste Management Act.

11 Section 604. Repeal.

12 The act of November 30, 1955 (P.L.756, No.225), known as the
13 Gas Operations Well-Drilling Petroleum and Coal Mining Act, is
14 repealed.

15 Section 605. Effective date.

16 This act shall take effect in 60 days.