

SB 382

FILED

2010 MAR 18 PM 3: 37

WEST VIRGINIA LEGISLATURE
SEVENTY-NINTH LEGISLATURE
REGULAR SESSION, 2010

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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ENROLLED

Senate Bill No. 382

(BY SENATORS MINARD, HELMICK,
GREEN, BOWMAN AND PLYMALE)

[Passed March 8, 2010; in effect ninety days from passage.]

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AN ACT to amend and reenact §22-6-22 of the Code of West Virginia, 1931, as amended, relating to the reporting of certain geologic information obtained incidental to oil and gas drilling; requiring the filing of reports with the Department of Environmental Protection and the state Geological and Economic Survey; providing for the delivery of core samples and well cuttings to the state Geological and Economic Survey; and assuring the confidentiality of reports and other information provided.

Be it enacted by the Legislature of West Virginia:

That §22-6-22 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§22-6-22. Well report, logs, core samples and cuttings to be filed; confidentiality and permitted use; authority to promulgate rules.

1 (a) Within a reasonable time after the completion of the
2 drilling of a shallow well or deep well, the well operator
3 shall file with the secretary and with the state Geological
4 and Economic Survey a completion report containing the
5 following:

6 (1) The character, depth and thickness of geological
7 formations encountered, including fresh water, coal seams,
8 mineral beds, brine and oil and gas bearing formations;
9 and

10 (2) Such other information as the secretary may require
11 to effectuate the purposes of this chapter.

12 The secretary may promulgate such reasonable rules in
13 accordance with article three, chapter twenty-nine-a of
14 this code, as may be considered necessary to ensure that
15 the character, depth and thickness of geological forma-
16 tions encountered are accurately logged: *Provided*, That
17 the secretary shall not require logging by the use of an
18 electrical logging device: *Provided, however*, That if
19 electrical or mechanical or geophysical logs are recorded
20 in the well, the secretary may request copies of these logs:
21 *Provided further*, That mechanical or geophysical logs
22 may not include vertical seismic profiles or two-dimen-
23 sional or three-dimensional seismic information.

24 (b) If a well operator takes core samples, that activity
25 shall be noted within the report, and, within sixty days
26 after filing the completion report, the operator shall,
27 subject to the terms of this article, provide the state
28 Geological and Economic Survey with a complete set of
29 cores, consisting of at least quarter slabs, correctly labeled
30 and identified according to depth. The core samples
31 requested by and provided to the state Geological and
32 Economic Survey may not contain any materials or
33 documents made with regard to analyzing or interpreting
34 the core samples.

35 (c) If a well operator catches cuttings during the drilling
36 of any deep or shallow well, that activity shall be noted
37 within the report and, within sixty days after filing the
38 completion report, the operator shall, subject to the terms
39 of this article, provide the state Geological and Economic
40 Survey with a sample of the cuttings, correctly labeled and
41 identified according to depth.

42 (d) Any information, reports, cuttings and core samples
43 requested by and provided to the state Geological and
44 Economic Survey by the operator shall be kept confiden-
45 tial at the written request of the operator for a specified
46 amount of time as follows:

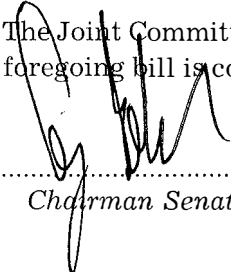
47 (1) Except for core samples, any logs, drill cuttings,
48 reports and other information or materials that reveal
49 trade secrets or other confidential business information
50 relating to the competitive interests of the operator or the
51 operator's privy may not be disclosed to the public for one
52 year following delivery, unless the operator consents in
53 writing to a shorter time. At the operator's written
54 request, the period of confidentiality may be extended in
55 annual increments: *Provided*, That the total period of
56 confidentiality may not exceed three years.

57 (2) Any core samples may not be disclosed to the public
58 for five years following delivery to the state Geological
59 and Economic Survey, unless the operator consents in
60 writing to a shorter time. At the operator's written
61 request, the period of confidentiality may be extended for
62 an additional five years: *Provided*, That the total period of
63 confidentiality may not exceed ten years.

64 (e) Notwithstanding the provisions of subsection (d) of
65 this section, the state Geological and Economic Survey
66 may store and process confidential information within its
67 minerals mapping or geographic information systems;
68 however, that confidential information may not be re-
69 vealed to the public until the lapsing of the period of

70 confidentiality created pursuant to subsection (d) of this
71 section. After the period of confidentiality has lapsed,
72 statistics or other information generated as the result of
73 storage and processing may be disclosed in the aggregate
74 through articles, reports, maps, or lectures presented in
75 accordance with generally accepted academic or scientific
76 practices and in a manner to preclude the identification of
77 a particular well or operator.


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

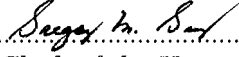

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Chairman Senate Committee

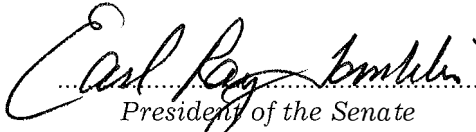

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Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within *is approved* this the *18th*
March
Day of, 2010.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 17 2010

Time 9:13am