



# OIL AND GAS NEWS LINE



TOM WOLF, GOVERNOR • PATRICK MCDONNELL, DEP SECRETARY

## Welcome to DEP's Oil and Gas News Line

As we move ahead through the first quarter of this brand new year, the Office of Oil and Gas Management has continued its forward movement in upholding its mission. In spite of a global pandemic, under telework schedules, we haven't missed a beat.

We know too it's important to keep you updated on our activities during these times, and the content appearing below contains a glimpse of just a few of the Oil and Gas projects we are engaged in. We trust you'll find it interesting, if not helpful.

Most importantly, perhaps, is that as our world continues to open up you have our assurance that the Oil and Gas Team remains poised to carry forward the [DEP mission](#). We remain committed to providing you with the high level of service and care which you have come to expect and deserve.

- Scott Perry, Deputy Secretary, Office of Oil and Gas Management

## Grant Application Period Is Now Open

Just a reminder: The Orphan or Abandoned Well Plugging Program (OAWP) grant application period opened on February 1st and will close on May 31st. Competitive grants awarded under the OAWP Program may be used to plug orphan and abandoned wells for which no responsible party exists and that have the potential to cause health, safety, or environmental concerns. Other projects which are eligible include the installation of well vents and stray gas mitigation systems.

The maximum grant value is \$1,000,000, and there is a \$100 application fee. More information can be found at the [Commonwealth Financing Authority's website](#).

## Operator Well Inventory Requirements

With the new year underway, oil and gas operators are encouraged to routinely compare their well inventory to the DEP Oil and Gas Well Inventory Report on the [DEP Oil and Gas Reports webpage](#). This is strongly recommended before operators submit required electronic reports such as Production, Waste and Mechanical Integrity Assessment reports. Under applicable Pennsylvania law, the current operator of a well must have a valid permit or registration to lawfully operate an oil or gas well.

If you sold a well, purchased a well, or if the status of a well has changed (ex. the well has been plugged), and this information does not display as you think it should in the DEP Oil and Gas Well Inventory Report, please [contact the DEP Oil and Gas District office](#) where the well is located and request the proper forms to update your information to resolve these issues. DEP must receive proper documentation to update records, ownership, or well status. All forms should be submitted to the DEP Oil and Gas District offices for the county where the well is located.

## ePermitting

As a reminder, effective January 1, 2021, the Office of Oil and Gas Management discontinued the use of the eWell applications and transitioned solely over to ePermitting. While Operators, who have submitted their applications through eWell prior to this date, will still have access to complete their applications, Well Operators are highly encouraged to familiarize themselves with the ePermitting application by referencing the training tools found below:

- [e-permitting training PowerPoint](#) (PDF)
- [e-permitting training webinar](#) (MP4)
- [e-permitting training webinar](#) (WMV)

## TENORM Disposal for 2021

The Pennsylvania Department of Environmental Protection (DEP) reviewed the 2020 TENORM tracking sheets as part of its continuing evaluation of the effectiveness of the TENORM disposal protocol. As a result, DEP found that no revisions to the TENORM tracking spreadsheet would be necessary for 2021. DEP encourages you to communicate regularly with your waste management business partners to ensure your TENORM waste can be managed efficiently and effectively. [Click here to review the letter that has been distributed to all Pennsylvania landfills](#).

[A list of the Residual Waste Codes may be obtained from the DEP's eLibrary here.](#)

If you have any questions concerning this information, please contact your regional waste management program. Alternatively, you may contact Ali Tarquino Morris or Chris Solloway by phone at 717.787.7381 or by email at [altarquino@pa.gov](mailto:altarquino@pa.gov) or [csolloway@pa.gov](mailto:csolloway@pa.gov), respectively.

## Legacy Wells

DEP released a new StoryMap featuring well plugging projects throughout the Commonwealth.

[This map shows wells that have been plugged under Department of Environmental Protection contracts since 2018](#). Each plugging project poses unique challenges and risks. Over 8,000 additional wells are plugged by DEP; however, funding limits these projects to a handful per year, generally based on imminent threat to public safety. DEP also executes plugging contracts on behalf of other state agencies using their funds. Projects funded by outside sources are noted in the description.

For more information on legacy wells in Pennsylvania, please visit the [DEP Legacy Wells website](#).

## Order of the Commonwealth Court of Pennsylvania dated January 6, 2021 in *Marcellus Shale Coalition v. Department of Environmental Protection of the Commonwealth of Pennsylvania and Environmental Quality Board of the Commonwealth of Pennsylvania*; Doc. No. 573 MD 2016

On January 30, 2021, [DEP provided notice in the Pennsylvania Bulletin](#) of the following January 6, 2021, Order of the Commonwealth Court of Pennsylvania (Order), which clarifies the compliance deadlines in 25 Pa. Code § 78a.59c(a) (relating to centralized impoundments). The Commonwealth Court issued its Order in response to a Joint Application for Relief Requesting Clarification of the Compliance Deadlines in 25 Pa. Code § 78a.59c(a) filed by the Department, the Environmental Quality Board and the Marcellus Shale Coalition in the case of *Marcellus Shale Coalition v. Department of Environmental Protection of the Commonwealth of Pennsylvania and Environmental Quality Board of the Commonwealth of Pennsylvania*, Commonwealth Court Docket No. 573 MD 2016.

This Commonwealth Court's Order extends the April 8, 2017, deadline from 25 Pa. Code § 78a.59c(a) to Monday, June 7, 2021, and extends the October 8, 2019, deadline to Monday, January 8, 2024. Any inquiries concerning this notice should be directed to Elizabeth Davis, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, at [elidavis@pa.gov](mailto:elidavis@pa.gov) or (717) 787-7060.

## Improvements to DEP Website Reporting

In November 2020, DEP's Bureau of Oil and Gas Planning and Program Management announced improvements that had been made to several of its most popular online reports with the express purpose of reducing the amount of time users spend generating reports. Several [Oil and Gas reports](#) are being offered with these enhancements and include the Oil and Gas Well Inventory Report, Oil and Gas Compliance Report, Oil and Gas Production Report, and the Oil and Gas Waste Report.

While the data retrieval process remains the same as the older version report, the new reports have transitioned into a data extract model. This model collects data from a variety of sources and then automatically generates the data into a .csv format, which eliminates the user's need to export the data from the reports review page. In addition, a new Oil and Gas Current Waste Facilities Listing is now available. This report displays all active locations on file with DEP that can currently be selected by well operators in the OGRE waste reporting application as a waste disposal, processing, or reuse location.

## Updates to Technical Guidance Documents, Fact Sheets and Other Miscellaneous Permits and Forms

### Availability of Technical Guidance: *Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations*

On August 8, 2020, the Department of Environmental Protection [published the notice of availability of final Technical Guidance Document \(TGD\) 800-0810-002, Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations](#) in the *Pennsylvania Bulletin*. [A copy of the final TGD is available here](#). The purpose of this guidance is to inform Department staff, the regulated community and the public how to comply with the private water supply restoration and replacement requirements in the 2012 Oil and Gas Act, The Land Recycling and Environmental Remediation Standards Act, The Clean Streams Law, and 25 Pa. Code Chapter 78a. This TGD is intended to memorialize existing Department policy relating to the restoration or replacement of private water supplies adversely impacted by unconventional gas operations with a water supply of adequate quantity and/or quality for the purposes served by impacted water supply source(s) under section 3218 of the 2012 Oil and Gas Act (58 Pa.C.S. § 3218).

### Availability of Technical Guidance: *Guidelines for Development of Operator Pressure Barrier Policy for Unconventional Wells*

On August 29, 2020, the Department of Environmental Protection [published in the Pennsylvania Bulletin the notice of availability of Draft Technical Guidance Document \(TGD\) 800-0810-003, Guidelines for Development of Operator Pressure Barrier Policy for Unconventional Wells](#). The purpose of these guidelines is to inform unconventional operators engaged in drilling, hydraulic fracturing, alteration or plugging activities, or other pertinent oil and gas operations; of items to consider when developing the Pressure Barrier Policy (PBP) component of a Preparedness, Prevention and Contingency (PPC) plan. Recommendations relevant to maintaining compliance with the requirements of Chapter 78a and any additional requirements set forth in The Clean Streams Law, The Solid Waste Management Act, the 2012 Oil and Gas Act and other applicable laws are summarized. These guidelines have been developed to facilitate appropriate well control incident risk mitigation.

The Pressure Barrier Policy TGD public comment period closed on September 29, 2020. A total of 91 comments were submitted from five commenters. Draft responses have been prepared for the comments; the formal comment-response document is being prepared. The updated document will be presented to the Oil and Gas Technical Advisory Board (TAB) during the first meeting of 2021 that is scheduled for May 5, 2021.

## Updates on Blowout Preventer and Pressure Testing Measures

In September 2020, DEP announced it had recently completed a comprehensive analysis of both regulatory requirements and an industry standards document updated in December 2018 relating to blowout preventer (BOP) function and pressure testing (American Petroleum Institute (API) Standard 53, Well Control Equipment Systems for Drilling Wells). In response to the analysis, the agency rewrote a [frequently asked questions \(FAQ\) document](#) to align it with the current, best technical information associated with effective BOP testing measures. BOP equipment provides a last line of defense when an operator runs the risk of losing control of a well (uncontrolled flow of pressurized gas and liquids toward the surface). The updated FAQ provides a transparent and clear mechanism for an operator to pursue a contemporary, superior BOP testing procedure, as allowed by the referenced regulations. In cases where an operator is proposing a method not consistent with the FAQ or the section 78a.72/78.72 testing requirements, DEP has also developed a new form, [8000-FM-OOGM0017](#), that can be used to document requests for DEP review and approval associated with modified BOP testing procedures. All of these new resources are available for reference and implementation, effective immediately.

## Next Oil and Gas Technical Advisory Board Meeting

The first regular meeting of the Oil and Gas Technical Advisory Board Meeting is slated for May 5, 2021.

To mitigate the spread of Coronavirus (COVID-19), the TAB meeting will be held as a virtual meeting and will begin at 9:00 a.m. Individuals who wish to join the meeting may do so by registering in advance of the meeting.

A registration link will be posted about 30 days prior to the meeting and can be accessed on the [TAB website](#). For more information, contact: Todd M. Wallace at [twallace@pa.gov](mailto:twallace@pa.gov).

## Next Pennsylvania Crude Development Advisory Council Meeting

The next regular meeting of the Pennsylvania Crude Development Advisory Council (CDAC) Meeting is slated for April 22, 2021.

To mitigate the spread of Coronavirus (COVID-19), the CDAC meeting will be held as a virtual meeting and will begin at 8:30 a.m. Individuals who wish to join the meeting may do so by [following the link at the CDAC website](#).

For more information, contact: Adam Walters, Energy Fellow, Governor's Office of Energy, (717) 214-6548, email: [adwalters@pa.gov](mailto:adwalters@pa.gov).

If you have any questions related to the articles in this newsletter or if you have something you would like to see included in this newsletter, please contact the Bureau of Oil and Gas Planning and Program Management office in Harrisburg at 717-772-2199 or email [RA-epOilandGas@pa.gov](mailto:RA-epOilandGas@pa.gov).

Click here for a complete list of our [DEP Oil and Gas Office locations](#).

Pennsylvania Department of Environmental Protection, 400 Market Street Harrisburg, PA 17101



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