
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 512 Session of
2013

INTRODUCED BY KASUNIC, YUDICHAK, FERLO, SOLOBAY, BAKER,
RAFFERTY, KITCHEN, HUGHES, TEPLITZ, ERICKSON, FONTANA,
BREWSTER, VULAKOVICH, WAUGH, McILHINNEY, TARTAGLIONE, COSTA,
FARNESE, BROWNE AND WASHINGTON, FEBRUARY 20, 2013

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 20, 2013

AN ACT

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

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

6 Section 1. Section 3253(c) of Title 58 of the Pennsylvania
7 Consolidated Statutes, added February 14, 2012 (P.L.87, No.13),
8 is amended to read:

9 § 3253. Enforcement orders.

10 * * *

11 (c) Written notice.--

12 (1) Prior to suspension or revocation of a well permit
13 or registration, the department shall serve written notice on
14 the well operator or its agent, stating specifically the
15 statutory provision, regulation or other reason relied upon,
16 along with factual circumstances surrounding the alleged
17 violation. If the department suspends or revokes the permit

1 or registration, the department may order the operator to cap
2 the well if the likely result of the violation is an unsafe
3 operation or environmental damage.

4 (2) If both of the following apply:

5 (i) the department issues an enforcement order for a
6 continuing violation of any of the following:

7 (A) this chapter;

8 (B) the Clean Streams Law;

9 (C) the Solid Waste Management Act; or

10 (D) any other statute administered by the
11 department;

12 and

13 (ii) the likely result of the violation is an unsafe
14 operation or environmental damage,

15 then the department shall provide a copy of the enforcement
16 order and written notice to the surface owner, if the surface
17 is owned by a person other than the well operator, and all
18 surface users. The notice shall specifically state the
19 statutory provision, regulation or other reason relied upon
20 and the factual circumstances surrounding the violation which
21 serve as the basis for the enforcement order.

22 * * *

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