Enclosed are copies of the forms pertaining to the transportation of brine in Ohio. The forms included area:

1. Application for Brine Transporter Registration or Modification of Disposal Plan: Any person or entity that transports brine in this state must register with and obtain a registration certificate and identification number from the Chief. The application must include a plan for disposal, a surety bond, cash, or certificate of deposit of $15,000.00, a $500.00 nonrefundable application fee, and a certificate issued by an insurance company that states that the applicant has in force liability insurance coverage of $300,000.00 for bodily injury and $300,000.00 for property damage coverage. The Chief may deny an application for a registration certificate if:

   A) The applicant has been found liable by a court for damage to streets, roads, highways bridges, culverts or driveways until the applicant provides evidence of compliance with the order.

   B) Applicant's disposal plan does not provide compliance with Chapter 1509 of the Ohio Revised Code and rules of the Chief pertaining to the transportation of brine.

   A registered transporter must apply to revise a disposal plan and must list all sources and disposal sites of brine currently transported.

   No transporter can attempt to circumvent the above requirements by applying under a different name or business organization, by transferring responsibility to another person or entity or by any similar act. Any violation of the terms of registration may result in civil penalties of not less then $2,500.00 or more than $20,000.00 for each offense. Knowingly violating the registration application plan may leave the violator liable for resulting damages. Criminal penalties for violations of the registration certificate may amount to $10,000.00 or six (6) months in jail for subsequent offenses. Any transporter who negligently violates the term of a registration certificate may result in a $5,000.00 fine.

2. The Brine Hauler Annual Report: Each registered transporter must file with the Chief of the Division of Oil & Gas Resources Management by April 15 of each year a report concerning quantities of brine transported, source and delivery point. Failure to submit an annual report may result in a civil penalty of not more than $4,000.00 or criminal penalties of not less than $100.00 or more than $1,000.00 for a first offense and not less than $200.00 or more than $2,000.00 for subsequent offenses.

3. Transporter Daily Log Samples: Each registered transporter must maintain a daily log on each vehicle which details the name of the owner(s) of the well(s) producing the brine to be transported, date and time brine is loaded, name of the driver, amount of brine loaded at each collection point, disposal location, the date

and time the brine is disposed of and the amount of brine disposed of at each location.

The driver of the vehicle must have the daily log available upon request of the Chief or an authorized representative of the Chief or peace officer. Violations involving the transporter's log may result in civil penalties of not more than $4,000.00 for each offense or criminal penalties of not more than $500.00 for a first offense or more than $1,000.00 for subsequent offenses.

4. Surety Bond for Brine Transportation System: Before being issued a registration certificate, an applicant must execute and file with the Division of Oil & Gas Resources Management a surety bond, cash, negotiable certificate of deposit (must be from an **OHIO** bank) for $15,000.00 to provide compensation for damages resulting from transporter's violation of Sections 1509.22, 1509.222 or 1509.223. The surety bond must be executed by a surety company authorized to do business in this state. No bond shall be approved unless there is attached a certificate of the superintendent of insurance that a company is authorized to transact a fidelity and surety business in this state.

   If a registered transporter is found liable for a violation of Sections 1509.22, 1509.222, or 1509.223 of the Revised Code, the court may order the forfeiture of all or part of the bond as full or partial payment of damages. The Chief shall not release the bond except by court order or until two (2) years after termination of a registration certificate.

The format of the Brine Hauler Annual Report can be altered to accommodate data entry; however, the information required will remain the same.

If you have any questions, please contact me at (614) 265-1032.

Sincerely,

Tom Tomastik, Geologist
Technical Support Services Section
Division of Oil & Gas Resources Management
2045 Morse Road, Building ~~H-3~~ F-2
Columbus, Ohio 43229-6693

Enclosure