

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE I. LAND RESOURCES

CHAPTER 78a. UNCONVENTIONAL WELLS

Subchapter A. GENERAL PROVISIONS

§ 78.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise, or as otherwise provided in this chapter:

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Nonporous material—Nontoxic earthen mud, drill cuttings, fire clay, gel, cement or equivalent materials approved by the Department that will equally retard the movement of fluids.

[*Nonvertical unconventional well*—

- (i) **An unconventional well drilled intentionally to deviate from a vertical axis.**
- (ii) **The term includes wells drilled diagonally and wells that have horizontal bore holes.]**

Observation well—A well used to monitor the operational integrity and conditions in a gas storage reservoir, the reservoir protective area, or strata above or below the gas storage horizon.

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Unconventional well or well—A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

[*Vertical unconventional well*—**An unconventional well with a single vertical well bore.]**

WMP—Water management plan—A plan associated with drilling or completing a well in an unconventional formation that demonstrates that the withdrawal and use of water sources within this Commonwealth protects those sources, as required under law, and protects public health, safety and welfare.

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Subchapter B. PERMITS, TRANSFERS AND OBJECTIONS

PERMITS AND TRANSFERS

§ 78a.19. Permit application fee schedule.

(a) An applicant for an unconventional well shall pay a permit application fee **[according to the following:] of \$12,500.**

[(1) \$4,200 for a vertical unconventional well.

(2) \$5,000 for a nonvertical unconventional well.]

(b) At least every 3 years, the Department will provide the EQB with an evaluation of the fees in this chapter and recommend regulatory changes to the EQB to address any disparity between the program income generated by the fees and the Department's cost of administering the program with the objective of ensuring fees meet all program costs and programs are self-sustaining.