

No. 2014-173

AN ACT

HB 2278

Providing for operators of unconventional wells to make certain reports to the Department of Environmental Protection; imposing duties on the department; and repealing provisions in Title 58 of the Pennsylvania Consolidated Statutes.

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

Section 1. Short title.

This act shall be known and may be cited as the Unconventional Well Report Act.

Section 2. Definitions.

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

"Department." The Department of Environmental Protection of the Commonwealth.

"Operator." A well operator.

"Unconventional formation." A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

"Unconventional well." A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

Section 3. Unconventional well reports.

(a) Duty to report.—The operator of an unconventional well shall file with the department, on a form provided by the department, a monthly report specifying the amount of production on the most well-specific basis available.

(b) Timing and contents.—The initial report under this act shall be filed by March 31, 2015, and specify the status of each well. In subsequent reports, only changes in status must be reported. Subsequent monthly reports shall be filed with the department within 45 days after the close of the reporting period and shall include production data from the preceding reporting period.

(c) Use of reports.—The Commonwealth may utilize information contained in reports filed under this act in enforcement proceedings, in making designations or determinations under section 1927-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, or in aggregate form for statistical purposes.

(d) Posting.—The department shall make the reports available on its publicly accessible Internet website.

(e) Costs.—Costs incurred by the department to comply with the requirements of this section shall be paid out of the fees collected under 58 Pa.C.S. § 3211(d) (relating to well permits).

Section 4. Repeals.

Repeals are as follows:

- (1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate this act.
- (2) The provisions of 58 Pa.C.S. § 3222(a.1) are repealed.

Section 5. Effective date.

This act shall take effect as follows:

- (1) Section 4 shall take effect March 31, 2015.
- (2) The remainder of this act shall take effect immediately.

APPROVED—The 22nd day of October, A.D. 2014

TOM CORBETT