
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 882 Session of
2013

INTRODUCED BY CONKLIN, BOBACK, CALTAGIRONE, CARROLL, COHEN,
D. COSTA, DeLUCA, FABRIZIO, KORTZ, MAHONEY, MURT, THOMAS AND
WHITE, MARCH 11, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 11, 2013

AN ACT

1 Providing for the establishment of response teams relating to
2 certain well operations and for the powers and duties of the
3 Secretary of Labor and Industry.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Well
8 Operation Response Team Act.

9 Section 2. Definitions.

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

13 "Completion." The date on which a well involved is properly
14 equipped for the production of oil or gas, goes into production
15 or, if a well is dry, the date on which the well is abandoned.

16 "Department." The Department of Labor and Industry of the
17 Commonwealth.

18 "Drilling." The term includes the drilling or re-drilling of

1 a well or the deepening or expansion of an existing well.

2 "Exploration." A drilling effort to obtain information
3 relating to oil or gas extraction without the intent of
4 immediate production.

5 "Operator." An individual or entity that locates, drills,
6 operates, alters, directs, controls, supervises, maintains,
7 plugs or abandons a well or reconditions a well with the purpose
8 of production.

9 "Production." The retrieval of oil or gas from a well.

10 "Response team." A team of individuals established by an
11 operator in accordance with this act, the members of which, at a
12 minimum:

13 (1) are familiar with the operations and equipment of a
14 well;

15 (2) participate at least annually in response training
16 at a minimum of one well that is operated by the operator and
17 covered by the response team;

18 (3) are trained in basic first aid and CPR training on
19 an annual basis; and

20 (4) will be available with respect to the well involved
21 not later than one hour by ground travel time after
22 requested.

23 "Secretary." The Secretary of Labor and Industry of the
24 Commonwealth.

25 "Well." A bore hole drilled or being drilled onshore for the
26 purpose of, or to be used for, producing, extracting or
27 injecting any gas, petroleum or other liquid related to oil or
28 gas production or storage, including a hole drilled or being
29 drilled for exploration. The term does not include a hole that
30 has been plugged and abandoned.

1 Section 3. Response team regulations.

2 (a) General rule.--Not later than 18 months after the
3 effective date of this section, the secretary shall promulgate
4 regulations, in accordance with this section, relating to
5 response teams.

6 (b) Requirements.--Regulations promulgated under subsection
7 (a) shall:

8 (1) Not be construed to waive operator training
9 requirements applicable to existing response teams.

10 (2) Establish, subject to update every five years
11 thereafter, criteria to certify the qualifications of
12 response teams.

13 (3) Require that the operator of a well:

14 (i) During the exploration or drilling phase, or
15 before the completion phase:

16 (A) Have an employee knowledgeable in responding
17 to emergency situations that may arise at the well
18 who is employed and present at the well at all times.

19 (B) Make available a certified response team.

20 (ii) During the production phase, make available a
21 certified response team.

22 (4) Provide that an operator must select one of the
23 following to satisfy the requirement of paragraph (3)(ii):

24 (i) A multiemployer composite response team that is
25 made up of team members who are knowledgeable about the
26 operations of the well and who train on an annual basis
27 at the well:

28 (A) Which provides coverage for multiple
29 operators that have team members which include at
30 least two active employees from each of the

1 operators.

2 (B) Which provides coverage for multiple wells
3 owned by the same operator.

4 (C) Which is a State-sponsored response team
5 that is composed of at least two active employees
6 from each of the operators.

7 (ii) A commercial response team that is provided for
8 through contract with a third-party vendor or a response
9 team provided by another operator, if the team:

10 (A) Trains on a quarterly basis at a minimum of
11 one well operated by the operator who contracted for
12 the services of the commercial response team.

13 (B) Is knowledgeable about the operations of the
14 wells that are covered under the contract for
15 services.

16 (C) Is composed of individuals with a minimum of
17 one year well experience that has occurred within the
18 five-year period preceding their employment on the
19 contract response team.

20 (iii) A State-sponsored response team made up of
21 State employees.

22 (5) Require that an operator of a well:

23 (i) Within 15 minutes of the commencement of an
24 emergency, contact local first responders to inform them
25 of the emergency.

26 (ii) Within one hour of the commencement of an
27 emergency, contact the department to inform it of the
28 emergency.

29 (iii) Within one hour of the commencement of an
30 emergency, contact a State response center.

1 (iv) Provide communication technology, within a
2 reasonable distance of the well, that enables the
3 operator to comply with the regulations under this
4 paragraph.

5 (6) Require that an operator provide annual training to
6 local first responders responsible for serving the area of
7 each well operated by the operator, who may be required to
8 respond to an emergency situation, on the hazards of a well
9 and proper emergency response techniques.

10 (7) Require that an operator file a report, on an annual
11 basis, with the department that provides detailed information
12 on the response team assigned to each well of the operator
13 and affirmatively states that the operator is in compliance
14 with this act and all regulations promulgated under this act.

15 Section 4. Effective date.

16 This act shall take effect in 60 days.