

**MUNICIPALITY OF MURRYSVILLE
WESTMORELAND COUNTY, PENNSYLVANIA**

ORDINANCE No. 979-17

AN ORDINANCE OF THE MUNICIPALITY OF MURRYSVILLE, WESTMORELAND COUNTY, PENNSYLVANIA AMENDING CHAPTER 220, ZONING, ADDING DEFINITIONS, LAND USE PROVISIONS AND STANDARDS FOR THE LOCATION OF INJECTION WELLS WITHIN THE MUNICIPALITY

WHEREAS, the Municipality of Murrysville wishes to update Chapter 220, Zoning, to provide zoning district locations, standards, application procedures and definitions for Injection Wells, and

WHEREAS, the Municipality of Murrysville wishes to impose standards necessary to provide for the public health, safety, and welfare for this land use.

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED, by the Municipality of Murrysville Council, Chapter 220 is amended as follows:

SECTION I.

The following definitions placed within Article II, Definitions, shall be added, as follows:

INJECTION WELL - An Injection Well is a device which helps in placing fluids and hazardous materials including but not limited to petroleum or petroleum like products and brine underground in porous rock formations like limestone and sandstone, or below in the shallow soil layer. The fluids could be wastewater, brine, water, or water mixed with chemicals.

SECTION II.

Article III, Section 220-16A, Non-Residential Land Use, Authorization Table shall be amended as follows:

C

| Land Uses | Subject to: | MU | B |
|------------------|--------------------|-----------|----------|
| Injection Well | § 220-31 EE | | C |

SECTION III.

Article V, Conditional Uses, shall be amended as follows:

§220-31(E) Injection Wells, subject to:

- (1) The minimum site required shall be 10 acres.
- (2) The site shall have frontage on and direct vehicular access to an arterial or collector street.
- (3) The site shall not be located within 1,200 feet of any protected use (residential dwelling, church, commercial building, public building, hospital, school, or public park) measured from any property boundary of the site in a straight line along a public street right-of-way to the nearest wall of a residential dwelling.
- (4) All activities shall comply with the performance standards specified in Article VI of this chapter.
- (5) Adjacent public streets shall be adequate to accommodate traffic volumes and weight limits associated with truck traffic to and from the site.
- (6) The storage, handling, transportation and disposal of hazardous or potentially hazardous materials including but not limited to petroleum or petroleum like products and brine shall be in accordance with all applicable permits and requirements of the Pennsylvania Department of Environmental Protection (PA DEP) and the U.S. Environmental Protection Agency (EPA).
- (7) No permanent component of the injection well site shall be closer than 100 feet from the property line in which the well is located.
- (8) A Risk Assessment Report. A report prepared by a professional expert in that field, that identifies the potential hazards stemming from the injection well at the proposed site and determines the quantitative and qualitative risk associated with the identified hazards. The quantitative risk assessment shall include calculations of two components of risk (R), the magnitude of the potential loss (L), and the probability (P) that the loss will occur. The report shall include a public health risk assessment including potential impacts to water supply. This assessment is the process of characterizing the nature and likelihood of harmful effects to individuals or populations within one linear mile from the well site. The report shall also include an assessment of potential seismic impacts created by the operations of the injection well.

SECTION IV.

Where any portion of the amendments adopted in Section II is overturned by a Court of Law, the former standards as of the date of this ordinance shall take effect

THIS ORDINANCE ORDAINED AND ENACTED AT A REGULARLY CONSTITUTED, DULY CONVENED MEETING OF THE COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE, THIS _____ DAY OF _____, 2017.

COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE

Joan C. Kearns, Council President

James R. Morrison, Municipal Secretary

(Seal)

APPROVED/REJECTED:

Robert J. Brooks, Mayor

Dated: _____, 2017

| Member | Yes | No | Absent | Abstain |
|--------------------------|------------|-----------|---------------|----------------|
| Loren Kase | | | | |
| Joan C. Kearns | | | | |
| Jeffery L. Kepler | | | | |
| Jamie Lee Kornis | | | | |
| Joshua R. Lorenz | | | | |
| David R. Perry | | | | |
| Tony Spadaro | | | | |

Pending