

1 SHALL BE DISTRIBUTED AS PROVIDED UNDER 58 PA.C.S. §§ 2314  
2 (RELATING TO DISTRIBUTION OF FEE) AND 2315 (RELATING TO  
3 STATEWIDE INITIATIVES).

4 (2) AFTER DEPOSIT UNDER PARAGRAPH (1), REMAINING MONEY  
5 SHALL BE DEPOSITED INTO THE GENERAL FUND.

6 (F) INDEPENDENT FISCAL OFFICE.--BEGINNING SEPTEMBER 30,  
7 2018, AND QUARTERLY THEREAFTER, THE INDEPENDENT FISCAL OFFICE  
8 SHALL PUBLISH A REPORT ON ITS PUBLICLY ACCESSIBLE INTERNET  
9 WEBSITE THAT SHOWS THE CALCULATION OF AN AVERAGE EFFECTIVE TAX  
10 RATE OF THE VOLUME DIFFERENTIAL TAX IMPOSED UNDER THIS ARTICLE  
11 AND THE UNCONVENTIONAL GAS WELL FEE IMPOSED UNDER 58 PA.C.S. CH.  
12 23, IMPOSED FOR THE PRECEDING IMPOSITION PERIOD. THE AVERAGE  
13 EFFECTIVE TAX RATE SHALL QUANTIFY THE IMPLICIT TAX BURDEN  
14 IMPOSED ON A PRODUCER BY BOTH THE VOLUME DIFFERENTIAL TAX AND  
15 THE UNCONVENTIONAL GAS WELL FEE IN A GIVEN YEAR. THE AVERAGE  
16 EFFECTIVE TAX RATE SHALL BE BASED UPON THE MARKET VALUE OF  
17 NATURAL GAS AT THE WELLHEAD USING REGIONAL PRICE INFORMATION  
18 FROM HUBS LOCATED IN THIS COMMONWEALTH AND POSTPRODUCTION COSTS  
19 SHALL BE DEDUCTED TO APPROXIMATE THE VALUE OF NATURAL GAS AT THE  
20 WELLHEAD. THE REPORT SHALL INCLUDE THE METHODOLOGY USED TO  
21 CALCULATE THE AVERAGE EFFECTIVE TAX RATE.

22 SECTION 2403-A. ISSUANCE OF PERMIT.

23 (A) OPERATIONS.--NOTWITHSTANDING ANY OTHER PROVISION OF LAW,  
24 A PERMIT APPLICATION TO UNDERTAKE AN ACTIVITY RELATED TO  
25 UNCONVENTIONAL OIL AND GAS DEVELOPMENT WHICH HAS NOT BEEN DENIED  
26 BY THE DEPARTMENT WITHIN THE APPLICABLE TIME PERIOD ESTABLISHED  
27 FOR REVIEW SHALL BE DEEMED APPROVED. IF THE REVIEW PERIOD FOR  
28 THE PERMIT HAS BEEN EXTENDED FOR CAUSE, THE DEPARTMENT SHALL  
29 PROVIDE A REFUND OF THE FEE TO THE APPLICANT. IF THE DEPARTMENT  
30 HAS NOTIFIED THE PERSON OF DEFICIENCIES WITH THE APPLICATION,

1 THE PERIOD OF TIME FROM THE DATE OF THE RECEIPT OF THE  
2 DEFICIENCIES TO THE DATE OF THE RECEIPT OF THE PERSON'S RESPONSE  
3 SHALL TOLL THE APPLICABLE TIME PERIOD ESTABLISHED FOR REVIEW.  
4 ONLY TWO TOLLING PERIODS SHALL BE AUTHORIZED.

5 (B) CONSTRUCTION.--NOTHING UNDER THIS SECTION SHALL BE  
6 CONSTRUED TO RELIEVE A PERSON WHO COMMENCES ACTIVITY UNDER THIS  
7 SECTION FROM COMPLYING WITH EACH LAW PERTAINING TO THE ACTIVITY  
8 FOR WHICH THE PERMIT IS SOUGHT.

9 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
10 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
11 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

12 "APPLICABLE TIME PERIOD ESTABLISHED FOR REVIEW." AS FOLLOWS:

13 (1) FOR A WELL PERMIT REQUIRED UNDER 58 PA.C.S. §  
14 3211(E) (RELATING TO WELL PERMITS), WITHIN:

15 (I) FORTY-FIVE CALENDAR DAYS OF SUBMISSION; OR

16 (II) SIXTY CALENDAR DAYS OF SUBMISSION IF THE REVIEW  
17 PERIOD HAS BEEN EXTENDED FOR CAUSE.

18 (2) FOR A GENERAL AIR QUALITY PERMIT, WITHIN 30 CALENDAR  
19 DAYS OF SUBMISSION.

20 (3) FOR AN EARTH DISTURBANCE PERMIT AS REQUIRED UNDER 25  
21 PA. CODE § 102.5 (RELATING TO PERMIT REQUIREMENTS), WITHIN:

22 (I) FIFTY-THREE BUSINESS DAYS OF SUBMISSION; OR

23 (II) TWENTY-FOUR BUSINESS DAYS OF SUBMISSION FOR AN  
24 EXPEDITED APPLICATION.

25 ARTICLE XXIV-B

26 UNCONVENTIONAL NATURAL GAS AIR QUALITY PROTECTION

27 SECTION 2401-B. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
30 CONTEXT CLEARLY INDICATES OTHERWISE: