

1 **H. B. 4394**

2  
3 (By Delegates Manypenny, Fleischauer, Manchin,  
4 Swartzmiller, Boggs, Doyle, Perry, Canterbury,  
5 Brown, Shaver and Staggers)  
6

7 [Introduced February 2, 2012; referred to the  
8 Committee on the Judiciary.]  
9

10 A BILL to amend the Code of West Virginia, 1931, as amended, by  
11 adding thereto a new section, designated §22-6A-6a, relating  
12 to studying injection induced seismic activity associated with  
13 to horizontal well drilling and waste injection sites;  
14 development of guidelines for monitoring seismic activity; and  
15 rulemaking.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended  
18 by adding thereto a new section, designated §22-6A-6a, to read as  
19 follows:

20 **ARTICLE 6A. NATURAL GAS HORIZONTAL WELL CONTROL ACT.**

21 **§22-6A-6a. Study of injection induced seismic activity.**

22 (a) The secretary shall initiate and conduct a study with the  
23 Bureau of Public Health for the purpose of studying injection  
24 induced seismic activity related to horizontal well drilling and  
25 waste injection at sites in the State of West Virginia.

1        (b) For purposes of this section, the following terms have  
2 the following meanings:

3        (1) "Injection induced" means seismic activity related to  
4 hydrocarbon exploration and production.

5        (2) "Hazard analysis" refers to monitoring, recording and  
6 predicting the severity and frequency of injection induced seismic  
7 activity.

8        (3) "Risk analysis" refers to calculating and predicting  
9 exposure, vulnerability and costs related to injection induced  
10 seismic activity.

11       (c) The study shall include, but not be limited to, the  
12 following components:

13       (1) A hazard analysis of injection induced seismic activity  
14 which includes quantitative estimates of the likelihood of future  
15 seismic events in regions where Marcellus well drilling and waste  
16 injection occurs; and

17       (2) A risk analysis to determine possible damage to human  
18 life, environmental stability and building structures related to  
19 injection induced seismic activity as well as all monetary costs  
20 resulting from such damages.

21       (d) The study required by this section shall commence by May  
22 25, 2012. By May 25, 2013, the Department of Environmental  
23 Protection shall submit provisional hazard and risk analyses to the  
24 Joint Committee on Government and Finance.

1       (e) The hazard and risk analyses submitted to the Joint  
2 Committee on Government and Finance under subsection (d) of this  
3 section, shall be used by the Department of Environmental  
4 Protection, in conjunction with the Bureau for Public Health, to  
5 develop comprehensive risk and hazard guidelines for developing and  
6 implementing a seismic monitoring plan at all drilling and waste  
7 injection sites in the State of West Virginia.

8       (f) Following completion of tasks identified in this section,  
9 the secretary shall propose rules for legislative approval in  
10 accordance with the provisions of article three, chapter twenty-  
11 nine-a of this code for purposes of implementing the seismic  
12 monitoring plan described in subsection (e) of this section.

NOTE: The purpose of this bill is to study injection induced seismic activity associated with horizontal well drilling and waste injection sites, to develop guidelines for monitoring seismic activity and to promulgate rules for implementing a seismic monitoring plan.

§22-6A-6a is new; therefore, it has been completely underscored.