

ENERGY ALERT

PENNSYLVANIA MAKES MAJOR CHANGES TO OIL AND GAS WELL REPORTING REQUIREMENTS

On March 22, 2010, Governor Ed Rendell signed a new law that makes two major changes to well reporting requirements in Pennsylvania.

First, this law requires that every operator of a well which produces gas from the Marcellus Shale formation file a semi-annual report with the Department of Environmental Protection (DEP). The initial report is required on or before August 15, 2010. This report shall include production data from the preceding calendar year. Initial reports shall also specify the status of each well; however, in subsequent reports, only changes in the status must be reported. Subsequent semi-annual reports shall be filed with DEP on or before February 15 and August 15 of each year and shall include production data from the preceding reporting period. Beginning on November 1, 2010, DEP shall make these reports available on its website.

Second, this law also impacts the annual reporting requirements for other oil and gas wells by removing the confidential treatment of these reports. Previously, these reports remained confidential for a five-year period after they were filed. The removal of this confidentiality time frame takes effect on May 21, 2010. These production reports are for each calendar year (Jan. 1-Dec. 31) and are due no later than March 31 of the following year.

Please remember that DEP has the right to utilize information in these reports for enforcement proceedings, statistical purposes and for other authorized purposes.

Eckert Seamans can assist you in understanding these new reporting requirements and in resolving any enforcement proceedings brought by DEP. If you would like more information or need assistance with an enforcement action, please contact Kevin Moody at 717-237-7187 (kmoody@eckertseamans.com); or Dan Clearfield at 717-237-7173 (dclearfield@eckertseamans.com); or any of our Energy Group attorneys at Eckert Seamans.

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