

GOVERNOR'S OFFICE
Certification of Need for Emergency Regulation

Whereas, the Commonwealth Department of Environmental Protection engages in the permitting, regulation and inspection of all oil and gas well sites within this Commonwealth; and

Whereas, the Commonwealth Department of Environmental Protection, the Pennsylvania Emergency Management Agency and local political subdivisions engage in emergency response activities at oil and gas well sites; and

Whereas, timely emergency response is fundamental to the safety of the public, oil and gas well site employees, and emergency responders as well as to the protection of the environmental resources throughout Pennsylvania; and

Whereas, local first responders and emergency management officials have cited concerns that it may be difficult to find well sites should an emergency occur particularly in the vast, undeveloped regions of the Commonwealth and that well site activities may pose unforeseen risks and hazards to response efforts; and

Whereas, many unconventional oil and gas well sites lack adequate addressing and signage, which has the potential to delay emergency response, threatening the public, oil and gas well site employees, and emergency responders in the event of an emergency; and

Whereas, no existing regulations of the Department of Environmental Protection or the Pennsylvania Emergency Management Agency require that well operators report their latitude and longitude or street address to the Department of Environmental Protection, the Pennsylvania Emergency Management Agency or local county Emergency Management Agencies; and

Whereas, the Act of February 2, 2012, P.L. 67, No. 9 requires the Department of Environmental Protection and the Pennsylvania Emergency Management Agency to adopt emergency regulations related to the emergency response at all unconventional well sites across this Commonwealth; and

Whereas, without immediate amendment of the regulations, emergency response activities may be severely hampered to the detriment of the safety of the public, oil and gas well site workers, and emergency responders, and to the protection of the environmental resources of the Commonwealth; and

Now Therefore, I do hereby certify that the regulatory amendments to 25 Pa. Code, Chapter 78, following hereto as ANNEX A are required to meet the emergency conditions enumerated in the recitals above and to safeguard the public health, safety and welfare as described therein.

Further, I hereby authorize the Secretary of the Department of Environmental Protection to publish these amendments in the *Pennsylvania Bulletin* as an Emergency Final-Omitted Rulemaking consistent with the provisions of Section 6(d) of the Regulatory Review Act, as amended, 71 P. S. § 745.6(d).

Given under my hand and the Seal of the Governor, at the City of Harrisburg, on this <blank> day of October in the year of our Lord two thousand and twelve, and of the Commonwealth the two hundred and thirty sixth.

TOM CORBETT
Governor