

Ordinance # 41017

AN ORDINANCE OF THE TOWNSHIP OF PLUNKETTS CREEK, LYCOMING COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE, ENACTED JULY 27, 2000 AND AMENDED MARCH 1, 2004 & NOVEMBER 18, 2008 TO REGULATE GAS AND OIL DEVELOPMENT IN THE TOWNSHIP

BE IT ENACTED AND ORDAINED by the Township of Plunketts Creek, Lycoming County, PA, that the Township Zoning Ordinance, enacted July 27, 2000 and amended March 1, 2004 and November 18, 2008, shall be further amended as follows.

ARTICLE 1

Sections 302 to 308 of Article 3 of the Township Zoning Ordinance are hereby amended as follows:

(insert an “” after the “Uses & Structures” heading in **each** zoning district and add a note that reads as follows)*

Uses and Structures

(* See also Section 426 regarding Oil & Gas Development)

ARTICLE 2

Section 426 of Article 4 of the Township Zoning Ordinance is hereby amended as follows:

(delete existing Section 426 in its entirety and replace as follows)

426 OIL AND GAS DEVELOPMENT

A. Zoning Classifications

Subject to the other requirements of the Township Zoning Ordinance, the following oil and gas development uses, structures and activities may be approved for location within Plunketts Creek Township as provided below. (See also Table of Zoning Classifications for Oil and Gas Development, Table 1 at the end of this Sub-Section, on page 10.)

1. An **Oil and Gas Well Site** may be considered as a Conditional Use in the Agricultural and Open Space/ Conservation Zoning Districts.
2. A **Natural Gas Compressor Station or Processing Plant** or any similar facilities performing equivalent functions may be considered as a Condi-

tional Use in the Agricultural and Open Space/Conservation Zoning Districts.

3. A **Natural Gas Metering Station** may be considered as a Conditional Use in the Residential, Village, and Business Districts and may be permitted as a use-by-right in the Agricultural and Open Space/Conservation Zoning Districts.
4. A **Water Storage Area** may be considered as a Conditional Use in the Village District and may be permitted as a use-by-right in the Agricultural and Open Space/Conservation Zoning Districts.
5. An **Oil or Gas Staging Area** may be considered as a Conditional Use in the Agricultural and Open Space/Conservation Zoning Districts.
6. A **Water Withdrawal Facility** may be considered as a Conditional Use in the Residential, Village, & Business Districts and may be permitted as a use-by-right in the Agricultural and Open Space/Conservation Zoning Districts.
7. A **Water Distribution Facility** may be considered as a Conditional Use in the Agricultural, and Open Space/Conservation Zoning Districts.
8. **Gathering Lines** may be permitted as a use-by-right within all Zoning Districts of the Township.

B. Minimum Lot Size Requirements

The dimensional requirements set forth in Table 2 at the end of this Sub-Section, on page 11, shall apply to all oil and gas development activities in the Township.

C. Permit Requirements

The following requirements shall apply to all new oil and gas development, except as may be noted otherwise.

1. A Zoning Permit shall be required prior to the commencement of all new oil or gas development, including the construction of pipelines that deliver oil or gas from a well site to any interstate or intrastate transmission line or lines. Any modification to an existing well site that materially alters the size or location of the well site shall require the modification of the Zoning Permit. Multiple wells located on the same well site shall not require the issuance of individual Permits.
2. A Zoning Permit shall not be required for seismic testing.
3. Where multiple uses or activities are included in a single application for oil

or gas development, the most intensive use, as determined by the Township, shall take precedence and the more restrictive regulations shall be applied.

D. Permit Application

The applicant shall provide the Township with the following information at the time of applying for a Permit for all oil or gas development.

1. A narrative providing an overview of the project including the acreage to be involved, the number of wells to be drilled on the site, and the location, number and description of equipment and structures to be used to the extent known.
2. A map showing the location of the oil and gas development, including all equipment and structures to be used for the operation, and all permanent improvements to be made to the site.
3. A narrative and map describing all routes to be used to access the development, including those used for delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the activity.
4. A statement that the development will be constructed and operated in compliance with all Federal, State, County and Susquehanna River Basin Commission (SRBC) permitting requirements. Copies of all such Permit Applications shall accompany the Township Permit Application. Copies of all such Permits shall be submitted to the Township prior to beginning any Oil or Gas Development. (See also Sub-Section 426 D.6 below for site access requirements for Township roadways.)
5. A narrative describing the environmental impacts of the proposed development on the site and surrounding land and the measures proposed to protect or mitigate such impacts, where such description is not provided as part of DEP documents required under Sub-Section 426 D.4 above.
6. A certificate or evidence satisfactory to the Township that, prior to the commencement of any activity at the oil or gas well site, the applicant shall have accepted and complied with Ordinance # 2005-2, (the Plunketts Creek Township Motor Vehicle Weight Limitation and Bonding Ordinance), enacted March 7, 2005, or as may hereafter be amended, regarding the maintenance and repair of Township roads that are to be used for access to the oil and gas development for construction, drilling activities, and other site operations.
7. A site address for the oil and gas development determined by the County's 9-1-1 addressing program for emergency and safety purposes.

Such address shall be conspicuously posted at the nearest point of public access to the site.

8. A copy of the Preparedness, Prevention and Contingency Plan prepared for the oil and gas development and verification that a copy has also been provided to the local emergency service providers. Such Plan shall include contact information of the individual responsible for operation and activities at the site, including telephone numbers where such individual can be contacted on a 24-hour basis.

E. Permit Processing

All Zoning Permit applications for oil and gas development shall be processed in accordance with the procedure set forth in Section 1202 of the Township Zoning Ordinance.

F. Design and Installation

The following shall be considered minimum standards for the design and installation of oil or gas development activities.

1. Access.

- a. Vehicular access to oil or gas development sites shall minimize the danger to traffic and nuisance to surrounding properties whenever reasonably possible. Access to the site via a residential street shall be discouraged. Whenever possible, access shall be provided via a state road. A Highway Occupancy Permit, indicating the intended volume and type of traffic to and from the well site, must be obtained from PennDot where access is to be provided via a State-owned roadway. (See also Sub-Section 426 D.6. above for access requirements for municipally owned roadways.)
- b. Entrances and exits from oil or gas development activities to streets shall be a minimum of 50 feet from any intersection, as measured by the intersecting right-of-way lines. All entrance driveways shall be paved with PennDot Superpave asphalt for a distance of 50 feet from the public road and a DEP-standard Rock Construction Entrance shall be provided immediately past the end of the pavement to prevent stone, soil and dust from being deposited on the public road.

2. Facility or Building Design.

- a. Natural Gas Compressor Stations and Processing Plants: In order to minimize noise generated by natural gas compressor stations or processing plants, all such facilities shall be located within a completely enclosed, acoustically designed building. Additional sound mitigation devices shall be installed where needed to address noise

levels that exceed the permissible levels. (See Sub-Section 426 F.7 below for noise limitations.)

- b. Above-Ground Chemical or Fuel Tanks. All above-ground chemical or fuel tanks (except propane tanks) shall be located in a depressed area sized to hold all the tank volume with a one-foot freeboard. Such depressions shall be lined with materials that prevent the chemicals to be stored from soaking into the ground and have a positive drainage to an area for pumping up any spill. The application for a Zoning Permit shall be accompanied by a list of all chemicals and their quantities to be stored on the site, and the MSDS Sheets for each chemical shall be provided to the Township.
 - c. Oil and Gas Well Sites, Oil and Gas Staging Areas and Water Distribution Facilities. Outdoor storage and inventory areas associated with oil or gas staging areas and water distribution facilities shall be aligned and displayed in an orderly manner so that emergency circulation can be maintained at all times. Sufficient land shall be provided to keep all vehicles off of the public road right-of-way at all times. Areas used to store equipment and to be used for parking shall be covered with stone and kept in a dust- and mud-free condition at all times.
3. Height Standards. Permanent and accessory structures associated with an oil or gas development shall comply with the height regulations for the zoning district in which the well site is located. A temporary exemption to the height restrictions may however be granted by the Township Supervisors for the temporary placement of drilling rigs, drying tanks, and other accessory uses necessary to the actual drilling or re-drilling of an oil or gas well.
 4. Setback and Buffering Requirements. Oil and gas operations, other than the placement, use and repair of oil and gas pipelines, water pipelines, access roads and security facilities, must be located at least 300 feet from any existing building unless approved otherwise by the building owner or unless stipulated otherwise in this ordinance. The following minimum setback requirements shall apply to oil and gas development as indicated:
 - a. Oil and Gas Well Sites. The following setback requirements shall apply to the placement of the wellhead, well pad and other related activities at the gas or oil well site.
 - 1) The wellhead must be set back at least 500 feet from any existing building, park, playground or public road rights-of-way.
 - 2) The outer edge of the well pad must be at least 300 feet from all adjoining property lines, unless approved otherwise by the property owner/owners.

b. Natural Gas Compressor Stations and Processing Plants. The following setback and buffering requirements shall be followed when developing natural gas compressor stations and processing plants:

- 1) All compressor stations and processing plants shall be set back at least 750 feet from any existing building, park, playground or public road rights-of-way.
- 2) All other buildings, structures and equipment shall be set back at least 300 feet from all adjoining property lines, unless approved otherwise by the owner of the adjoining property/properties.
- 3) All buildings or structures housing compressor stations or processing plants shall be set back a minimum of 200 feet from any 0.2% (100 & 500-year) floodplain, body of water, perennial stream or wetland. This requirement shall not apply to any required discharge or intake structure or facilities at the receiving stream or water supply. Ancillary facilities, such as offices, employee parking and accessory structures shall be set outside of the 0.2% (100-year and 500-year) floodplain.

c. Water Storage Facilities.

- 1) All impoundments, whether intended to contain fresh water only or any other liquid, shall be subject to the PA Dam Safety Act and all pertinent State and Federal regulations.
- 2) A buffer, no less than 25 feet in width, shall be provided around the perimeter of the property containing the water storage facility. There shall be no parking, storage or other use permitted in this buffer area. In determining the type and extent of buffer required, the Township shall take into consideration the design of proposed structures, the topography of the site, existing vegetation, and the relationship of the proposed project to the surrounding area.

d. Oil and Gas Staging Areas.

- 1) That portion of the site intended to be used for storage of equipment or construction materials shall be located no less than 25 feet from any adjoining or right-of-way line.
- 2) A buffer, no less than 25 feet in width, shall be provided around the perimeter of the property containing the staging facility. There shall be no parking, storage or other use permitted in this buffer area. (See also Section 504 of this Ordinance for additional buffer area requirements.)

e. Water Withdrawal Facilities Site

A buffer, no less than 25 feet in width, shall be provided around the perimeter of the property containing the water storage facility. There shall be no parking, storage or other use permitted in this buffer area. In determining the type and extent of buffer required, the Township shall take into consideration the design of proposed structures, the topography of the site, existing vegetation, and the relationship of the proposed project to the surrounding area.

f. Water Distribution Facilities.

- 1) Any pumps, underground fuel storage tanks and islands, including any canopies, shall be set back at least 100 feet from any public street or property line.
- 2) All buildings, structures and equipment associated with the water distribution facility shall be set back at least 300 feet from all adjoining property lines, unless approved otherwise by the adjoining property owner.

g. Gathering Lines and Metering Stations.

- 1) Metering stations shall be set back at least 300 feet from all existing property lines, buildings, or playgrounds.
- 2) A Township Road Permit shall be required for the crossing of any municipal roadway, whether by open cut or boring. The current PennDot Highway Occupancy Permit form shall be used to apply for the Township Permit. The Township Supervisors may require such crossing to be done by boring when they deem it necessary.
- 3) Gathering lines must be buried to such depth as will assure that the top of the pipe is at least three (3) feet from the ground surface in order to avoid inadvertent contact. Trenches shall be backfilled and compacted satisfactorily to prevent future settlement to the extent possible. A minimum of ten (10) inches of topsoil shall be provided where pipelines cross farm fields or four (4) inches for other open, undeveloped areas. All existing fences, including agricultural fencing, which are removed or displaced by pipeline construction, shall be replaced to their pre-construction condition as part of the pipeline installation project.
- 4) Gathering Lines shall be required to use existing Rights-of-Way where the Township deems it to be feasible.
- 5) All Gathering Lines must properly be marked and identified and

registered for One-Call identification.

5. Lighting. Lighting at the oil or gas development site, either temporary or permanent shall be directed downward and inward toward the activity, in order to minimize glare on adjacent properties or public roads within 100 feet of the development site. Lighting fixtures shall be hooded or shielded to confine glare to the site.
6. Fencing and Screening. The following fencing and screening requirements shall apply to all oil or gas development sites:
 - a. Fencing shall not be required during initial drilling, completion or re-drilling operations as long as 24-hour a day on-site supervision and security is provided. A guard station, with 24-hour staffing at the entrance to the site may be permitted in lieu of fencing. The Township would like to encourage the placement of security fencing in addition to the above 24-hour a-day supervision and guard station.
 - b. Upon completion of drilling or fracking on the site, or for the construction of other gas or oil development, an 8-foot, chain-link security fence, shall be installed around the perimeter of the development site to secure all facilities, including wells, impoundment areas, and other mechanical and production equipment and structures. Privacy fencing shall be required at all oil and gas staging and water distribution facilities.
 - c. All fenced areas shall be provided with at least one (1) locking gate, a minimum of 12 feet in width.
 - d. Warning signs shall be placed on the fencing surrounding the development site to provide notice of potential dangers and contact information to be used in case of an emergency.
 - e. Care shall be taken to maintain the natural surroundings, and preserve existing trees and other native vegetation, in constructing oil or gas development facilities. Identify all trees greater than 6-inches in diameter, measured 3 feet above existing grade, plus all trees designated to remain.
7. Noise Control. At no point beyond the boundary of the lot lines of the oil or gas development site shall the exterior noise level resulting from any use or drilling activity located on such lot exceed a maximum of 60 decibels (dBA) during daytime hours and 55 dBA during nighttime hours. Exemption from these noise standards may be granted by the Township Supervisors during the drilling stage of the oil or gas operation for good cause shown and upon written agreement between the applicant and the Township.

8. Additional General Requirements. The applicant shall provide all other information which would be necessary for the Township to assess the impact of the proposed facility on the environment, the community and on the public health, safety and welfare.
 9. Prohibition. No oil or gas development except water withdrawal facilities or gathering lines shall be permitted to be located within any 100 year or 500 year floodplain area identified as such in the Township's National Flood Insurance Study (FIS) and shown on the accompanying flood mapping prepared for the Township by the Federal Emergency Management Agency (FEMA).
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TABLE 1

**TABLE OF
ZONING CLASSIFICATIONS FOR
OIL & GAS DEVELOPMENT**

<u>USES</u>	<u>DISTRICTS</u>				
	<u>R</u>	<u>V</u>	<u>B</u>	<u>A</u>	<u>OSC</u>
Oil & Gas Well Sites	---	---	---	C	C
Nat'l Gas Compressor Stations, Processing Plants	---	---	---	C	C
Metering Stations	C	C	C	P	P
Water Storage Areas	---	C	---	P	P
Oil & Gas Staging Areas	---	---	---	C	C
Water Withdrawal Facilities	C	C	C	P	P
Water Distribution Facilities	---	---	---	C	C
Gathering Lines	P	P	P	P	P

NOTE: This Table is intended to illustrate the zoning classification of Oil & Gas uses, by zone, in the Township. For a complete listing of uses provided in the Township see the District Regulation charts in Article 3 of the Township Zoning Ordinance.

Key

*R – Residential District; V – Village District; B – Business District;
A – Agricultural District; and OSC – Open Space/Conservation District*

P – Permitted Uses; C – Conditional Uses

TABLE 2

Plunketts Creek Township Zoning Ordinance Oil & Gas Development Minimum Lot Sizes					
Use	Zoning District				
	Residential	Village	Business	Agricultural	Open Space
Oil & Gas Well Site	---	---	---	5.0	5.0
Compressor Station	---	---	---	10.0	10.0
Metering Station	1.0	1.0	1.0	1.0	1.0
Water Storage	---	5.0	---	5.0	5.0
Staging Area	---	---	---	5.0	5.0
Water Withdrawal	2.0	2.0	2.0	5.0	5.0
Water Distribution	---	---	---	5.0	5.0
Gathering pipelines	N/A	N/A	N/A	N/A	N/A

NOTE: This Table is intended to illustrate the minimum lot size requirements for Oil & Gas uses, by zone, in the Township. For a complete listing of lot size requirements in the Township, see the District Regulation charts in Article 3 of the Township Zoning Ordinance.

ARTICLE 3

Section 1401 of Article 14 of the Township Zoning Ordinance is hereby amended as follows:

1401 DEFINITIONS

*(insert the following **new definitions**)*

COMPRESSOR STATION: See NATURAL GAS COMPRESSOR STATION.

DRILLING: The digging or boring of a well, either vertically or horizontally, for the purpose of exploring for, developing or producing oil or gas or other hydrocarbons, or for the purpose of injecting gas, water or other fluid or substance into the earth. (See also OIL OR GAS WELL.)

DRILLING PAD: See WELL PAD.

FRACKING: The process of injecting water, customized fluids, sand, steam or gas into a gas well under pressure to improve gas recovery, also known as hydraulic fracturing or fracture stimulation.

FRESH WATER: For the purposes of this ordinance, fresh water is defined as potable water, surface water or groundwater that has not been contaminated by oil and gas well drilling activity including water used for hydraulic fracturing or flow back water from wells.

GAS: Any of the following: 1) a fluid, combustible or noncombustible, which is produced in a natural state from the earth and maintains a gaseous or rarified state at standard temperatures of 60 degrees Fahrenheit and pressure 14.7 PSIA; or 2) any manufactured gas, by-product gas or mixture of gases or natural gas liquids. (See also NATURAL GAS.)

GATHERING LINES: The pipelines used to transport gas and oil from the well sites to an interstate or intrastate transmission line.

HYDRAULIC FRACTURING CHEMICAL: Any chemical substance or combination of substances, including any chemicals and proppants that are intentionally added to a base fluid for purposes of preparing a stimulation fluid for use in hydraulic fracturing.

IMPOUNDMENT: For the purposes of this Ordinance, an impoundment shall be defined to include: 1) wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds, and similar water features holding or storing water; or 2) a dam, dike, floodgate or other barrier confining a body of water, such as a pond.

NATURAL GAS: A fossil fuel consisting of a mixture of hydrocarbon gases, primarily methane, and possibly including ethane, propane, butane, pentane, carbon dioxide, oxygen, nitrogen and hydrogen sulfide and other gas species. The term includes natural gas from oil fields known as associate gas or casing head gas, natural gas fields known as non-associated gas, coal beds, shale beds or other formations. The term does not include coal bed methane. (See also GAS.)

NATURAL GAS COMPRESSOR STATION: A permanent facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for the delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

NATURAL GAS LIQUIDS: Hydrocarbons in natural gas which are separated from the gas as liquids through the process of absorption, condensation, adsorption or other methods in gas processing of cycling plants.

NATURAL GAS METERING STATION: A permanent structure which is used as a midstream operation for the purpose of metering or measuring the flow and/or volume of gas and includes associated equipment, tanks and site disturbance.

NATURAL GAS PROCESSING PLANT: A permanent facility designed and constructed to remove materials such as ethane, propane, butane and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that is designed and constructed to primarily remove water, water vapor, oil or naturally occurring liquids from the natural gas.

OIL: Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA, also referred to as petroleum.

OIL AND GAS DEVELOPMENT: For the purposes of this Ordinance, the phrase oil and gas development shall include the following: 1) well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth; 2) water or other fluid storage or impoundment areas used exclusively for oil and gas operations; 3) construction, installation, use, maintenance, and repair of: a) oil and gas pipelines; b) natural gas compressor stations; and c) natural gas processing plants or facilities performing equivalent functions; and 4) construction, installation, use, maintenance, and repair of all equipment directly associated with the activities identified above, to the extent that: a) the equipment is necessarily located at or immediately adjacent to the well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant; and b) the activities are authorized and permitted under the authority of a Federal or State agency. (See also NATURAL GAS COMPRESSOR STATION, NATURAL GAS PROCESSING PLANT and NATURAL GAS METERING STATION.)

OIL AND GAS STAGING AREA OR FACILITY: A location or facility on a permitted site for the storage of equipment, pipes and vehicles used to support gas development activities at other permitted sites. For the purposes of this Ordinance shall exclude those facilities which are used for water distribution.

OIL OR GAS WELL: A pierced or bored hole drilled or being drilled for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage,

including brine disposal. The term shall include an unconventional gas well. (See also WELL.)

OIL OR GAS WELL SITE: The location where facilities, structures, materials and equipment, whether temporary or permanent, necessary for or incidental to the preparation, construction, drilling, production or operation of an oil or gas well, including exploratory wells, are used.

PIPELINE: All parts of those physical facilities running through which gas, hazardous liquids, fresh water, salt water or chemicals move in transportation, including but not limited to, pipes, valves and other appurtenances attached to pipe, whether or not laid in a public or private easement or public or private right-of-way within the Township, including but not limited to, gathering lines, production lines or transmission lines. This definition does not include pipelines associated with franchise utilities.

PROCESSING PLANT: See NATURAL GAS PROCESSING PLANT.

SEISMIC TESTING: Testing conducted on the earth's surface or shallow subsurface for the purpose of evaluating subsurface geologic conditions.

STORAGE WELL: A well that is used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

UNCONVENTIONAL FORMATION: A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

UNCONVENTIONAL GAS WELL: A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation. The term shall also include wells that utilize hydraulic fracture treatment through a single vertical well bore and produce natural gas in quantities greater than that of a stripper well.

WATER DISTRIBUTION FACILITY: For the purposes of this Ordinance, a water distribution facility shall be defined as a facility where water is loaded onto vehicles and transported by vehicle from the site or otherwise distributed to an oil or gas well site to be used for hydraulic fracturing.

WATER IMPOUNDMENT: See IMPOUNDMENT.

WATER MANAGEMENT PLAN: A plan associated with drilling or completing a well in an unconventional formation that demonstrates that the withdrawal and use of water sources protects those sources as required by law and protects public health, safety and welfare.

WATER PURVEYOR: Any of the following: 1) The owner or operator of a public water system as defined in Section 3 of the PA Safe Drinking Water Act (P.L. 206, No. 43); or 2) Any person subject to the Water Rights Law (P.L.842, No. 365).

WATER SOURCE: Any of the following: 1) waters of the Commonwealth; 2) a source of water supply used by a water purveyor; 3) mine pool and discharges; or 4) any other waters that are used for drilling or completing a well in an unconventional formation. The term does not include flow back or production waters or other fluids: a) which are used for drilling or completing a well in an unconventional formation; and b) which do not discharge into waters of the Commonwealth.

WATER STORAGE FACILITY: For the purposes of this Ordinance, water storage facilities shall be defined as tanks of any construction (metal, fiberglass, concrete, etc.) and detention and retention ponds, artificial lakes and ponds, and similar water impoundment features used to store fresh water that is to be used onsite or transported by pipeline for oil or gas development.

WATER TREATMENT FACILITY: A facility used for the flow backwater and solutions used in the process of hydraulic fracturing in order to extract natural gas from the Marcellus shale. The treatment facility is where the flow backwater and solutions are taken once the process of hydraulic fracturing is done in order to ensure that the water will be treated properly removing any harmful chemicals, compounds and radionuclides prior to being hauled off-site for re-use or released into a major tributary. Typical water treatment facilities include, but are not limited to, multi-bay truck loading/ unloading stations, skim ponds for oil/water separation, water clarifiers, sludge dewatering facilities, reverse osmosis units, evaporators, chemical feed equipment, pumps, and other appurtenances.

WATER WITHDRAWAL FACILITY: For the purposes of this ordinance a water withdrawal facility shall be defined to include the following: 1) A facility immediately adjacent to a river, tributary or stream that typically contains a submerged suction line, pumps, water main, multiple hydrants, which is to be used for the purpose of hydraulic fracturing; or 2) A well producing water to be used for hydraulic fracturing.

WELL: A bore hole drilled or being drilled for the purpose of, or to be used for, producing, extracting or injecting gas, petroleum or another liquid related to oil or gas production or storage, including brine disposal, but excluding a bore hole drilled to produce potable water. The term does not include a bore hole drilled or being drilled for the purpose of, or to be used for: 1) systems related to solid waste facilities; or 2) degasifying coal seams. (See also OIL OR GAS WELL.)

WELL PAD: The area of surface operations immediately surrounding the surface location of a well or wells. Such area shall not include an access road to the well pad and shall not include the entirety of an oil or gas well site.

*(adjust the following **existing definitions**)*

BUILDING: 1) A structure having walls and a roof that is used for the shelter, housing or enclosure of persons, animals or property, including all mobile and manufactured homes and trailers to be used for human habitation. The word building shall include any part thereof; or 2) For the purposes of oil and gas operations, a building shall be defined as an occupied structure with walls and a roof within which persons live or customarily work.

EXTRACTIVE OPERATIONS: The commercial extraction of natural mineral deposits from the earth, including facilities for the mixing or batching of extracted materials. For the purposes of this Ordinance however, oil and gas operations shall not be considered to be mineral extraction operations. (See also Sections 415 and 426, and OIL AND GAS OPERATIONS.)

(delete the following existing definitions)

OIL AND GAS OPERATION

ARTICLE 4

ENACTED AND ORDAINED into an Ordinance to amend the Township Zoning Ordinance by the Supervisors of Plunketts Creek Township, Lycoming County, PA, this 3rd day of April, 2017.

TO BECOME EFFECTIVE on the _____ of April, 2017.

PLUNKETTS CREEK TWP. SUPERVISORS

Chairman

ATTEST:

Plunketts Creek Township Secretary

SEAL: