

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 581 Session of 2024

INTRODUCED BY SANTARSIERO, COMMITTA, KANE, KEARNEY, HUGHES,
FONTANA, COSTA, CAPPELLETTI AND SCHWANK, JANUARY 22, 2024

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 22, 2024

AN ACT

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

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

6 Section 1. Section 3215(a) and (b) of Title 58 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3215. Well location restrictions.

9 (a) General rule.--Wells may not be drilled within 200 feet,
10 or, in the case of an unconventional gas well, [500] 2,500 feet,
11 measured horizontally from the vertical well bore to a building
12 or water well, existing when the copy of the plat is mailed as
13 required by section 3211(b) (relating to well permits) without
14 written consent of the owner of the building or water well.

15 Unconventional gas wells may not be drilled within [1,000] 2,500
16 feet measured horizontally from the vertical well bore to any
17 existing water well, surface water intake[, reservoir] or other
18 water supply extraction point used by a water purveyor without

1 the written consent of the water purveyor or within 5,000 feet
2 from a reservoir. If consent is not obtained and the distance
3 restriction would deprive the owner of the oil and gas rights of
4 the right to produce or share in the oil or gas underlying the
5 surface tract, the well operator shall be granted a variance
6 from the distance restriction upon submission of a plan
7 identifying the additional measures, facilities or practices as
8 prescribed by the department to be employed during well site
9 construction, drilling and operations. The variance shall
10 include additional terms and conditions required by the
11 department to ensure safety and protection of affected persons
12 and property, including insurance, bonding, indemnification and
13 technical requirements. Notwithstanding section 3211(e), if a
14 variance request has been submitted, the department may extend
15 its permit review period for up to 15 days upon notification to
16 the applicant of the reasons for the extension.

17 (b) Limitation.--

18 (1) No well site may be prepared or well drilled within
19 100 feet or, in the case of an unconventional well, 300 feet
20 from the vertical well bore or 100 feet from the edge of the
21 well site, whichever is greater, measured horizontally from
22 any solid blue lined stream, spring or body of water as
23 identified on the most current 7 1/2 minute topographic
24 quadrangle map of the United States Geological Survey.

25 (2) The edge of the disturbed area associated with any
26 unconventional well site must maintain a 100-foot setback
27 from the edge of any solid blue lined stream, spring or body
28 of water as identified on the most current 7 1/2 minute
29 topographic quadrangle map of the United States Geological
30 Survey.

1 (3) No unconventional well may be drilled within 300
2 feet of any wetlands greater than one acre in size, and the
3 edge of the disturbed area of any well site must maintain a
4 100-foot setback from the boundary of the wetlands.

5 (3.1) No well may be drilled within 5,000 feet of a
6 school or hospital on or after the effective date of this
7 paragraph.

8 (4) The department shall waive the distance restrictions
9 upon submission of a plan identifying additional measures,
10 facilities or practices to be employed during well site
11 construction, drilling and operations necessary to protect
12 the waters of this Commonwealth. The waiver, if granted,
13 shall include additional terms and conditions required by the
14 department necessary to protect the waters of this
15 Commonwealth. Notwithstanding section 3211(e), if a waiver
16 request has been submitted, the department may extend its
17 permit review period for up to 15 days upon notification to
18 the applicant of the reasons for the extension.

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