

# “What keeps you up at night?”

Saul Ewing  
Oil and Gas Practice:

Joel R. Burcat  
Contact

## Pennsylvania DEP proposes new general permit for earth disturbance activities associated with oil and gas and pipeline projects

By Andrew T. Bockis

On Saturday, January 21, 2012, the Pennsylvania Department of Environmental Protection will be publishing proposed terms for a new general permit to be used by oil and gas and pipeline companies for earth disturbance activities associated with oil and gas drilling and transmission projects. The Department will also be publishing a draft 17-page policy document regarding the framework within which the Department states it will exercise its administrative discretion under the proposed permit.

The proposed terms, together with the draft policy document, are subject to a 60-day public comment period, which will expire on March 20, 2012. The proposed terms, which may be amended based on public comments submitted to the Department, will ultimately result in the issuance of a new general permit under which oil and gas exploration and production companies, along with pipeline companies, can conduct earth disturbance activities.

The proposed general permit includes a major rewrite of the currently existing general permit. Among other things, the proposed general permit:

- Provides for an optional expedited 14-day permit review process for projects, except those located in special protection watersheds.
- Offers an optional phased permit process for operators seeking to conduct earth disturbance activities in phases.
- Provides a process for permittees to make minor modifications to approved plans in the field based on real world conditions.
- Requires a permit application to be submitted by a licensed professional “who has attended up-to-date training provided by the Department’s Office of Oil and Gas Management” on erosion and sediment control and post construction stormwater management for oil and gas activities.

In sum, the proposed revisions would add 10 pages to the currently existing general permit.

The proposed general permit, together with the proposed policy document, is available at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-10904>.

---

This Alert was written by Andrew T. Bockis, a member of the firm's Oil and Gas Practice. Andrew can be reached at 717.257.7520 or [abockis@saul.com](mailto:abockis@saul.com). This publication has been prepared by the Oil and Gas Practice for information purposes only.

The provision and receipt of the information in this publication (a) should not be considered legal advice, (b) does not create a lawyer-client relationship, and (c) should not be acted on without seeking professional counsel who have been informed of the specific facts. Under the rules of certain jurisdictions, this communication may constitute "Attorney Advertising."

© 2012 Saul Ewing LLP a Delaware Limited Liability Partnership.  
ALL RIGHTS RESERVED.