WEST VIRGINIA CODE: §15-5C-1

§15-5C-1. Definitions.

When used in this article:

(1) “Director” means the Director of the Division of Homeland Security and Emergency Management.

(2) “Incident” means:

(A) An injury to an individual at a well, well pad or pipeline facility that results in death or serious bodily injury or that has a reasonable potential to cause death;

(B) An unintended confinement of an individual in an enclosed space at a well, well pad or pipeline facility from which a person will not be released for a period exceeding fifteen minutes;

(C) The unintended ignition or explosion of oil, natural gas or other substance at a well, well pad or pipeline facility;

(D) An unintended fire in or about a well, well pad or pipeline facility not extinguished within fifteen minutes of discovery of the unintended fire; and

(E) Any unintended release of poisonous or combustible substances that have a reasonable potential to cause death.

(3) “Pipeline facility” means, without limitation, new and existing pipe, pipe rights-of-way and any equipment, facility, or building used in the transportation of oil or natural gas or the treatment of oil or natural gas during the course of transportation: Provided, That the term “pipeline facility” shall not include pipelines of four inches or less, measuring the inside diameter, that service a farm, commercial structure or residence.

(4) “Pipeline operator” means any person or persons, firm, partnership, independent contractor, company or corporation that constructs, maintains or operates a pipeline facility.

(5) “Well” means any shaft or hole sunk, drilled, bored or dug into the earth or into underground strata for the extraction or injection or placement of any liquid, oil or natural gas, or any shaft or hole sunk or used in conjunction with such extraction or injection or placement. The term “well” does not include any shaft or hole sunk, drilled, bored or dug into the earth for the sole purpose of core drilling or pumping or extracting therefrom potable, fresh or usable water for household, domestic, industrial, agricultural or public use.

(6) “Well pad” means any area constructed and maintained for use to create a well.

WV Legislature

(7) “Well operator” means any person or persons, firm, partnership, independent contractor, company or corporation that drills or engages in hydraulic fracturing for any liquid, oil or natural gas, or that completes or operates wells to produce any liquid, oil or natural gas.

WV Legislature