

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5076

By Delegates Anderson, Zatezalo, Criss, Sheedy,
Fehrenbacher, Barnhart, Stephens, Kelly, Heckert,
and Holstein

[Introduced January 25, 2024; Referred to the
Committee on Energy and Manufacturing then the
Judiciary]

1 A BILL to amend and reenact §22-6-19 of the Code of West Virginia, 1931, as amended, relating to
 2 clarifying the process of well plugging; adding new conditions in which a well does not need
 3 promptly plugged; and limiting causes of actions in law and equity.

Be it enacted by the Legislature of West Virginia:

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

§22-6-19. Same -- Continuance during life of well; dry or abandoned wells.

1 In the event that a well becomes productive of natural gas or petroleum, or is drilled for or
 2 converted for the introduction of pressure, whether liquid or gas, or for the introduction of liquid for
 3 the purposes provided for in section 25 of this article or for the disposal of pollutants or the effluent
 4 therefrom, all coal-protecting strings of casing and all water-protecting strings of casing shall
 5 remain in place until the well is plugged or abandoned. During the life of the well the annular
 6 spaces between the various strings of casing adjacent to workable beds of coal shall be kept open,
 7 and the top ends of all such strings shall be provided with casing heads, or such other suitable
 8 devices as will permit the free passage of gas and prevent filling of such annular spaces with dirt or
 9 debris.

10 Any well which is completed as a dry hole or which is not in use for a period of 12
 11 consecutive months shall be presumed to have been abandoned and shall promptly be plugged by
 12 the operator in accordance with the provisions of this article, unless the operator furnishes
 13 satisfactory proof to the ~~director~~ chief that there is a bona fide future use for such well or that such
 14 well is subject to an existing order, either unilateral or by consent, issued by the Chief which
 15 addresses the future plugging and/or production of the well.

16 This section does not create, nor can any alleged violations of this section provide a basis
 17 for, a cause of action in equity or at law by any person on their own behalf or in the interests of
 18 other _____ persons _____ similarly _____ situated.

NOTE: The purpose of this bill is to clarify the process of well plugging. The bill adds new conditions in which a well does not need promptly plugged. Finally, the bill limits causes of actions in law and equity.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.