



Ohio Administrative Code

Rule 1501:9-3-06 Permit.

Effective: October 1, 2012

Any person who proposes to construct, convert to, or operate a brine injection well shall submit an application for a permit to the division on a form provided by the division.

(A) Permit required. Unless an appropriate application has been approved by the chief and a permit issued by the division, no person shall drill, reopen, deepen, plug back, rework, or use a well for brine injection. In order to evaluate the potential for injection, the chief may authorize injection without a permit for a period not to exceed forty-eight hours subject to specific conditions. Prior authorization in writing is required.

(B) Area of review. An application for a brine injection well filed with the division under this rule shall be evaluated on the basis of an "area of review" surrounding the proposed injection well. The area of review shall be designated in the following manner:

(1) The area of review for wells in which injection of greater than an average volume of two hundred barrels per day per year is proposed shall be the area circumscribed by a circle with the center point at the location of the injection well and having a radius of one-half mile.

(2) The area of review for wells in which a maximum injection of an average volume of two hundred barrels per day per year is proposed shall be the area circumscribed by a circle with the center point at the location of the injection well and having a radius of one-quarter mile.

(3) An area of review other than one described in paragraph (B)(1) or (B)(2) of this rule may be designated by the chief for good cause shown.

(C) The chief may require the following tests or evaluations of a proposed brine injection well, in any combination that the chief deems necessary:

(1) Pressure fall-off testing;



- (2) Geological investigation of potential faulting within the immediate vicinity of the proposed injection well location, which may include seismic surveys or other methods determined by the chief to assist in identifying potential faulting within the immediate vicinity of the proposed injection well;
 - (3) Submittal of a plan for monitoring seismic activity;
 - (4) Testing and recording the original bottomhole injection interval pressure;
 - (5) Gamma ray, compensated density-neutron, and resistivity geophysical logging suite on all newly drilled injection wells. All geophysical logs shall be submitted to the division within sixty days of completion of well drilling;
 - (6) Radioactive tracer or spinner survey; and
 - (7) Any such other tests that the chief deems necessary. The applicant may request a meeting with the chief to discuss any test deemed necessary.
- (D) If the chief requires the performance of tests or evaluations of a proposed injection well pursuant to paragraph (C) of this rule, the applicant shall refrain from injecting any fluid into the injection well until the chief has evaluated the results of any tests performed. The chief shall have the right to withhold authority to inject fluids based upon the results of the tests performed, and may order the plugging of the well if deemed necessary.
- (E) The chief, in his discretion, may implement graduated maximum allowable injection pressure requirements based upon data provided in the permitting process and any applicable testing requirements.
- (F) Application for permit. The application for a permit shall contain the following information:
- (1) The name and address of the injection well owner and his signature or that of his authorized agent. When a person signs as agent, a certified copy of his appointment shall accompany the application, or be on file with the division;



- (2) The names and addresses of all holders of the land owner's royalty interest of record, or holders of the severed oil and gas mineral estate of record in the subject tract;
- (3) The names and addresses of all owners or operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation;
- (4) The date of application;
- (5) The location of the subject tract identified by county, township, section or lot number, or other necessary geographic subdivisions;
- (6) The designation of the well by lease name and number, and the drilling permit number, if available;
- (7) The name, description and depth of the geological zone or formation into which injection is to be made, including, if an existing well is utilized, an accurate driller's log, geological log, or electric log of the proposed injection well, and any testing data on such well;
- (8) A description of the following:
 - (a) The casing, cementing or sealing with prepared clay if an existing well is to be converted, or the casing and cementing program proposed for a new well;
 - (b) The proposed method for testing the casing;
 - (c) The method proposed for completion and operation including the stimulation program; and
 - (d) The proposed unloading, surface storage and spill containment facilities.
- (9) If required so as not to violate rule 1501:9-3-12 of the Administrative Code, a proposed corrective action of wells penetrating the proposed injection formation or zone within the area of review;



- (10) A schematic drawing of the subsurface construction details of the proposed injection well;
 - (11) The estimated average and maximum amount of brine to be injected daily into the proposed injection well, and the method which will be used to measure the actual amount of brine injected into the well;
 - (12) The estimated average and maximum pressure to be used for injecting brine into the proposed injection well, and the method which will be used to measure the actual daily injection pressure; and
 - (13) The information required by section 1509.06 of the Revised Code and any other information the chief may request to ensure compliance with the Chapter 1509. of the Revised Code.
- (G) Map. Each application for a permit shall be accompanied by a map or maps showing and containing the following information:
- (1) The subject tract of land upon which the proposed injection well is to be located;
 - (2) The location of the proposed injection well on the subject tract established by a field survey, prepared by an Ohio registered surveyor, showing distances in feet from the proposed wellsite to the boundary lines of the subject tract, and to the nearest permanent geographic subdivision boundaries, and showing the location within fifty feet in relation to the plane coordinate system;
 - (3) The geographic location of all wells penetrating the formation proposed for injection, regardless of status, within the area of review;
 - (4) All holders of the land owner's royalty interest of record, or holders of the severed oil and gas mineral estate of record in the subject tract; and
 - (5) All owners or operators of wells producing from or injecting into the same formation proposed as the injection formation.
- (H) Notice of application, hearings, and order.



(1) Notice of application for a permit for a brine injection well shall be given by the following method:

Upon receipt of an application for a brine injection well permit, the division shall, within fifteen working days, review the application to verify that the required information has been submitted. After a determination by the division that the application is complete as required by this rule, it shall be date-stamped by the division and the applicant shall be notified. Notification of the application shall be published by the division in the weekly circular in accordance with section 1509.06 of the Revised Code. In addition, a legal notice shall be published by the applicant in a newspaper of general circulation in the county in which the proposed well is situated for a period of not less than five consecutive days. A copy of the legal notice shall also be delivered to all owners or operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation. Proof of publication, publication dates, and an oath as to the delivery to those entitled to personal notice shall be filed with the division within thirty days after the application was date-stamped by the division. The legal notice shall contain at least the following information:

- (a) The name and address of the applicant;
- (b) The location of the proposed well;
- (c) The geologic name and depth of the proposed injection zone;
- (d) The maximum proposed injection pressure;
- (e) The proposed average daily injection volume;
- (f) The fact that further information can be obtained by contacting either the applicant or the division;
- (g) The address or phone number of the division; and
- (h) The fact that for full consideration all comments or objections must be received by the division,



in writing, within fifteen calendar days of the last date of the published legal notice.

(2) Comments and objections.

(a) Any person desiring to comment or to make an objection with reference to an application for a permit to construct, convert to, or operate a brine injection well shall file such comments or objections, in writing, with the "Underground Injection Control Section, Division of Oil and Gas Resources Management, 2045 Morse Road, Columbus, Ohio 43229." Such comments or objections shall be filed with the division no later than fifteen calendar days from the delivery of notice or from the last publication date in a newspaper of general circulation in the county in which the proposed project is situated.

(b) If no objections are received within the fifteen-day period, the chief shall consider that no objection exists and shall issue a permit unless he finds that the application does not comply with the requirements of Chapter 1501:9-3 of the Administrative Code, is in violation of law, jeopardizes public health or safety, or is not in accordance with good conservation practices.

(c) If an objection is received, the chief shall rule upon the validity of the objection. If, in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or to good conservation practices, or is without substance, a permit shall be issued. If the chief considers any objection to be relevant to the issues of public health or safety, or to good conservation practices, or to have substance, a hearing shall be called within thirty days of receipt of the objection. Such hearing shall be held at the central office of the division or other location designated by the chief. Notice of the hearing shall be sent by the chief to the applicant and to the person who has filed the objection.

(d) If the chief finds, after hearing, and upon consideration of the evidence and the application, that the following conditions have been met, the application shall be approved and a permit issued; otherwise, the chief shall deny the permit:

- (i) The application complies with the requirements of Chapter 1501:9-3 of the Administrative Code;
- (ii) The method of injection proposed in the application will not be in violation of law; and



(iii) The proposed method of injection will not jeopardize public health or safety, or the conservation of natural resources.

(3) The chief shall issue an order granting or denying the brine injection well permit authorization within twenty-one calendar days after the filing date of proof of notice for a permit for which no hearing is held, or within thirty calendar days following the completion of a hearing.

(I) Bonding and transfer.

(1) Authorization, including a permit, to construct, convert to, or operate a brine injection well shall not be granted unless and until proof of financial responsibility for the well has been received and approved by the division in accordance with section 1509.07 of the Revised Code.

(2) No assignment or transfer of a brine injection well permit by the brine injection well owner shall relieve the owner of his obligations and liabilities under Chapter 1509. of the Revised Code and Chapter 1501:9-3 of the Administrative Code, unless the assignee or transferee has filed and the division has approved proof of financial responsibility for said well in accordance with section 1509.31 of the Revised Code.

(J) Display of permit. No well for the purpose of brine injection shall be drilled, reopened, deepened, plugged back, or reworked until the injection well owner has been granted a permit and unless the original permit, or a true copy thereof, is posted or displayed in a conspicuous and easily accessible place at the wellsite.

(K) Well identification. Once injection operations authorized by the permit have begun, the following information shall be posted in a conspicuous place on or near the storage tank(s): owner's name, lease name, well number, permit number, county, township, and emergency telephone number. In addition, the permit number shall be displayed in a conspicuous place on or near the wellhead.

(L) Expiration of permit.



Drilling or conversion operations authorized by a permit issued pursuant to Chapter 1501:9-3 of the Administrative Code shall begin within twelve months after the date of issue of such permit for a permit in an urban area, and within twenty-four months after the date of issue of such permit for a permit in a non-urban area, or the permit shall expire. If drilling or conversion operations have started but are not completed within the twelve month period for a permit in an urban area, and within the twenty-four month period for a permit in a non-urban area, operations shall continue with due diligence or the permit shall expire.

(M) Change of location procedure. The location of an injection well shall not be changed after the issuance of a permit unless the brine injection well owner first obtains approval from the division. If a brine injection well owner requests a change of location, he shall return the original permit and file an amended application and map for the proposed new location. Drilling or conversion operations shall not commence at a new location until a proper permit has been received and posted in accordance with section 1509.09 of the Revised Code.