

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/15/11

A Bill

HOUSE BILL 1392

5 By: Representatives Leding, Webb
6

For An Act To Be Entitled

8 AN ACT TO CREATE A PROGRAM FOR ANNUAL INSPECTION OF
9 GAS WELLS; AND FOR OTHER PURPOSES.

Subtitle

12 AN ACT TO CREATE A PROGRAM FOR ANNUAL
13 INSPECTION OF GAS WELLS.
14

15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code § 15-72-201 is amended to read as follows:
20 15-72-201. Definitions.

21 As used in this act, unless the context otherwise requires:

22 (1) "Hydraulic fracturing treatment" means stimulating a well by the
23 application of hydraulic fracturing fluids and additives with force in order
24 to create artificial fractures in the formation for the purpose of improving
25 the capacity to produce hydrocarbons;

26 ~~(1)~~(2) "Operator" means the person who has the right to enter upon the
27 lands of another for the purpose of exploring, drilling, and developing for
28 the production of brine, oil, gas, and all other petroleum hydrocarbons;

29 ~~(2)~~(3) "Person" means any natural person, corporation, association,
30 partnership, trustee, guardian, executor, administrator, fiduciary, or
31 representative of any kind; and

32 ~~(3)~~(4) "Surface owner" means the owner or owners of record of the
33 surface of the property on which the drilling operation is to occur.
34

35 SECTION 2. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended
36 to add an additional section to read as follows:



1 15-72-220. Hydraulic fracturing treatment -- Accountability.

2 (a)(1) To ensure compliance with the rules of the Oil and Gas
3 Commission, the commission shall inspect each:

4 (A) New well site at least once while the drill pad
5 construction is under way;

6 (B) Well at least once when casing is set and cemented;

7 (C) Well at least once while hydraulic fracturing
8 treatment is occurring; and

9 (D) Well annually during gas production or when idle.

10 (2) The Oil and Gas Commission may conduct inspections as often
11 as necessary at any point during the lifetime of the well.

12 (3) The Oil and Gas Commission shall inspect a well site within
13 forty-eight (48) hours of receiving a complaint.

14 (b)(1) To ensure compliance with the Arkansas Department of
15 Environmental Quality rules, the Water Division of the Arkansas Department of
16 Environmental Quality shall inspect each:

17 (A) New well site at least once while the drill pad
18 construction is under way; and

19 (B) Road and pipeline construction corridor providing
20 access to a new well site.

21 (2) The Arkansas Department of Environmental Quality may conduct
22 inspections as often as necessary at any point during the lifetime of the
23 well.

24 (3) The Arkansas Department of Environmental Quality shall
25 inspect a well site within forty-eight (48) hours of receiving a complaint.

26 (c) The Oil and Gas Commission and the Arkansas Department of
27 Department of Environmental Quality shall:

28 (1) Determine the staffing and technical capacity needed to
29 perform the inspection program described in subsection (a) of this section;
30 and

31 (2) Create a cross-training program whereby the Oil and Gas
32 Commission and the Arkansas Department of Environmental Quality inspectors
33 can be authorized to cross-inspect well sites for both the Oil and Gas
34 Commission and the Arkansas Department of Environmental Quality mandates
35 described in subsection (a) of this section.

36 (d) The Oil and Gas Commission and the Arkansas Department of

1 Environmental Quality shall each create and file an annual report for the
2 preceding fiscal year with the Joint Performance Review Committee, beginning
3 July 1, 2012, stating:

4 (1) The number of oil and gas inspections completed;

5 (2) The number of inspections that found violations;

6 (3) A description of each violation;

7 (4) The recommendations of the department's enforcement division
8 and the Oil and Gas Commission's enforcement division for each violation; and

9 (5) The final action taken to resolve each violation.

10 (e) The annual compliance reports shall be made public and shall be
11 searchable in a way that allows geographic analysis of where violations are
12 occurring and should make it possible to determine which companies are
13 associated with each violation.

14 (f) The Oil and Gas Commission and the Arkansas Department of
15 Environmental Quality shall immediately issue a stop work order, unless that
16 action would cause safety hazards or additional environmental harm if a time-
17 critical operation is interrupted, followed by an inspection at sites of gas
18 production infrastructure that have:

19 (1) A potential sign of leakage such as a pressure drop in the
20 casing; or

21 (2) A significant threat to water quality.

22
23 /s/Webb
24
25
26
27
28
29
30
31
32
33
34
35
36