

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 828 Session of 2019

INTRODUCED BY FRITZ, NEILSON, PICKETT, BERNSTINE, KAUFER, DUNBAR, MILLARD, IRVIN, TOOHL, GABLER, JAMES, NELSON, OBERLANDER, WALSH, BENNINGHOFF, EVERETT, SCHMITT, SAYLOR, O'NEAL, SNYDER, F. KELLER, RYAN, ZIMMERMAN, GROVE, STRUZZI, WHEELAND AND MASSER, MARCH 14, 2019

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 26, 2019

AN ACT

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

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

5 Section 1. Section 3211(i) of Title 58 of the Pennsylvania
6 Consolidated Statutes is amended and the section is amended by
7 adding subsections to read:

8 § 3211. Well permits.

9 * * *

10 (a.1) Multi-well pad permit.--An unconventional well
11 operator may apply to the department for a multi-well pad permit
12 under subsections (b), (c) and (e) THIS SECTION for the <--
13 development of oil or natural gas. A person who receives a <--
14 multi-well pad permit under this subsection shall not be
15 required to obtain a separate well permit under subsection (a)
16 for any unconventional wells drilled or altered within the

1 permitted area that are spud prior to the expiration of the
2 permit. A copy of the permit shall be kept at the well site
3 during preparation and construction of the well site or access
4 road during drilling or alteration of the well. The following
5 apply:

6 (1) For any well drilled under a permit issued under
7 this subsection, the area of review survey required by the
8 department identifying any wells which penetrate within 1,500
9 feet of planned hydraulic fracturing perforations shall be
10 submitted concurrent with the well record required under
11 section 3222(b)(2) (relating to well reporting requirements).

12 (2) Each application for a permit shall be accompanied
13 by a permit fee of \$2,000.

14 (3) An operator shall pay a fee for each well spud under
15 authorization of a permit issued under this subsection. The
16 fee shall be equal to the fee charged by the department under
17 subsection (d).

18 (4) A permit issued under this subsection shall expire
19 five years after issuance unless operations for drilling a
20 well under the permit are commenced within the period and are
21 pursued with due diligence or unless the permit is renewed in
22 accordance with regulations of the department.

23 * * *

24 (e.2) Well deviation.--The department shall not require a
25 permittee to repermit a well unless the surface hole location of
26 the well deviates by more than 50 feet from the original
27 proposed surface hole location contained on the plat that
28 accompanies the well permit application. Deviation of the final
29 subterranean well bore path from the proposed subterranean well
30 bore path, if indicated, on the plat that accompanies the well

1 permit application due to geologic, safety, environmental
2 protection, optimal resource extraction or other reasonable
3 consideration shall not constitute a violation.

4 * * *

5 (i) Expiration.--

6 (1) Well permits issued for drilling wells under [this <--
7 chapter] SUBSECTION (A) shall expire one year after issuance <--
8 OR, IN THE CASE OF AN UNCONVENTIONAL WELL, THE WELL PERMIT <--
9 APPLICANT MAY SELECT A ONE-YEAR, TWO-YEAR OR THREE-YEAR WELL
10 PERMIT TERM IN THE WELL PERMIT APPLICATION. THE WELL PERMIT
11 SHALL EXPIRE AT THE END OF THE SELECTED PERMIT TERM unless
12 operations for drilling the well are commenced within the
13 [period] PERMIT TERM and pursued with due diligence or unless <--
14 the permit is renewed in accordance with regulations of the
15 department. If drilling is commenced during the [one-year <--
16 period] PERMIT TERM AND PURSUED WITH DUE DILIGENCE, the well <--
17 permit shall remain in force until the well is plugged in
18 accordance with section 3220 (relating to plugging
19 requirements) or the permit is revoked. A drilling permit
20 issued prior to April 18, 1985, for a well which is an
21 operating well on April 18, 1985, shall remain in force as a
22 well permit until the well is plugged in accordance with
23 section 3220.

24 ~~(2) The department may establish, by regulation, a <--~~
25 ~~multi-year well permit. The well permit application fee~~
26 ~~charged by the department shall be prorated according to the~~
27 ~~duration of the multi-year well permit.~~

28 * * *

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