

# **FREQUENTLY ASKED QUESTIONS**

## **Environmental Protection Performance Standards at Oil and Gas Well Sites**

### **Site Restoration**

**(25 Pa. Code § 78a.65)**

The purpose of this Frequently Asked Questions (FAQ) document is to address questions about site restoration requirements. This FAQ should not be used in lieu of reference to the 2012 Oil and Gas Act, 25 Pa. Code Chapter 78a and other applicable laws and regulations. The answers outlined in this FAQ are intended to supplement existing requirements. Nothing in this document shall affect statutory or regulatory requirements.

This document is not an adjudication or a regulation. There is no intent on the part of the Department to give this document that weight or deference. The Department may supplement or amend this document at any time as necessary without notice.

### **Post-Drilling Well Site Restoration**

#### **1. What is post-drilling site restoration?**

In accordance with § 78a.65(a)(1), a well owner or operator must restore the well site within 9 months after completion of drilling all permitted wells on the well site as detailed in a restoration plan developed in accordance with § 78a.65(b). Completion of drilling is achieved when the wellbore was finished/completed with casing and cemented, and all laterals are drilled as authorized by the permit or a decision has been made to drill no further under an authorization. As part of the restoration, the well owner or the operator must remove all drilling supplies, equipment, primary containment, and secondary containment not necessary for production or needed to safely operate the well. Areas not needed to safely operate the well must be permanently stabilized in accordance with § 102.22(a). It should be noted that any temporary stabilization in accordance with § 102.22(b) is not considered permanent stabilization. (posted 3/20/2026)

#### **2. What is considered permanent stabilization?**

In accordance with § 102.22(a), for permanent stabilization, upon final completion of an earth disturbance activity or any stage or phase of an activity, the site must immediately have topsoil restored, replaced or amended, seeded, mulched or otherwise permanently stabilized and protected from accelerated erosion and sedimentation. To be considered permanently stabilized, the disturbed area must be covered by either 1) a minimum uniform 70% perennial vegetative cover, with a density capable of resisting accelerated erosion and sedimentation, or 2) an acceptable Best Management Practice (BMP) which permanently minimizes erosion and sedimentation. After permanent stabilization has been established, temporary Erosion & Sediment Control (E&S) BMPs such as silt fences, are to be removed. (posted 3/20/2026)

#### **3. What is a post-drilling restoration plan?**

In accordance with § 78a.65(a)(1), a well owner or operator must undertake post-drilling site restoration as detailed in the restoration plan developed as required by § 78a.65(b). Projects that require an Erosion and Sediment Control General Permit

(ESCGP) must include a restoration plan as part of the ESCGP Notice of Intent (NOI) for the Department's review and approval. (posted 3/20/2026)

**4. When should the Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U) be submitted and why?**

As per § 78a.65(e), operators are required to submit post-drilling restoration reports within 60 days of post-drilling restoration being completed in accordance with § 78a.65(a). Submitting a properly completed Post-Drilling Well Site Restoration Report form ensures compliance with this section. Once the operator submits a post-drilling restoration report, Department's Water Quality Specialists (WQS) will perform a well site inspection to ensure that all restoration requirements are met by the operator. (posted 3/20/2026)

**5. Does a well site restoration report need to be submitted for each well on a multi-well pad or for the last well drilled on the pad?**

Post-drilling well site restoration reports are site specific, regardless of the number of wells drilled on a well site. In accordance with § 78a.65(a)(1)(i), when multiple wells are drilled or permitted to be drilled on a single well site, post-drilling restoration is required within 9 months after completion of drilling all permitted wells on the well site or within 9 months after the expiration of all existing well permits on the well site, whichever is later. As per § 78a.65(e), the operator must submit a post-drilling restoration report within 60 calendar days after post-drilling restoration. The restoration report submittal 60-day clock is not started until the restoration is completed in accordance with § 78a.65(a). The last well drilled will only dictate the time of site restoration to be completed and the site restoration will dictate when the restoration report must be submitted. (posted 3/20/2026)

**6. How should onsite disposal of uncontaminated drill cuttings be reported on the Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U)?**

Onsite disposal of uncontaminated drill cuttings from above the surface casing seat should be done in accordance with § 78a.61. Operators should provide location information of the disposal area as well as the disposal methods as requested in section D of the post-drilling well site restoration report form. (posted 3/20/2026)

**7. How does onsite disposal of residual waste, including contaminated drill cuttings either in pits or as land application need to be reported on the Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U)?**

If a well operator intends to dispose of residual waste and/or contaminated drill cuttings at the well site, either in a pit or as land application, necessary residual waste permits must be obtained in accordance with §§ 78a.62 and 78a.63. Depending on the disposal method, the well operator should complete Onsite Disposal – Contaminated Drill Cuttings or Residual Waste – Pits (Section E) or Onsite Disposal – Contaminated Drill Cutting or Residual Waste – Land Application (Section F) or both, if necessary, of the form. If the operator has obtained a residual waste permit for a pit and/or land application, the permit number and approval date should be reported on this form. If not, "N/A" should be checked to complete Sections E and F, as applicable. (posted 3/20/2026)

**8. Is the Site Restoration Section (Section G) of the Post-drilling Well Site Restoration Report form (8000-FM-OOGM0152U) necessary to be completed when submitting a post-drilling restoration report?**

Yes. This section is critical to ensure that site restoration activities have been completed in accordance with § 78a.65. Also, this section provides the Department with information regarding the long-term operation and maintenance responsibility acknowledged by the operator. (posted 3/20/2026)

- 9. If the project does not include onsite disposal, do the Onsite Disposal – Uncontaminated Drill Cuttings (Section D), Onsite Disposal – Contaminated Drill Cuttings or Residual Waste – Pits (Section E) and Onsite Disposal – Contaminated Drill Cutting or Residual Waste – Land Application (Section F) have to be completed on the Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U)?**

Yes, “N/A” check boxes should be checked to show that this project is not using any onsite disposal methods for drill cuttings. (posted 3/20/2026)

- 10. How should the Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U) be submitted to the Department?**

The Post-Drilling Well Site Restoration Report form for unconventional operations must be submitted electronically through the e-Submission application on the most recent form provided in the [Department's eLibrary](#). The e-Submission application may be accessed via the DEP Greenport login system at <https://www.greenport.pa.gov>. Each user must complete the self-register process in Greenport and be granted access by the company's electronic filing administrator (EFA) in order to access the e-Submission application. The user may refer to [DEP eSubmission Online Submission Guide](#) for guidance. (posted 3/20/2026)

- 11. How is an operator supposed to prove that the stormwater runoff rate, volume, and quality have been restored to preconstruction conditions? Are there preconstruction measurements that have to be completed?**

The net change in runoff volume and rate between pre-construction and post-construction hydrology for the entire project site and each drainage area must be identified as part of Post Construction Stormwater Management (PCSM) plan development. Requirements for developing a PCSM Plan are included in §102.8 and the *Pennsylvania Stormwater Best Management Practices Manual, as updated*. The applicant has to ensure that the requirements of §102.8 are met through the planning and design of PCSM Stormwater Control Measures (SCMs). (posted 10/11/16, updated 3/20/2026)

- 12. If a well site was built and a well not drilled, what triggers the 9-month requirement to restore the site? Does a well have to be drilled within 9-months of a site being constructed?**

Section 78a.65(a)(3) restoration is triggered by the last active well permit on the well site. If the operator has a well permit on a well site, they must commence drilling within 12 months, and then another 9 months to complete restoration after the drilling is completed. Also, they may apply for a restoration extension for up to 24 months. (posted 10/11/16)

- 13. Why is it necessary for a landowner to receive a National Pollutant Discharge Elimination System (NPDES) permit for a well pad that they want to keep?**

The landowner does not need an NPDES permit for impermeable areas remaining on a site that were initially permitted by an ESCGP.

The landowner would need to complete and sign the Post-Drilling Landowner Waiver of Well Site Restoration form (8000-FM-OOGM0149U) if they are going to keep the impervious area and maintain all PCSM SCMs, but no NPDES permit would be required for SCMs that were part of an ESCGP. (posted 10/11/16, updated 3/20/2026)

**14. Are there options for post-drilling (interim) restoration other than major earthmoving if a well pad is not fully drilled out? Can spreading of topsoil and planting suffice if stormwater calculations are met?**

This may vary depending on conditions of the site. The best way to determine site-specific issues is to discuss with the Department's district oil and gas staff familiar with the project to determine specific site related issues such as spreading of topsoil (and stabilization) in a specific part of a well site or other permitted area to appropriately address the interim stabilization requirements. The potential of spreading topsoil and stabilizing a portion of a well pad may include leaving an impervious surface under the stabilized topsoil that may not address PCSM issues related to the well site. (posted 10/11/16)

**15. Please discuss the Department's expectations related to the site restoration footprint after drilling versus after plugging. Is there a Department specific size requirement for well pad area after drilling or is it up to the operator?**

There is not a specific size requirement for the footprint of a well pad after drilling. § 78a.65(a)(1)(iv)(A) through (F) requires post-drilling site restoration of the well site except for "areas needed to safely operate the well." The operator must reduce the well site to the size necessary to safely operate the site for production after drilling is completed. (posted 10/11/16, updated 3/20/2026)

**16. If an operator completes the post-drilling restoration plan, operates the well, then the ESCGP expires, then the operator plugs the well and wants to complete the post-plugging restoration plan, does the operator need a new ESCGP to restore the site?**

The operator should apply for an ESCGP renewal prior to the permit expiring. Once a permit expires, if the project is not completed, it is a permit violation to expire without a Notice of Termination being filed and processed. All ESCGPs must be closed out with a Notice of Termination that requires a final inspection by the Department to ensure the site is properly completed and stabilized as detailed in the ESCGP. If the ESCGP expires, a new permit would be required. It is recommended that the operator file a Well Site Restoration Extension Request (8000-FM-OOGM0131U) prior to allowing the permit to expire if it will not be restored prior to filing and receiving approval of a Notice of Termination after a final inspection by the Department. (posted 10/11/16)

**17. Restoring a well pad as described in Chapter 78a can require 50,000 cubic yards or more of excess earthwork that will require a large stockpile. The restoration of well pad areas to approximate original contours will often create excess soil material. The excess soil material removed from the slopes of the well pad will need to be stockpiled. How does the Department recommend such instances be addressed?**

In the development of a very large well pad, if there is excess material that has to be removed, it is the responsibility of the operator to find a waste area offsite or stockpile to

place the material and ensure it is stable and tributary to appropriate E&S BMPs until it is stabilized. Also, the operator has to be sure that any permits required for the activity related to Chapter 102 and or Chapter 105 are applied for and received prior to placing the material offsite. (posted 10/11/16)

**18. If an operator submitted a Post-Drilling Well Site Restoration Report form (8000-FM-OOGM0152U) after PCSM SCMs were installed but prior to the promulgation of Chapter 78a, does the operator also need to submit the new Post-Drilling Well Site Restoration Report form for that site after the promulgation.**

No. If a well site restoration report has been completed, the operator would not have to submit the same information on the new form. However, once Chapter 78a is promulgated there may be implementation issues that will need to be addressed to achieve the most seamless transition as possible. (posted 10/11/16)

**19. What is the formal process for restoration plan review and approval by the Department? Is it approved with the ESCGP for the well pad construction?**

Yes, a restoration plan gets submitted with the ESCGP Application. (posted 10/11/16)

**20. When submitting a Notice of Intent for Coverage under ESCGP, what should an applicant include related to the areas on a well site needed to safely operate the well after post-drilling restoration?**

An applicant submitting a Notice of Intent for Coverage under ESCGP should include an explanation, including a detailed, logical description, of the reasons areas on the well site are needed to safely operate the well after post-drilling restoration. (posted 07/06/21)

**21. What areas of the well site constitute “areas needed to safely operate the well” for purposes of site restoration in accordance with 25 Pa. Code § 78a.65?**

The list provided in 25 Pa. Code § 78a.65(a)(1)(iv) is not an exclusive or exhaustive list of areas needed to safely operate a well. Other areas may include, but are not limited to:

- (1) Areas used for a guard shack or security.
- (2) Areas used for service vehicle and rig access, maneuverability and staging.
- (3) Areas needed to accommodate rapid response equipment and activities in the event of an accident, fire, well control incident, or major spill.
- (4) Areas of sufficient size to accommodate equipment spacing for fire safety. (posted 07/06/21)

**22. Are operators required to restore well sites to approximately original conditions?**

On July 22, 2019, the Commonwealth Court issued an order declaring the following when the restoration period is unextended, “Subsection (b) of 25 Pa. Code § 78a.65 is hereby declared VOID and UNENFORCEABLE to the extent that it required post-drilling site restoration within the statutory 9-month period to approximate original conditions/contours.” Marcellus Shale Coalition v. DEP, 216 A.3d 448, 503 (Pa. Cmwlth. 2019).

As a result, operators who restore the well site within the statutory 9-month period are not required to comply with the approximate original conditions requirement in §78a.65(b). However, operators seeking an extension of the restoration period in accordance with §78a.65(c) must demonstrate “that the portions of the well site not



occupied by production facilities or equipment will be returned to approximate original conditions.” (posted 07/06/21)