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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1310 Session of  
2014

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INTRODUCED BY HUTCHINSON, SCARNATI, ROBBINS, ALLOWAY, ERICKSON,  
VOGEL, VULAKOVICH, WARD AND WHITE, MARCH 28, 2014

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REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, MARCH 28, 2014

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AN ACT

1 Establishing the Pennsylvania Grade Crude Development Advisory  
2 Council; and providing for duties of the Pennsylvania Grade  
3 Development and Advisory Council and the Department of  
4 Environmental Protection and for administrative support.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania  
9 Grade Crude Development Advisory Council Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall  
12 have the meanings given to them in the section unless the  
13 context clearly indicates otherwise:

14 "Council." The Pennsylvania Grade Crude Development Advisory  
15 Council.

16 "Department." The Department of Environmental Protection of  
17 the Commonwealth.

18 Section 3. Pennsylvania Grade Crude Development Advisory  
19 Council.

1 (a) Establishment.--There is established the Pennsylvania  
2 Grade Crude Development Advisory Council.

3 (b) Composition.--The council shall consist of the following  
4 members:

5 (1) The Secretary of Community and Economic Development  
6 or the secretary's designee.

7 (2) The Secretary of Environmental Protection or the  
8 secretary's designee.

9 (3) Two members of the Senate appointed by the President  
10 pro tempore of the Senate.

11 (4) Two members of the House of Representatives  
12 appointed by the Speaker of the House of Representatives.

13 (5) The following members appointed by the Governor:

14 (i) Two representatives of the Pennsylvania  
15 Independent Petroleum Producers.

16 (ii) Two representatives of the Pennsylvania  
17 Independent Oil and Gas Association.

18 (iii) Two representatives of the Pennsylvania Grade  
19 Crude Oil Coalition.

20 (iv) Two representatives of refineries of  
21 Pennsylvania grade crude oil.

22 (v) One representative of a nonprofit corporation,  
23 which has the purpose of promoting the history and  
24 economic benefits of the conventional oil and gas  
25 industry in this Commonwealth.

26 (vi) One representative of academia who is a  
27 geologist with an expertise in petroleum geology.

28 (vii) One representative of academia who is a  
29 hydrologist.

30 (c) Chairperson.--The council shall elect a chairperson from

1 among its members.

2 (d) Meetings.--The council shall meet upon the call of the  
3 chairperson, but not less than semiannually. A simple majority  
4 of the members shall constitute a quorum.

5 (e) Terms.--

6 (1) Except as set forth in paragraph (2), the  
7 legislative members of the council shall serve two-year terms  
8 commencing with the first Tuesday in January of odd-numbered  
9 years and may be reappointed upon reelection to office.

10 (2) Of the initial members appointed by the President  
11 pro tempore of the Senate and the Speaker of the House of  
12 Representatives, members shall serve until the first Tuesday  
13 in January of the first odd-numbered year after the end of  
14 the year during which this section takes effect.

15 (3) Of the initial members appointed by the Governor:

16 (i) Four members shall serve initial terms of one  
17 year.

18 (ii) Four members shall serve initial terms of two  
19 years.

20 (iii) Three members shall serve initial terms of  
21 three years.

22 (4) After the initial terms, individuals appointed by  
23 the Governor shall serve for a term of three years.

24 (5) Individuals appointed by the Governor may be  
25 appointed to successive terms.

26 (f) Vacancies.--Vacancies shall be filled for the remainder  
27 of an unexpired term in the same manner as original  
28 appointments. A member, upon expiration of the term, shall  
29 continue to hold office until a successor is appointed.

30 (g) Quorum.--A majority of the membership of the council

1 shall constitute a quorum for the transaction of business.  
2 Action may be taken on a matter before the council by a majority  
3 vote of the full membership of the council.

4 (h) Compensation.--Council members may not receive  
5 compensation for their services, but shall be reimbursed for all  
6 necessary travel and other reasonable expenses incurred in  
7 connection with the performance of their duties as members.

8 Section 4. Study and report.

9 (a) Study.--The council shall:

10 (1) Examine and make recommendations regarding existing  
11 technical regulations promulgated under 58 Pa.C.S. (relating  
12 to oil and gas) and policies implemented by the department  
13 that impact the conventional oil and gas industry of this  
14 Commonwealth.

15 (2) Develop a regulatory scheme that provides for  
16 environmental oversight and enforcement specifically  
17 applicable to the conventional oil and gas industry.

18 (3) Ensure that its study addresses the need to preserve  
19 the long-term viability of the conventional oil and gas  
20 industry.

21 (b) Report.--The council shall issue a report of its  
22 findings and recommendations under subsection (a) to all of the  
23 following:

24 (1) The Governor.

25 (2) The Secretary of Environmental Protection.

26 (3) The President pro tempore of the Senate.

27 (4) The Minority Leader of the Senate.

28 (5) The chairperson and minority chairperson of the  
29 Environmental Resources and Energy Committee of the Senate.

30 (6) The Speaker of the House of Representatives.

1 (7) The Minority Leader of the House of Representatives.

2 (8) The chairperson and minority chairperson of the  
3 Environmental Resources and Energy Committee of the House of  
4 Representatives.

5 (c) Deadline.--The council shall submit the report under  
6 subsection (b) within 180 days of the effective date of this  
7 act.

8 Section 5. Duties of council.

9 The council shall have the following duties:

10 (1) To assist the Secretary of Environmental Protection  
11 and provide written comments on new departmental policy that  
12 will impact the conventional oil and gas industry of this  
13 Commonwealth, including economic consequences.

14 (2) To review and comment on the formulation and  
15 drafting of all technical regulations promulgated under 58  
16 Pa.C.S. (relating to oil and gas).

17 (3) To provide institutional support for the  
18 conventional oil and gas industry of this Commonwealth by  
19 ensuring effective cooperation and communication among  
20 governmental agencies and the academic and research  
21 community.

22 (4) To recommend appropriate measures relating to the  
23 promotion and development of the conventional oil and gas  
24 industry of this Commonwealth.

25 (5) To develop a plan to increase Pennsylvania grade  
26 crude oil production to more adequately supply the refineries  
27 which depend on Pennsylvania grade crude oil.

28 (6) To develop a joint working group with the department  
29 to explore and develop economically viable production water  
30 management options.

1 Section 6. Duties of department.

2 The department shall have the following duties:

3 (1) To consult with the council on all policies and  
4 technical regulations promulgated under 58 Pa.C.S. (relating  
5 to oil and gas).

6 (2) To include any written comments of the council  
7 received before the department's submission of a proposed  
8 rulemaking package to the Environmental Quality Board, as  
9 part of its submission to the Environmental Quality Board.

10 Section 7. Administrative support.

11 The Department of Community and Economic Development shall  
12 provide administrative support, office space and any other  
13 technical assistance required by the council to carry out its  
14 duties under this act.

15 Section 8. Effective date.

16 This act shall take effect immediately.