

Oil and Gas Alert: Pennsylvania Regulatory Board Revises Natural Gas Regulations

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On February 3, 2016, the Pennsylvania Environmental Quality Board approved revisions to Pennsylvania's natural gas regulations which, in part, would create a new regulatory chapter covering unconventional natural gas wells. The revisions now must be approved by the Commonwealth's Independent Regulatory Review Commission and the House and Senate Environmental Resources and Energy Committees.

Known as the "Environmental Protection Performance Standards at Oil and Gas Well Sites," the revised rules seek to: (1) limit the use of pits to store drill cuttings and waste fluids and require a permit to dispose of drill cuttings; (2) require vandal proof tanks located at a well site and monthly maintenance inspections; (3) improve secondary containment at well sites and, if not completely contained, require the reporting of spills of five gallons or more to the Pennsylvania Department of Environmental Protection; (4) regulate gathering lines and temporary freshwater and wastewater pipelines; and, (5) mandate water management plans and increase water supply restoration standards. If ultimately adopted, these rules will require operators to evaluate the potential for their hydraulic fracturing operations to impact abandoned and operating wells and monitor at-risk wells. Further, the rules establish a process for the Pennsylvania Department of Environmental Protection (DEP) to identify, consider and protect public resources from potential impacts of a proposed well and to coordinate with applicable public resource agencies. Such potential impacts relate to general recreation and aesthetics, including common areas on school properties and playgrounds.

An executive summary of the adopted rules is available on the PA DEP's website at www.dep.pa.gov. Vorys energy attorneys are available to answer any questions that you may have over these proposed regulations. For additional information, contact Michael K. Venum at 412.904.7712.