

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1354 Session of
2021

INTRODUCED BY INNAMORATO, GALLOWAY, HILL-EVANS, CIRESI,
SCHLOSSBERG, DeLUCA, ZABEL, DALEY, SANCHEZ, HOHENSTEIN, SIMS,
KIRKLAND, OTTEN, FIEDLER, LEE, ISAACSON, RABB, SHUSTERMAN,
WEBSTER, MADDEN, KRAJEWSKI, KINKEAD, GUENST, VITALI, MULLINS,
McNEILL, HERRIN AND N. NELSON, MAY 10, 2021

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MAY 10, 2021

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated
2 Statutes, in development, further providing for relationship
3 to solid waste and surface mining.

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

6 Section 1. Section 3273.1(a) and (b) of Title 58 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3273.1. Relationship to solid waste and surface mining.

9 (a) General rule.--~~[The obligation to]~~ An owner or operator
10 of a well shall obtain a permit and post a bond under Articles
11 III and V of the act of July 7, 1980 (P.L.380, No.97), known as
12 the Solid Waste Management Act, and ~~[to]~~ provide public notice
13 under section 1905-A(b)(1)(v) of the act of April 9, 1929
14 (P.L.177, No.175), known as The Administrative Code of 1929, for
15 any pit, impoundment, method or facility employed for the
16 disposal, processing or storage of residual wastes generated by

1 the drilling of an oil or gas well or from the production of
2 wells which is located on the well site.[, shall be considered
3 to have been satisfied if the owner or operator of the well
4 meets the following conditions:

5 (1) the well is permitted under the requirements of
6 section 3211 (relating to well permits) or registered under
7 section 3213 (relating to well registration and
8 identification);

9 (2) the owner or operator has satisfied the financial
10 security requirements of section 3225 (relating to bonding)
11 by obtaining a surety or collateral bond for the well and
12 well site; and

13 (3) the owner or operator maintains compliance with this
14 chapter and applicable regulations of the Environmental
15 Quality Board.]

16 (b) Noncoal surface mining.--Obligations under the act of
17 December 19, 1984 (P.L.1093, No.219), known as the Noncoal
18 Surface Mining Conservation and Reclamation Act, or a regulation
19 promulgated under the Noncoal Surface Mining Conservation and
20 Reclamation Act, for any borrow area where minerals are
21 extracted solely for the purpose of oil and gas well
22 development, including access road construction, shall be
23 considered to have been satisfied if the owner or operator of
24 the well meets the following conditions [imposed under
25 subsection (a) (1) and (2) and]:

26 (1) the well is permitted under the requirements of
27 section 3211 (relating to well permits) or registered under
28 section 3213 (relating to well registration and
29 identification);

30 (2) the owner or operator has satisfied the financial

1 security requirements of section 3225 (relating to bonding)
2 by obtaining a surety or collateral bond for the well and
3 well site; and

4 (3) the owner or operator maintains compliance with this
5 chapter and applicable regulations of the Environmental
6 Quality Board.

7 * * *

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