

BYLAWS of the UNCONVENTIONAL OIL and GAS TECHNICAL ADVISORY BOARD  
to the BUREAU OF OIL & GAS PLANNING AND PROGRAM MANAGEMENT  
of the PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

ARTICLE I. Name.

The name of this Advisory Board shall be the Unconventional Oil and Gas Technical Advisory Board (Advisory Board).

ARTICLE II. Authorization.

This Advisory Board is authorized under Section 3226 of 58 Pa.C.S. §§ 3201-3274 (2012 Oil and Gas Act).

ARTICLE III. Purpose.

The Pennsylvania Department of Environmental Protection (the Department) shall consult with the Advisory Board in the formulation, drafting and presentation stages of all regulations of a technical nature promulgated under the 2012 Oil and Gas Act and the Advisory Board shall be given a reasonable opportunity to review and comment on all regulations of a technical nature prior to submission to the Environmental Quality Board.

ARTICLE IV. Advisory Board Membership.

The Advisory Board shall consist of voting and non-voting members, all of whom shall be residents of Pennsylvania.

The voting members shall consist of:

(1) three members, each of whom shall be either:

- (i) a petroleum engineer;
- (ii) a petroleum geologist; or
- (iii) an experienced driller representative of the oil and gas industry with three years of experience in Pennsylvania;

(2) a mining engineer from the coal industry with three years of experience in Pennsylvania; and

(3) a geologist or petroleum engineer with three years of experience in Pennsylvania, who shall be chosen from a list of three names submitted by the Citizens Advisory Council to the Governor and who shall sit as a representative of the public interest.

The non-voting members shall consist of four representatives selected by the Secretary of the Department of Environmental Protection who shall represent the public interest.

Members shall serve for a period of four years. The initial terms of the members shall be staggered so that at least one-half of the members' terms expire in two years.

Each member may designate one alternate annually to serve in their absence. Each member must annually submit to the chairperson the name of his or her alternate. Alternates are subject to concurrence by the Secretary of the Department.

ARTICLE V. Subcommittees.

Subcommittees may be formed to address specific technical issues, at the direction of the Advisory Board. A subcommittee will include one member of the Advisory Board, who shall act as Chair of the Subcommittee. Other members of the Subcommittee shall be individuals deemed by the Advisory Board to possess technical competence in the specific subject area and asked to serve on the Subcommittee by the Chair of that Subcommittee. Instructions to the Subcommittee from the Advisory Board shall include a definition of the specific technical subject involved, the issues in question and direction as to the type and due date for reports.

#### ARTICLE VI. Officers.

The members of the Advisory Board shall select a Chair, by majority vote. The term of the Chair shall be two years.

##### A. Absence of the Chair.

In the absence of the duly elected Chair at an Advisory Board meeting, the Advisory Board members present shall select an acting Chair, by majority vote.

#### ARTICLE VII. Voting.

Each member of the Advisory Board's voting membership shall be entitled to exercise one vote in each matter placed before the Advisory Board for which a vote is called. Members of the Advisory Board's non-voting membership are not entitled to a vote. Designated alternatives, while serving in the absence of a member, shall have the authority to perform the duties and exercise the powers of that member. Designated alternatives of voting members shall be entitled to one vote in person in each matter placed before the Advisory Board for which a vote is called. Decisions of the Advisory Board shall be by vote of the majority.

##### A. Quorum.

Four voting members shall constitute a quorum. A quorum must be present to conduct any Advisory Board business requiring a vote.

#### ARTICLE VIII. Meetings.

The Advisory Board shall meet upon the call of the Secretary of the Department, but not less than semiannually. Meetings may be called by the Chair as deemed appropriate by at least three members of the Advisory Board.

##### A. Meeting Participation.

The Advisory Board meetings shall be open to the public. The Advisory Board may receive and/or solicit input from those in attendance at the meetings and/or by written submission from the public desiring to bring matters to the attention of the Advisory Board. Should a member of the public wish to place a substantive issue before the Advisory Board for formal discussion at a meeting, that individual or organization shall advise the Chair of the Advisory Board, in writing, of the issue sufficiently in advance of the meeting so that it can be considered for placing on that meeting agenda. It shall be solely at the discretion of the Advisory Board to determine if matters placed before it by the public lie within its authority and are germane for discussion.

#### ARTICLE IX. DEP Administration.

The Department of Environmental Protection, Bureau of Oil & Gas Planning and Program Management, shall provide program and administrative support to the Advisory Board. Program support shall include framing of issues for the Advisory Board, providing necessary information for Advisory Board discussions, assist with the development of agendas and meeting schedules and providing input into nominees for the Advisory Board. Administrative support shall include transcribing, sending, and maintaining a permanent record of meeting minutes, sending agendas and materials to Advisory Board members prior to meetings, posting agendas, handouts and meeting minutes on the DEP web site and the review and approval of travel and subsistence expenses.

ARTICLE X. Amendment of Bylaws.

These Bylaws may be amended, repealed or altered in whole or in part by a majority vote of the all the voting members, provided that a copy of the proposed amendment shall be provided to each member at least one month prior to the date of the meeting.

ARTICLE XI. Issues not covered by the Bylaws.

Substantive matters that are not covered by the Bylaws shall be addressed by the Advisory Board for a determination of how they will be handled. Meeting procedure shall be according to Robert's Rules of Order.