

ADMINISTRATIVE WATCH

ADDRESSING ENVIRONMENTAL, ENERGY AND NATURAL RESOURCE ISSUES



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Marcellus Shale Well and Waste Production Report Now Due Biannually Beginning August 15, 2010

On March 22, 2010 Governor Rendell signed into law Act 15 of 2010, amending the Oil and Gas Act to require Marcellus Shale well operators to file a **biannual Marcellus Shale Well and Waste Production Report** ("Well and Waste Production Report") with the Pennsylvania Department of Environmental Protection on February 15th and August 15th each year.

The initial Well and Waste Production Report is due to the Department on **August 15, 2010**, and it must include the operator's Marcellus Shale well and waste production data for July 1, 2009 through June 30, 2010. In addition, the well operator must specify the status of each of its Marcellus Shale wells in this initial report. Subsequent reports filed by the well operator must include all changes in status of its Marcellus Shale wells from the preceding reporting period, i.e. the previous six months, in addition to the well and waste production data from that same period.

At the end of July, 2010, the Department posted a link on its Marcellus Shale website to its new "Online Reporting System" for these Well and Waste Production Reports. To access, well operators should go to www.marcellusreporting.state.pa.us and register for an account using its "Oil and Gas Operator Number", as provided by the Department. Once registered, a well operator will be able to access, complete and submit an electronic Well and Waste Production Report form.

The amendments of Act 15 also reserved the Commonwealth of Pennsylvania's right to provide all information provided in these Well and Waste Production Reports to the public. In fact, the Department has already provided public notice that all production information reported in the initial August 15th report will be available online to the public on November 1, 2010.

For more information regarding this amendment to the Oil and Gas Act, please contact Joseph K. Reinhart at (412) 394-5452 or jreinhart@bccz.com, Kevin J. Garber at (412) 394-5404 or kgarber@bccz.com, or Sean M. McGovern at (412) 394-5439 or smcgovern@bccz.com.