



Ohio Administrative Code

Rule 1501:9-3-06 Construction, authorization to operate, and amendments to/of a class II disposal well or surface facility.

Effective: January 13, 2022

(A) Construction/converion

(1) No construction may commence at the well, class II disposal well or class II disposal well and surface facility until a permit is issued. The well shall be constructed in accordance with the requirements established in rule 1501:9-1-08 of the Administrative Code and in accordance with all the following:

(a) The well shall be constructed with casing that is mechanically centralized and cemented to a height of no less than five hundred feet above the top of the injection zone or potential flow zones as required in rule 1501:9-1-08 of the Administrative Code;

(b) The well shall be constructed with tubing and a packer set no more than two hundred feet above the injection zone. Installation of the tubing and packer shall be witnessed by a representative of the division;

(c) The well shall be equipped with a one-quarter inch npt, female, threaded fittings with a stop valve on the tubing and production casing annulus that are accessible from ground level and that allow for installation of gauges or other equipment for monitoring of annulus and injection pressures by the division; and

(d) To verify the proper placement of cement in the construction of a class II disposal well, a cement evaluation log must be completed for each casing string cemented after surface casing.

(2) No construction may commence at the well or a surface facility until a permit to convert the well to a class II disposal well is issued. The well shall be constructed in accordance with the requirements established in rule 1501:9-1-08 of the Administrative Code and in accordance with all of the following:



- (a) The chief may waive, upon written request of the applicant, any requirements established in rule 1501:9-1-08 of the Administrative Code that are not applicable since the well is already constructed and the applicant demonstrates the proposed well will still meet standards necessary to protect public health, safety, and the environment;
- (b) The well shall have been cemented to a height of no less than five hundred feet above the top of the injection zone as required in rule 1501:9-1-08 of the Administrative Code;
- (c) The well shall be constructed with tubing and a packer set no more than two hundred feet above the injection zone. Installation of the tubing and packer shall be witnessed by a representative of the division;
- (d) The well shall be equipped with a one quarter inch npt, female, threaded fittings with a stop valve on the tubing and production casing annulus that are accessible from ground level and that allow for installation of gauges or other equipment for monitoring of annulus and injection pressures by the division;
- (e) To verify the competent placement of cement in the conversion of a well to a class II disposal well, cement evaluation log(s) must be completed on the casing string(s) identified by the chief; and
- (f) Any open formation not to be utilized for injection shall be abandoned pursuant to section 1509.13 of the Revised Code, section 1509.15 of the Revised Code, and rule 1501:9-11 of the Administrative Code.

(3) Water well sampling

- (a) After a permit has been issued but before commencement of drilling a new class II disposal well or converting a well to a class II disposal well, a class II disposal well owner shall provide to the chief results of sampling of water wells within one thousand five hundred feet of the proposed location of the class II disposal well and five hundred feet of any associated pipelines utilized for the injection of brine. The class II disposal well owner shall provide a list and map that identifies the location of each water well sampled.



(b) Where the owner of the property on which the water well is located denied the applicant access to sample the water well, the applicant shall provide proof of such denial.

(c) The sampling shall be conducted in accordance with the guidelines established in the "Best Management Practices for Pre-drilling Water Sampling" in effect at the time the permit is issued.

(d) If the chief determines that conditions at the proposed well site warrant a revision to the distance required to be sampled, the chief may revise the distance established in this rule for purposes of pre-drilling water sampling.

(B) Activities witnessed by the division

(1) A division representative must be present for performance of the following activities:

(a) Installation, modification, or relocation of tubing and packer; and

(b) Any testing required under Chapter 1509. of the Revised Code, division 1501:9 of the Administrative Code, or permit terms and conditions.

(2) A division representative may be present for performance of the following activities:

(a) Commencement of construction of a surface facility; and

(b) Verification of integrity.

(3) Each class II disposal well owner shall give the appropriate inspector forty-eight hour direct notice in advance of any activity required under paragraph (B) of this rule. A person in the division field office or central office shall be directly notified within the same time period when the appropriate inspector is unavailable.

(C) Construction of a surface facility

(1) A proposed surface facility shall be constructed in accordance with the approved application and



associated documents, terms and conditions of the permit, and in accordance with Chapter 1509. of the Revised Code and rules adopted under it.

(2) Any material modifications or amendments to a surface facility shall occur in accordance with the requirements of this rule. For good cause shown, the chief may require the person requesting the material modification or amendment to submit a new application for a permit.

(3) Material modifications

(a) A request for a material modification to an approved, but not yet operating, surface facility shall be submitted in writing to the chief prior to implementation of any material modification to a surface facility. All proposed material modifications must include all of the following items:

(i) A detailed description of the proposed material modification and the potential impact to the performance of the surface facility; and

(ii) Revised application documents, as applicable, pertaining to the material modification.

(b) After receipt of a material modification, the chief will review the material modification to ensure compliance with the times established in figure 4. The chief may require a site review prior to determining whether to approve the proposed material modification or to identify items necessary to ensure compliance with the requirements of this rule.

(c) Nothing in paragraph (C)(3) of this rule prohibits a permittee from taking actions necessary to prevent harm to human health or safety or to prevent harm to the environment. A permittee may perform such actions that will result in a material modification only if the permittee submits a summary of the activities within twenty-four hours of the action and the permittee submits the material modification documents in accordance with this paragraph within three business days of the event that posed a threat to human health or safety or to the environment, or within another time frame as agreed to by the chief.

(4) Amendment to a surface facility



(a) A request for an amendment to an operating surface facility shall be submitted in writing to the chief prior to implementation of any revision to a surface facility. An amendment does not include activities such as routine maintenance, replacement of equipment in kind, or repair of already installed equipment. A request for an amendment must include all of the following:

(i) A detailed description of the proposed revision and of the impact that the revision will have to the operations of the surface facility;

(ii) Revised application documents pertaining to the proposed revision; and

(iii) Any other item required by the chief.

(b) The chief will review the request for an amendment to the permit to ensure compliance with the requirements of this rule in accordance with the times identified in figure 4 of this rule. If approved, the chief will issue an order modifying the permit authorizing injection operations at the class II disposal well and surface facility.

(c) The permittee may be required to perform a verification of integrity in accordance with paragraph (D) of this rule for the amendment in accordance with the requirements established in this rule.

	Actions		Site review (upon receipt of document)	Division review and response to submittal	Applicant/permittee resubmittal (upon notification of deficiencies from the chief)
Division review and response to resubmittal	Division review and preparation of order	Procedures	Time	Material modification review	5 business days
5 business days	5 business days	5 business days	Not applicable	Amendment review	20 business days

(D) Verification of integrity. The person operating a surface facility shall perform a verification of integrity prior to commencement of operation of a surface facility that includes all of the following:

(1) Prior to testing or inspection of the surface facility, the permittee must provide for review and acceptance by the chief a listing of the items being tested or inspected, the type of test or inspection



being performed, the qualified person or persons performing the test or inspection and their qualifications, and a schedule of the tests or inspections proposed for the verification of integrity.

(a) All testing shall be performed in accordance with Chapter 1501:9 of the Administrative Code or relevant industry standards.

(b) A verification of integrity may be performed on all or portions of the surface facility.

(2) The chief may require additional testing or may waive any portion of the verification of integrity upon written request and justification. The chief may approve limited operation of the surface facility in order to perform all or part of the verification of integrity, upon written request of the permittee. The verification of integrity may be performed after repairs to any containment or on the findings of an inspection conducted by the chief.

(3) Upon completion of all testing and inspections, the permittee shall provide for review and acceptance by the chief the results of all testing and inspections.

(4) The permittee will provide verification in an affidavit on a form prescribed by the chief that specifically reads, "I, as permittee of this surface facility, do hereby certify that to the best of my knowledge the surface facility was constructed in accordance with the approved application and the verification of integrity performed and completed according to the accepted plan."

(E) Testing

(1) Prior to commencement of permitted injection operations in a class II disposal well, the class II disposal well owner shall complete a mechanical integrity test part 1 and mechanical integrity test part 2.

(2) The following conditions require that a pressure test be conducted at a pressure that is 1.25 times the maximum allowable injection pressure as described in rule 1501:9-3-07 of the Administrative Code. This test shall be for a duration of at least fifteen minutes with no more than a five per cent decline in pressure unless otherwise approved by the chief.



(a) For any perforations in the casing that are abandoned during construction or conversion of the well, the casing and plug shall be pressure tested prior to perforating any proposed injection zones.

(b) For any open-hole class II disposal well for which any formation is abandoned during construction of the class II disposal well or conversion of a well to a class II disposal well, each plug shall be verified for proper placement and each plug inside casing shall be pressure tested prior to perforating any proposed injection zones.

(F) Expiration of class II disposal well permit.

(1) If a permit issued under section 1509.06 of the Revised Code expires, the owner of partially constructed class II disposal well or surface facility shall immediately cease operations. The person shall either apply for a permit under section 1509.06 of the Revised Code or plug the well.

(2) The owner of a class II class disposal well shall plug the well and reclaim the site if within five years of the effective date of this rule or within five years of issuance of a permit to drill or convert the well under section 1509.06 of the Revised Code the class II disposal well owner does not receive a permit to inject pursuant to paragraph (G) of this rule.

(G) Order issuing a permit to inject in a class II disposal well.

(1) Prior to beginning initial injection operations at a class II disposal well or a class II disposal well and surface facility, the owner shall file an application on a form prescribed by the chief requesting a permit authorizing injection. This application will include all of the following:

(a) Confirmation that all permit conditions were satisfied;

(b) A verification of integrity for the associated surface facility or the oil and gas waste facility, whichever is applicable;

(c) Copies of well construction records, well testing records, and geophysical or electrical logs; and

(d) A signed and notarized statement that the operator has constructed and tested the class II disposal



well in accordance with Chapter 1509. of the Revised Code and division 1501:9 of the Administrative Code.

(2) The chief will review the permit application and either approve or deny by order within sixty-calendar days of receipt of a complete application under paragraph (G) of this rule.

(3) A class II disposal well shall be transferred in accordance with section 1509.31 of the Revised Code and the new owner shall submit an application on a form prescribed by the chief to transfer the permit to inject. The chief will review and issue a new order for a permit to inject within ten business days of a complete permit application and form required under section 1509.31 of the Revised Code.

(4) A well completion record required under section 1509.10 of the Revised Code and Chapter 1501:9-1 of the Administrative Code shall be filed before a class II disposal well owner may apply for a permit authorizing injection. The well completion record shall also include results of initial testing of construction as described in paragraph (B) of this rule.

(5) The class II disposal well owner shall directly notify the appropriate inspector at least forty-eight hours prior to commencement of injection. A person in the division field office or central office shall be directly notified within the same time period when the appropriate inspector is unavailable.