

# PADEP Presents Updates to EQB on Multiple Pending Oil and Gas Rulemaking Petitions

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At the March 10, 2026, Pennsylvania Environmental Quality Board (EQB) meeting, the Pennsylvania Department of Environmental Protection (PADEP) offered updates on several pending oil and gas rulemaking petitions. The petitions cover a range of issues, including unconventional well setbacks, financial assurance, on-site fluid processing, well plugging procedures, and electronic plan management.

## Unconventional Oil and Gas Well Setback Petition

As reported in **Vol. 43, No. 1 (2026)** of this *Newsletter*, the EQB accepted this Clean Air Council and Environmental Integrity Project rulemaking petition to increase setbacks from unconventional oil and gas operations for further study in December 2025. At the EQB meeting, PADEP reported that the rulemaking petition is currently being analyzed, that several agency programs and toxicologists are evaluating the studies included with the petition, and the Bureau of Regulatory Counsel is conducting a legal review. PADEP said it intends to deliver a recommendation on the proposed rulemaking to the EQB by the end of 2026.

## Shale Well Bonding Petitions

The EQB accepted rulemaking these petitions in November 2021 to increase bonding for conventional and shale wells. Act 96, which became law in 2022, bars EQB changes to conventional well bonding for 10 years, but the shale bonding rulemaking petition remains pending. PADEP indicated funding is allocated this fiscal year for an actuarial study to determine adequate financial assurance for plugging unconventional wells, but PADEP's timeline for completing review of the rulemaking petition is uncertain.

## Onsite Processing of Oil and Gas Fluids Petition

As reported in **Vol. 43, No. 1 (2026)** of this *Newsletter*, the EQB accepted this Marcellus Shale Coalition rulemaking petition to amend 25 Pa. Code § 78a.58(a) to allow the processing and storage of fluids at sites where they are produced, used, or distributed to other well sites. PADEP reported that this rulemaking petition is undergoing legal review.

## Attainable Bottom Petition

As also reported in **Vol. 43, No. 1 (2026)** of this *Newsletter*, the EQB accepted a rulemaking petition by the Marcellus Shale Coalition (MSC), Pennsylvania Coal Alliance, and Pennsylvania Independent Oil and Gas Association to clarify how attainable bottom is determined during well plugging and how plugging proceeds thereafter. PADEP reported at the March EQB meeting that it has engaged a retired PADEP annuitant to assist the Oil and Gas Program in developing concepts and options, and who was scheduled to meet with the well plugging work group on April 22, 2026, and report back on proposals.

## PPC Plans Petition

In December 2025, the EQB accepted a rulemaking petition by MSC to amend 25 Pa. Code § 78a.55 to allow operators to maintain Preparedness, Prevention and Contingency plans electronically to allow for storage, frequent updates, and easier access and utilization of records. PADEP reported at the March EQB meeting that this petition is undergoing legal review.

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