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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1465 Session of  
2021

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INTRODUCED BY OTTEN, FRANKEL, SAPPEY, KRAJEWSKI, HERRIN, VITALI,  
SANCHEZ, WEBSTER AND MADDEN, NOVEMBER 9, 2021

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REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
NOVEMBER 9, 2021

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AN ACT

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

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

6 Section 1. Section 3215(a) and (b) of Title 58 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3215. Well location restrictions.

9 (a) General rule.--Wells may not be drilled within 200 feet,  
10 or, in the case of an unconventional gas well, [500] 2,500 feet,  
11 measured horizontally from the vertical well bore to a building  
12 or water well, existing when the copy of the plat is mailed as  
13 required by section 3211(b) (relating to well permits) [without  
14 written consent of the owner of the building or water well].

15 Unconventional gas wells may not be drilled within [1,000] 2,500  
16 feet measured horizontally from the vertical well bore to any  
17 existing water well, surface water intake, reservoir or other  
18 water supply extraction point used by a water purveyor [without

1 the written consent of the water purveyor. If consent is not  
2 obtained and]. If the distance restriction would deprive the  
3 owner of the oil and gas rights of the right to produce or share  
4 in the oil or gas underlying the surface tract, the well  
5 operator [shall be granted] may submit a request for a variance  
6 from the distance restriction [upon submission of]. As part of  
7 the variance request, the well operator shall submit a plan  
8 identifying the additional measures, facilities or practices as  
9 prescribed by the department to be employed during well site  
10 construction, drilling and operations. [The variance] If the  
11 department is satisfied that the plan adequately addresses these  
12 additional measures, facilities or practices, the variance shall  
13 be granted and shall include additional terms and conditions  
14 required by the department to ensure safety and protection of  
15 affected persons and property, including insurance, bonding,  
16 indemnification and technical requirements. Notwithstanding  
17 section 3211(e), if a variance request has been submitted, the  
18 department may extend its permit review period for up to 15 days  
19 upon notification to the applicant of the reasons for the  
20 extension.

21 (b) Limitation.--

22 (1) No well site may be prepared or well drilled within  
23 100 feet or, in the case of an unconventional well, [300]  
24 2,500 feet from the vertical well bore or 100 feet from the  
25 edge of the well site, whichever is greater, measured  
26 horizontally from any solid blue lined stream, spring or body  
27 of water as identified on the most current 7 1/2 minute  
28 topographic quadrangle map of the United States Geological  
29 Survey.

30 (2) The edge of the disturbed area associated with any

1 unconventional well site must maintain a [100-foot] 2,500-  
2 foot setback from the edge of any solid blue lined stream,  
3 spring or body of water as identified on the most current 7  
4 1/2 minute topographic quadrangle map of the United States  
5 Geological Survey.

6 (3) No unconventional well may be drilled within [300]  
7 2,500 feet of any wetlands greater than one acre in size, and  
8 the edge of the disturbed area of any well site must maintain  
9 a [100-foot] 2,500-foot setback from the boundary of the  
10 wetlands.

11 (3.1) A school, hospital, long-term care facility,  
12 child-care facility or facility that houses or serves  
13 individuals with intellectual or developmental disabilities  
14 shall not be within 5,000 feet of any of the following:

15 (i) A compressor station.

16 (ii) A pit or impoundment containing drilling  
17 cuttings, flowback water, produced water or hazardous  
18 materials, chemicals or waste.

19 (iii) A tank containing hazardous materials,  
20 chemicals, condensate, waste, flowback or produced water.

21 (iv) Any storage or handling of water, chemicals,  
22 fuels, hazardous materials or solid waste on a well site.

23 (3.2) A building, other than that specified in paragraph  
24 (3.1), water well or water supply shall not be within 2,500  
25 feet of any of the following:

26 (i) A compressor station.

27 (ii) A pit or impoundment containing drilling  
28 cuttings, flowback water, produced water or hazardous  
29 materials, chemicals or waste.

30 (iii) A tank containing hazardous materials,

1           chemicals, condensate, waste, flowback or produced water.

2           (iv) Any storage or handling of water, chemicals,  
3           fuels, hazardous materials or solid waste on a well site.

4           (4) The department [shall] may not waive the distance  
5           restrictions [upon submission of a plan identifying  
6           additional measures, facilities or practices to be employed  
7           during well site construction, drilling and operations  
8           necessary to protect the waters of this Commonwealth. The  
9           waiver, if granted, shall include additional terms and  
10          conditions required by the department necessary to protect  
11          the waters of this Commonwealth. Notwithstanding section  
12          3211(e), if a waiver request has been submitted, the  
13          department may extend its permit review period for up to 15  
14          days upon notification to the applicant of the reasons for  
15          the extension].

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