

OIL AND GASWELLS
SECTION 15

PURPOSE

This section sets forth certain requirements for all districts which will insure that any operations incidental to the exploration, extraction, or storage of oil and gas take place in a manner wholly compatible with the surrounding land uses in the Township and does not endanger public health, safety, and welfare provided, such is permitted by the Division of Oil and Gas of the Ohio Department of Natural Resources. Reference: Ohio Revised Code, Chapter 1509 and Ohio Administrative Code, Chapter 1501.

INTENT

In order to preserve health and safety and for the protection of Guilford Township properties from potentially damaging effects of gas and oil well operations, the extraction of oil, natural gas, and hydrocarbons, any operation involving exploration for such substances or storage thereof, and the drilling, reopening, operation, maintenance and plugging back of oil and gas wells shall not be permitted without compliance with the "Zoning Resolution" of Guilford Township and such compliance shall be necessary even though no permit is necessary to be obtained from Guilford Township.

15.1 - DEFINITION OF WORDS USED IN THIS SECTION

- 1 - **Well:** Means any bore hole, whether drilled or bored, for production, extraction or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil waters.
- 2 - **Oil:** Means crude petroleum oil and all hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but does not include hydrocarbons that were originally in a gaseous phase in the reservoir.
- 3 - **Gas:** Means all natural gas and other gaseous hydrocarbons not defined herein as oil, including condensate.
- 4 - **Condensate:** Means liquid hydrocarbons that were originally in the gaseous phase in the reservoir.
- 5 - **Oil and Gas Wells:** Mean all wells as defined herein for the production or extraction of oil and/or gas.
- 6 - **Brine:** Means all saline geological formation water resulting, obtained, or produced in connection with the exploration, drilling or production of oil and gas wells.
- 7 - **Flowlines:** Means the underground pipeline leading from the well head to the tank battery.

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- 8 - **Gas Gathering Lines:** Means the underground pipeline leading from the well head or from the separator to the transmission line.
- 9 - **Well Head:** Means the equipment at the well bore used to produce the well.
- 10 - **Separator:** Means the equipment used to separate natural gas and produced fluids from the well.
- 11 - **Dormant/Inactive Well:** Means an oil and gas well that meets all of the following criteria:
- a - The owner of the well has received a permit under existing law to drill, re-open, convert or plug back to a new source of supply from the Chief of Division of Oil and gas in the Ohio Department of Natural Resources.
 - b - Drilling of the well has been completed.
 - c - The well is fully equipped and capable of production.
 - d - The well has been out of production for at least twelve months.
- 12 - **Oil and Gas:** Means oil or gas or both.
- 13 - **Owner/Producer:** Means the person who has the oil and gas rights to drill on a tract or drilling unit and to drill into and produce from a pool and to appropriate the oil and/or gas that is produced therefrom either for themselves or others. The oil and gas rights are guaranteed through either outright ownership of the oil and gas minerals or a lease that gives the right.
- 14 - **Contractor:** Means any third party engaged by an owner or producer to conduct drilling and other operations.
- 15 - **Division:** Means Division of Oil and gas, Department of Natural Resources for the State of Ohio.
- 16 - **Land/Property Owner:** Means recorded owner of the real property.
- 17 - **Surface Rights:** Means those rights, interests and privileges in and to the use and enjoyment of the surface of a tract of land which are incidental to the ownership of the surface estate.

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15.2 - PRE-CONSTRUCTION REQUIREMENTS

- 1 - All well drilling, production and transmission operations and facilities for oil and gas shall comply and conform with all the requirements of the Guilford Township Zoning Resolution, the Ohio Revised Code, Chapter 1509 and the Ohio Administrative Code, Chapter 1501 and the requirements of the Ohio and US Environmental Agencies.
- 2 - No gas and oil well shall be drilled unless the Owner/Producer and/or Contractor complies with all the requirements set forth in the Zoning Resolution. The owner shall have primary responsibility for filing the information.
- 3 - An Owner/Producer for an oil or gas well shall complete the information as requested on Guilford Township Form GTOG, (Guilford Township Oil/Gas), and submit all information set forth and required under the Guilford Township Zoning Resolution.
- 4 - After submission of Form GTOG and after providing all information required by Form GTOG and the Township Zoning Resolution, the Owner/Producer and/or Contractor may commence the site preparation for drilling of a gas or oil well within the Township.

15.3 - CONSTRUCTION REQUIREMENTS

- 1 - During drilling operations, a 1x2 foot sign shall be posted at the access road entrance by the public road showing the street or road number, of the location, name of company, and all 24 hour emergency telephone numbers. If the well is put into production, a permanent, well maintained sign, must be displayed to reflect the owner, lease name, well number, state application number, county and all emergency telephone numbers and street or road address of site. If multiple wells are being produced into common tanks, each well-head shall be identified with the owner, state application number, well number and lease name.
- 2 - It shall be the responsibility of the Owner/Producer and/or Contractor to cause the public roads to be free of all debris, mud and other materials that accumulate as a result of drilling, production, transmission, hauling or abandonment proceedings.
- 3 - The vehicle loading and unloading area must be outside road right-of-way with no parking of tank trucks, drilling rigs, or any other vehicles related to the operation of, construction of, or maintenance of, said well sit and/or storage tanks within the road right-of-way.

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- 4 - The Owner/Producer and/or Contractor shall provide suitable and adequate sanitary toilet facilities to accommodate workers on the site and the toilet facilities shall be maintained in a clean and sanitary condition during construction operations.

- 5 - All crude oil storage tanks shall be above ground. All crude oil storage tanks must be equipped with hatch, (lid), seals and an Ohio Oil & Gas Association approved flash suppressor or two way pressure relief valve installed on the vent stack. The hatch must be closed and locked when unattended. All electric panels and loading valves must be locked when unattended.

- 6 - All gas and oil well underground electric lines shall be buried a minimum of thirty-six (36) inches below the surface.

- 7 - Within 180 days of the commencement of production, the Owner/Producer and/or Contractor shall remove all drilling equipment, temporary tanks and other materials not intended to be permanently placed at the well site.

- 8 - The Owner/Producer and/or Contractor must restore all areas disturbed by construction. Areas are to be graded, seeded and mulched or covered with straw. Weather permitting, restoration shall be completed within 60 days after drilling is completed. In no event shall grading and landscaping required in this paragraph be completed in excess of 180 days after completion of drilling.

- 9 - All storage tanks including diked areas shall meet State requirements for minimum setbacks from road right-of-ways and all property lines

- 10 - All pits for sludge or brine disposal shall be lined with a one piece liner to prevent leaching and shall be of sufficient size to contain all effluent.

- 11 - All storage tanks, apparatus and other equipment located above ground at a well site shall be removed and abandonment completed within one year after a well stops producing and the ground shall be restored, to the extent possible, to its original condition prior to drilling of said well within the said one year period.

- 12 - In the event the Township Zoning Inspector determines that the Owner/Producer and/or Contractor is violating any of the terms of the Zoning Resolution, the Zoning Inspector shall issue a written notice to the designated representative of the Owner/Producer. The Owner/Producer may appeal the notice to the Board of Zoning Appeals. Corrective action may be delayed pending a ruling by the Board of Zoning Appeals

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15.4 - POST CONSTRUCTION REQUIREMENTS

- 1 - Upon completion, the Owner/Producer shall provide the location of each new well site, including the pipe lines, electric lines, separation equipment and storage tanks to the Fire Chief. If a well has been plugged, the Owner/Producer shall provide the Township Zoning Inspector with information documenting that a well has been properly plugged and that the site has passed the State of Ohio final restoration plan.
- 2 - The Owner/Producer shall at all times maintain and repair, if necessary, all the equipment and facilities on the well site.

15.5 - INCONSISTENCIES

- 1 - In the event any of the requirements or regulation provisions of these regulations are found to be inconsistent with one another, the more restrictive or greater requirement shall be deemed in each case to be applicable.

15.6 - SETBACK REQUIREMENTS

- 1 - No building used for human occupancy shall be erected within three hundred (300) feet from any oil or gas well, storage tanks, and/or separator units, abandoned or not abandoned, except of lots recorded before October 9, 1999. If recorded before October 9, 1999 buildings may be erected not less than one hundred (100) feet.
(Amended 9/9/1999; Effective 10/9/1999)
- 2 - No building used for human occupancy shall be erected within fifty (50) feet of a well that has been properly plugged.
(Amended 1/23/2001; Effective 2/22/2001)