

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 26 Session of 2023

INTRODUCED BY MUTH, HAYWOOD, FONTANA, HUGHES, SCHWANK AND
CAPPELLETTI, JANUARY 18, 2023

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 18, 2023

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
17 the drilling of an oil or gas well or from the production of
18 wells which is located on the well site. [, shall be considered

1 to have been satisfied if the owner or operator of the well
2 meets the following conditions:

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

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

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

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

24 (1) The well is permitted under the requirements of
25 section 3211 (relating to well permits) or registered under
26 section 3213 (relating to well registration and
27 identification.

28 (2) The owner or operator has satisfied the financial
29 security requirements of section 3225 (relating to bonding)
30 by obtaining a surety or collateral bond for the well and

1 well site.

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

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