

1501:9-1-02                      **Permits.**

(A) Application for permit--supplementary statutory requirements:

- (1) The date of application;
- (2) Designation of the well by name and number;
- (3) The plan for disposal of water and other waste substances resulting from, obtained, or produced in connection with exploration, drilling, or production of oil or gas. The plan for disposal of salt water shall include identification of any disposal well or disposal wells to be used. A statement that one of the named disposal wells on the application shall be used, is sufficient. Where the applicant finds that the disposal well to be used is different from that indicated on the permit, the applicant shall so notify the division immediately in writing. The plan for disposal may include such other methods as are approved by the chief. Such plan shall include the name of the person or company disposing of the salt water and the ultimate location of its disposal. Any change in the plan for disposal shall be timely submitted to the chief.
- (4) An affidavit that the applicant is the owner as defined in section 1509.01 of the Revised Code;
- (5) A map showing:
  - (a) The subject tract of land or drilling unit upon which the well is to be drilled and property lines with surface and mineral owner name(s) within;
  - (b) The location of the proposed well on the subject tract of land or drilling unit established by a field survey showing the distances in feet from the proposed well site to the boundary lines of the subject tract or drilling unit, and to the nearest permanent geographic subdivision boundaries.

The proposed well location also shall be designated by plane coordinates as provided by Chapter 157. of the Revised Code (Ohio coordinate system. Indicate if the coordinates are NAD 27 or NAD 83.); Coordinates may be established by map scale to the nearest fifty feet or by GPS;
  - (c) Location of drilling or producing wells, which are within the distances required according to depth of drilling as set forth in rule 1501:9-1-04 of the Administrative Code, and a showing of the distances between such drilling or producing wells and the proposed well;

- (d) The location of all buildings, public roads, railroads and streams within two hundred feet of the proposed well site, and their distances from the proposed well site;
- (e) A title block to the map certifying the above information and including the applicants name, well name, county, civil township, permanent geographic subdivisions (section, lot and/or tract) and surface elevation for the well location, USGS quadrangle name, date map prepared, name of surveyor preparing the map and phone number, and map scale;
- (f) If the proposed well is to be in an urbanized area, the map shall include the name of the urbanized area in addition to the original civil township name;

An additional color map (three copies) based on aerial photography, where available, at a scale of one inch to one hundred feet or one inch to two hundred feet showing the location of the tank battery, access road, and gas sales line and a five hundred foot radius around the well location;

As an overlay on the base aerial map, include three additional copies of the map including topographic contours (where available); and

(6) A casing plan and cementing plan showing how the owner proposes to drill and construct the well consistent with the best available geologic information in the vicinity of the proposed wellbore and with the requirements of rule 1501:9-1-08 of the Administrative Code, including at least the following:

- (a) The name and anticipated depth of all zones to be tested or produced;
- (b) The estimated total depth of the wellbore;
- (c) The anticipated diameter of each wellbore segment;
- (d) The proposed casing type, outside diameter, and setting depth for each proposed casing string;
- (e) Proposed cement volumes for each casing string; and
- (f) Whether the owner plans to stimulate any permitted hydrocarbon zone by hydraulic fracturing.

(B) Procedure for review of application for permit;

- (1) All complete applications shall be date-stamped upon receipt by the division. Within twenty-one days of filing of the application the chief shall either issue the permit or notify the applicant of objections to the application.
  - (a) Notice of objections by the division to the application may be given in person, by telephone or by mail to the address on the application at the discretion of the division.
  - (b) Any record of telephoning or mailing the notice, made in the normal course of business by the division, shall constitute notice of objection to the applicant.
  - (c) Applicants will be given a reasonable opportunity to correct any objections to the application and to request an informal hearing with the chief. Except as otherwise required, amendments to applications need not be separately signed by the applicant.
  - (d) If an application does not contain required information, the division shall notify the applicant of the omitted data by mail or telephone. If the omissions are substantial, the division may return the application by mail with the omitted items indicated.
- (2) When the chief finds that efforts to cure objections to an application will be unavailing and that the application is not in accordance with the requirements of Chapter 1509. of the Revised Code and applicable rules, or that the applicant failed to respond to objections within thirty days of notice, the chief shall issue an order denying the application for permit.
  - (a) The applicant has a right to an informal meeting with the chief within fifteen days after such order is issued. If, as a result of this meeting, the chief believes the application meets, or if the application is amended to meet, the requirements of Chapter 1509. of the Revised Code and applicable rules, he shall within ten days vacate or modify his order as appropriate.
  - (b) The applicant need not exercise his right to an informal meeting with the chief, but may treat the order issued as final and appealable pursuant to Chapter 1509. of the Revised Code.

(C) Notification:

Each drilling permit issued in an urbanized area will be conditioned on the division

inspector and or the respective division regional office receiving direct notification a minimum of forty-eight hours prior to:

- (1) Commencement of site construction;
- (2) Pit construction and closure;
- (3) Spudding of the well;
- (4) Placement of the surface casing;

A twenty-four-hour (or less) direct notification may be approved if prior communications have been initiated with the division inspector and/or respective regional office.

(D) Commencement:

No well site construction shall commence in an urbanized area until a permit is issued, received by the applicant and is available on-site unless the chief waives this requirement.

- (1) Site construction shall comply with the division's best management practices (BMPs) for oil and gas well site construction manual, dated April 30, 2005 that can be located at <http://www.dnr.state.oh.us/mineral/oil/index.html> or by contacting the division of mineral resources management, as provided by the chiefas defined in paragraph (A) of rule 1501:9-1-01 of the Administrative Code. Site clearing and surface affectment shall be minimized.

(E) For wells permitted after September 15, 2004, in urbanized areas or where there is no reasonable emergency response access to the wellhead or tank battery at the ingress point to the access road, an apron of durable material shall be placed. The apron shall be sufficient in width and length to enable unobstructed access to the access road.

- (1) The access road shall be constructed and maintained in a manner to permit the ingress and egress for fire and emergency response.
- (2) Mud and debris deposited on public roads from the well site during drilling, production, and restoration operations shall be immediately removed by the well owner or their authorized representative.

- (3) Where the well head/tank battery is in excess of one hundred fifty feet from the ingress point to the access road, the access road to the well head/tank battery shall be reasonably passable by any equipment expected to access the well head/tank battery. It is recommended that a durable surface be maintained on the lease road. The durable surface may include, gravel, crushed stone, crushed concrete, slag (when approved by the chief), crushed brick, asphalt, or concrete.
- (4) Where the access road is in excess of one hundred fifty feet in length, turnaround areas shall be located as practical based on the existing site conditions (topography, land use, forest cover, and natural drainage - perennial/intermittent streams). Turnarounds located prior to any natural drainage area not having a constructed crossing sufficient to handle equipment expected to access the site may be needed.
- (5) All equipment and vehicles used in the site construction, drilling, production and restoration shall not be parked on public roads without the approval of the local road authority.

(F) Water sampling.

The well owner shall sample all water wells within three hundred feet of the proposed well location in urbanized areas prior to drilling under the guidelines provided in the ~~division's BMPs~~ division's best management practices (BMPs) for pre-drilling water sampling manual, ~~dated April 30, 2005 that can be located at <http://www.dnr.state.oh.us/mineral/oil/index.html> or by contacting the division of mineral resources management~~ as defined in paragraph (A) of rule 1501:9-1-01 of the Administrative Code. The chief may require modification of this distance if determined necessary to protect water supplies or site conditions may warrant.

(G) Permit not transferable.

A permit issued pursuant to these rules and regulations shall not be transferable. It may be reissued as a new permit to a successor owner.

(H) Well deviation.

The maximum point at which a well penetrates the producing formation shall not vary unreasonably from the vertical drawn from the center of the hole at the surface, with the exception of approved directional drilling. Such approval must be in writing from the chief.

(I) Expiration of permit.

Once a permit to drill has been issued pursuant to this rule, actual drilling of the well authorized by the permit shall be commenced within twelve months of the date of issuance of such permit or the permit shall expire; if drilling is commenced but not completed within said twelve month period, drilling shall be continued with due diligence following the twelve month period or the permit shall expire.

(J) Revising subject tract or drilling unit:

A subject tract or drilling unit of a well or proposed well, previously approved by the division, may be revised by the owner with the filing of a revised map complying with this rule and section 1509.06 of the Revised Code and a non-refundable fifty dollar fee. One fee is required if revising a subject tract with multiple wells; however, an original revised map is required for each well within the subject tract.

(K) Revising location:

The location of a proposed well may be changed only if the owner submits an application, non-refundable two hundred fifty dollar fee and revised map complying with this rule, section 1509.06 and section 1509.09 of the Revised Code.

(L) Post drilling map:

The post drilling map required by conditions of the permit must be accompanied by a non-refundable fifty dollar fee.

Effective: 08/01/2012

R.C. 119.032 review dates: 08/11/2010

CERTIFIED ELECTRONICALLY

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Certification

05/29/2012

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Date

Promulgated Under: 119.03  
Statutory Authority: 1509.03, 1509.06, 1509.17, 1509.23  
Rule Amplifies: 1509.02, 1509.03, 1509.05, 1509.06, 1509.09,  
1509.10, 1509.12, 1509.17, 1509.18, 1509.23  
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