

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 234 Session of 2011

INTRODUCED BY MUNDY, DeLUCA, DePASQUALE, FREEMAN, GEORGE,
JOHNSON, KORTZ, MULLERY, MURPHY, PASHINSKI, PAYTON, READSHAW,
REICHLEY, SANTARSIERO, K. SMITH, STABACK AND WAGNER,
JANUARY 26, 2011

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
JANUARY 26, 2011

AN ACT

1 Amending the act of December 19, 1984 (P.L.1140, No.223),
2 entitled "An act relating to the development of oil and gas
3 and coal; imposing duties and powers on the Department of
4 Environmental Resources; imposing notification requirements
5 to protect landowners; and providing for definitions, for
6 various requirements to regulate the drilling and operation
7 of oil and gas wells, for gas storage reservoirs, for various
8 reporting requirements, including certain requirements
9 concerning the operation of coal mines, for well permits, for
10 well registration, for distance requirements, for well casing
11 requirements, for safety device requirements, for storage
12 reservoir obligations, for well bonding requirements, for a
13 Well Plugging Restricted Revenue Account to enforce oil and
14 gas well plugging requirements, for the creation of an Oil
15 and Gas Technical Advisory Board, for oil and gas well
16 inspections, for enforcement and for penalties," providing
17 for the definition of "unconventional shale formation"; and
18 further providing for well reporting requirements.

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

21 Section 1. Section 103 of the act of December 19, 1984
22 (P.L.1140, No.223), known as the Oil and Gas Act, is amended by
23 adding a definition to read:

24 Section 103. Definitions.

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

4 * * *

5 "Unconventional shale formation." Any of the following:

6 (1) A formation that typically produces gas through high
7 volume hydraulic fracturing and horizontal well bores, such
8 as the Rhinestreet, Burket, Marcellus, Mandata and Utica
9 Shale formations.

10 (2) Formations identified by the Department of
11 Environmental Protection.

12 * * *

13 Section 2. Section 212(a.1) of the act, amended March 22,
14 2010 (P.L.169, No.15), is amended to read:

15 Section 212. Well reporting requirements.

16 * * *

17 (a.1) The following shall apply:

18 (1) Every operator of a well which produces gas from
19 [the Marcellus Shale formation] an unconventional shale
20 formation shall file with the department, on a form provided
21 by the department, a semiannual report specifying [the amount
22 of production], on the most well-specific basis available[.],
23 the following information:

24 (i) The amount of production.

25 (ii) The amount of each type of waste generated by
26 the well.

27 (iii) Each facility that accepted waste generated by
28 the well for disposal, treatment or reuse and the amount
29 of each type of waste accepted by each facility.

30 (2) The initial report required under this subsection

1 shall be filed with the department on or before August 15,
2 2010, and shall include production data from the preceding
3 calendar year. Initial reports shall also specify the status
4 of each well[; however,], except that in subsequent reports,
5 only changes in the status must be reported. Subsequent
6 semiannual reports shall be filed with the department on or
7 before February 15 and August 15 of each year and shall
8 include production data from the preceding reporting period.

9 (3) The Commonwealth shall have the right to utilize
10 [such information] the information in a report in enforcement
11 proceedings, in making designations or determinations under
12 section 1927-A of the act of April 9, 1929 (P.L.177, No.175),
13 known as The Administrative Code of 1929, or in aggregate
14 form for statistical purposes.

15 (4) Beginning November 1, 2010, the department shall
16 make the reports available on its publicly accessible
17 Internet website.

18 (5) Any costs incurred by the department to comply with
19 the requirements of this subsection shall be paid out of the
20 fees collected under section 201(d).

21 * * *

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