
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **279** Session of
2015

INTRODUCED BY HUTCHINSON, SCARNATI, AUMENT, STEFANO, WARD,
WHITE, VOGEL AND VULAKOVICH, JANUARY 16, 2015

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 16, 2015

AN ACT

1 Establishing the Pennsylvania Grade Crude Development Advisory
2 Council; and providing for duties of the Pennsylvania Grade
3 Crude Development Advisory Council and the Department of
4 Environmental Protection and for administrative support.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania
9 Grade Crude Development Advisory Council Act.

10 Section 2. Definitions.

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

14 "Council." The Pennsylvania Grade Crude Development Advisory
15 Council.

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

18 Section 3. Pennsylvania Grade Crude Development Advisory
19 Council.

1 (a) Establishment.--There is established the Pennsylvania
2 Grade Crude Development Advisory Council.

3 (b) Composition.--The council shall consist of the following
4 members:

5 (1) The Secretary of Community and Economic Development
6 or the secretary's designee.

7 (2) The Secretary of Environmental Protection or the
8 secretary's designee.

9 (3) One member of the Senate appointed by the President
10 pro tempore of the Senate.

11 (4) One member of the Senate appointed by the Minority
12 Leader of the Senate.

13 (5) One member of the House of Representatives appointed
14 by the Speaker of the House of Representatives.

15 (6) One member of the House of Representatives appointed
16 by the Minority Leader of the House of Representatives.

17 (7) The following members appointed by the Governor:

18 (i) Two representatives of the Pennsylvania
19 Independent Petroleum Producers.

20 (ii) Two representatives of the Pennsylvania
21 Independent Oil and Gas Association.

22 (iii) Two representatives of the Pennsylvania Grade
23 Crude Oil Coalition.

24 (iv) Two representatives of refineries of
25 Pennsylvania grade crude oil.

26 (v) One representative of a nonprofit corporation,
27 which has the purpose of promoting the history and
28 economic benefits of the conventional oil and gas
29 industry in this Commonwealth.

30 (vi) One representative of academia who is a

1 geologist with an expertise in petroleum geology.

2 (vii) One representative of academia who is a
3 hydrologist.

4 (c) Chairperson.--The council shall elect a chairperson from
5 among its members.

6 (d) Meetings.--The council shall meet upon the call of the
7 chairperson, but not less than semiannually. A simple majority
8 of the members shall constitute a quorum.

9 (e) Terms.--

10 (1) Except as set forth in paragraph (2), the
11 legislative members of the council shall serve two-year terms
12 commencing with the first Tuesday in January of odd-numbered
13 years and may be reappointed upon reelection to office.

14 (2) Of the initial members appointed by the President
15 pro tempore of the Senate, the Minority Leader of the Senate,
16 the Speaker of the House of Representatives and the Minority
17 Leader of the House of Representatives, members shall serve
18 until the first Tuesday in January of the first odd-numbered
19 year after the end of the year during which this section
20 takes effect.

21 (3) Of the initial members appointed by the Governor:

22 (i) Four members shall serve initial terms of one
23 year.

24 (ii) Four members shall serve initial terms of two
25 years.

26 (iii) Three members shall serve initial terms of
27 three years.

28 (4) After the initial terms, individuals appointed by
29 the Governor shall serve for a term of three years.

30 (5) Individuals appointed by the Governor may be

1 appointed to successive terms.

2 (f) Vacancies.--Vacancies shall be filled for the remainder
3 of an unexpired term in the same manner as original
4 appointments. A member, upon expiration of the term, shall
5 continue to hold office until a successor is appointed.

6 (g) Quorum.--A majority of the membership of the council
7 shall constitute a quorum for the transaction of business.
8 Action may be taken on a matter before the council by a majority
9 vote of the full membership of the council.

10 (h) Compensation.--Council members may not receive
11 compensation for their services, but shall be reimbursed for all
12 necessary travel and other reasonable expenses incurred in
13 connection with the performance of their duties as members.

14 Section 4. Duties of council.

15 (a) Duties.--The council shall:

16 (1) Examine and make recommendations regarding existing
17 technical regulations promulgated under 58 Pa.C.S. (relating
18 to oil and gas) and policies implemented by the department
19 that impact the conventional oil and gas industry of this
20 Commonwealth.

21 (2) Explore the development of a regulatory scheme that
22 provides for environmental oversight and enforcement
23 specifically applicable to the conventional oil and gas
24 industry.

25 (3) Promote the long-term viability of the conventional
26 oil and gas industry.

27 (4) Assist the Secretary of Environmental Protection
28 with and provide written comments on new departmental policy
29 that will impact the conventional oil and gas industry of
30 this Commonwealth, including economic consequences.

1 (5) Review and comment on the formulation and drafting
2 of all technical regulations proposed under 58 Pa.C.S.

3 (6) Provide institutional support for the conventional
4 oil and gas industry of this Commonwealth by ensuring
5 effective cooperation and communication among governmental
6 agencies and the academic and research community.

7 (7) Recommend appropriate measures relating to the
8 promotion and development of the conventional oil and gas
9 industry of this Commonwealth.

10 (8) Develop a plan to increase Pennsylvania grade crude
11 oil production in an environmentally responsible way to more
12 adequately supply the refineries which depend on Pennsylvania
13 grade crude oil.

14 (9) Develop a joint working group with the department to
15 explore and develop an environmentally responsible and
16 economically viable production water management option.

17 (10) Perform other duties as necessary or appropriate to
18 effect the intent and purposes of this act.

19 (b) Report.--The council shall annually issue a report of
20 its activities and recommendations under subsection (a) to all
21 of the following:

22 (1) The Governor.

23 (2) The President pro tempore of the Senate.

24 (3) The Minority Leader of the Senate.

25 (4) The chairperson and minority chairperson of the
26 Environmental Resources and Energy Committee of the Senate.

27 (5) The Speaker of the House of Representatives.

28 (6) The Minority Leader of the House of Representatives.

29 (7) The chairperson and minority chairperson of the
30 Environmental Resources and Energy Committee of the House of

1 Representatives.

2 Section 5. Duties of department.

3 The department shall have the following duties:

4 (1) To consult with the council on all policies and
5 technical regulations promulgated under 58 Pa.C.S. (relating
6 to oil and gas).

7 (2) To include any written comments of the council
8 received before the department's submission of a proposed
9 rulemaking package of technical regulations under 58 Pa.C.S.
10 to the Environmental Quality Board, as part of its submission
11 to the Environmental Quality Board.

12 (3) To provide technical assistance required by the
13 council to carry out its duties under this act.

14 Section 6. Administrative support.

15 The Department of Community and Economic Development shall
16 provide administrative support, office space and any other
17 technical assistance required by the council to carry out its
18 duties under this act.

19 Section 7. Effective date.

20 This act shall take effect immediately.