

SB 706

FILED

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**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-EIGHTH LEGISLATURE**  
**REGULAR SESSION, 2008**



**ENROLLED**

**Senate Bill No. 706**

(BY SENATORS BOWMAN, FANNING,  
FOSTER AND MCKENZIE)

[Passed March 7, 2008; in effect ninety days from passage.]

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE (S)

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## Senate Bill No. 706

(BY SENATORS BOWMAN, FANNING,  
FOSTER AND MCKENZIE)

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AN ACT to amend and reenact §22-6-20 of the Code of West Virginia, 1931, as amended; and to amend and reenact §22-21-14 of said code, all relating to clarifying the procedures for the placement of a liner through mined-out coal horizons.

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

That §22-6-20 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that §22-21-14 of said code be amended and reenacted, all to read as follows:

**ARTICLE 6. OFFICE OF OIL AND GAS; OIL AND GAS WELLS;  
ADMINISTRATION; ENFORCEMENT.**

**§22-6-20. Same — When well is drilled through horizon of  
coalbed from which coal has been removed.**

1       When a well is drilled through the horizon of a  
2 coalbed from which the coal has been removed, the hole  
3 shall be drilled at least thirty feet below the coalbed, of  
4 a size sufficient to permit the placing of a liner which  
5 shall start not less than twenty feet beneath the horizon  
6 of the coalbed and extend not less than twenty feet  
7 above it. Within this liner, which may be welded to the  
8 casing to be used, shall be centrally placed the largest-  
9 sized casing to be used in the well and the space  
10 between the liner and casing shall be filled with cement  
11 as they are lowered into the hole. Cement shall be  
12 placed in the bottom of the hole to a depth of twenty  
13 feet to form a sealed seat for both liner and casing:  
14 *Provided*, That the liner may extend back to the surface  
15 and serve as the freshwater or coal protection casing, if  
16 done in accordance with sections eighteen and  
17 twenty-one of this article, as applicable. If the liner is  
18 constructed in this manner, the next string of casing to  
19 be run into the well shall extend at least twenty feet  
20 below the coalbed. Cement shall be placed between that  
21 string of casing and the liner from the bottom of the  
22 casing to a point at least twenty feet above the coalbed.  
23 Following the setting of the liner, drilling shall proceed  
24 in the manner provided above. Should it be found  
25 necessary to drill through the horizon of two or more  
26 workable coalbeds from which the coal has been  
27 removed, the liner shall be started not less than twenty  
28 feet below the lowest horizon penetrated and shall  
29 extend to a point not less than twenty feet above the  
30 highest horizon.

**ARTICLE 21. COALBED METHANE WELLS AND UNITS.****§22-21-14. Protective devices required when a coalbed methane well penetrates workable coalbed; when a coalbed methane well is drilled through horizon of coalbed from which coal has been removed; notice of stimulation; results of stimulation.**

1 (a) Except for those coalbeds which the coalbed  
2 methane operator proposes to complete for production  
3 of coalbed methane or where a ventilation hole is being  
4 converted to a well, when a well penetrates one or more  
5 workable coalbeds, the well operator shall run and  
6 cement a string of casing in the hole through the  
7 workable coalbed or beds in such a manner as will  
8 exclude all oil, gas or gas pressure as may be found in  
9 such coalbed or beds. Such string of casing shall be  
10 circulated and cemented in such a manner as provided  
11 for in reasonable rules promulgated by the chief in  
12 accordance with the provisions of chapter  
13 twenty-nine-a of this code. After any such string of  
14 casing has been so run and cemented to the surface,  
15 drilling may proceed to the permitted depth.

16 (b) When a coalbed methane well is drilled through  
17 the horizon of a coalbed from which the coal has been  
18 removed, the hole shall be drilled at least thirty feet  
19 below the coalbed, of a size sufficient to permit the  
20 placing of a liner which shall start not less than twenty  
21 feet above it. Within this liner, which may be welded to  
22 the casing to be used, shall be centrally placed the  
23 largest-sized casing to be used in the well and the space  
24 between the liner and casing shall be filled with cement  
25 as they are lowered into the hole. Cement shall be  
26 placed in the bottom of the hole to a depth of twenty

27 feet to form a sealed seat for both liner and casing:  
28 *Provided*, That the liner may extend back to the surface  
29 and serve as the freshwater or coal protection casing, if  
30 done in accordance with subsection (a) of this section  
31 and section twenty-one, article six of this chapter, as  
32 applicable. If the liner is constructed in this manner,  
33 the next string of casing to be run into the well shall  
34 extend at least twenty feet below the coalbed. Cement  
35 shall be placed between that string of casing and the  
36 liner from the bottom of the casing to a point at least  
37 twenty feet above the coalbed. Following the setting of  
38 the liner, drilling shall proceed in the manner provided  
39 above. Should it be found necessary to drill through the  
40 horizon of two or more workable coalbeds from which  
41 the coal has been removed, such liner shall be started  
42 not less than twenty feet below the lowest horizon  
43 penetrated and shall extend to a point not less than  
44 twenty feet above the highest horizon penetrated.

45 (c) At least five days prior to the stimulation of any  
46 coal seam the well operator shall give the coal owner  
47 and operator notice of the date and time of stimulation  
48 and shall allow the coal owner or operator to have an  
49 observer present at the site at the coal owner or  
50 operator's risk and cost. Within thirty days after  
51 stimulation is completed, the well operator shall certify  
52 the actual stimulation procedure used, including, but  
53 not limited to, the fluid injection rate, the injection  
54 pressure, the volume and components of fluid injected  
55 and the amount and components of the propping agent,  
56 if any.

57 (d) The chief may grant variances to the requirements  
58 of this section where the variance would promote the  
59 extraction of coalbed methane without affecting mine  
60 safety.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Clancy White*  
.....  
Chairman Senate Committee

*[Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*Darrell Holmes*  
.....  
Clerk of the Senate

*Bruce S. [Signature]*  
.....  
Clerk of the House of Delegates

*Carl R. Tomblin*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker House of Delegates

The within *is approved* ..... this  
the *27th* Day of *May* ....., 2008.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 24 2008

Time 3:05 pm