


TO Kurt Klappkowski
Director
Bureau of Oil and Gas Planning and Program Management

John Ryder
Director
Bureau of District Oil and Gas Operations

FROM Scott R. Perry 
Deputy Secretary
Office of Oil and Gas Management

DATE May 29, 2013

RE **UPDATED Act 9 Address Registration and Emergency Response Plan Submissions – Administrative Implementation Plan**

I. BACKGROUND.

On February 2, 2012, Governor Corbett signed into law Act 9, which adopted several recommendations of the Marcellus Shale Advisory Commission relating to unconventional well site addressing and emergency response planning. Act 9 provides that the Department and the Pennsylvania Emergency Management Agency (PEMA) “shall adopt emergency regulations directing the operators of all unconventional wells within this Commonwealth” to register street and GPS addresses, post signs and develop and implement emergency response plans. The implementing regulations were published as final in the *Pennsylvania Bulletin* on January 26, 2013, and approved by the Independent Regulatory Review Commission on April 4. In addition to those substantive requirements, the final rulemaking also included transition periods allowing operators time to come into compliance for existing or permitted well sites.

In order to develop effective guidance relating to emergency response planning in accordance with 25 Pa.Code § 78.55(f)(5)(viii), as well as making necessary adjustments to the Commonwealth’s electronic reporting systems, the Department will be implementing the new emergency response requirements using the following administrative implementation plan.

II. Registration of 911 Addresses and GPS Coordinates.

The Department is in the process of making adjustments to its Oil and Gas Reporting – Electronic (OGRE) web-based reporting system. These changes will allow operators to directly register the 911 address and GPS coordinates of access road entrances and well sites into the Department’s databases, complying with section 78.55(f)(3). This presents several efficiencies – all unconventional operators are already registered and approved to use the OGRE system to

report production and waste volumes for their wells, operators are familiar with the OGRE system and having operators directly enter the information reduces the possibility of human data entry error. The information will be pulled from OGRE directly into the Department's eFACTS database and will therefore be available directly to the public, the Department, PEMA, Public Safety Answering Points and county emergency management agencies. Use of OGRE will allow operators to comply with section 78.55(f)(3)(iii) through a single submission, avoiding duplicate efforts.

The next unconventional production and waste reporting period commences on July 1, 2013 and ends on August 15, 2013. In order to simplify compliance and data entry efforts, if the required addresses are not registered in OGRE by August 15, 2013, the Department will consider operators to be out of compliance with the regulatory requirements.

III. Emergency Response Planning.

As noted above, the Department and PEMA are developing guidance to assist operators in complying with the obligation to develop and submit emergency response plans covering all stages of operation at an unconventional well site. In addition, the Department and PEMA are working on developing web-based solutions for the electronic submission of unconventional well site emergency response plans, most likely either through OGRE or the use of the Department of Labor & Industry's Pennsylvania Tier II System (PATTS) online application. To provide for operator compliance with section 78.55(f)(5)(v), the Department and PEMA will ensure that the electronic reporting system chosen will allow access by county emergency management agencies and Public Safety Answering Points. The Department will communicate the manner of electronic submission for emergency response plans through an amendment to this implementation plan, as well as directly to each unconventional well operator.

Because these development efforts have not been finalized at this time, if the required emergency response plans are not developed and submitted in accordance with further instructions from the Department by **August 15, 2013**, the Department will consider operators to be out of compliance with the regulatory requirements.