

of Oil and Gas Wells in the Geauga County General Health District

Authority Ohio Revised Code Sections 3707.01 and 3709.21

Section 38. WHEREAS, the lands of the Geauga County General Health District are rapidly being leased for the purposes of development of oil and gas wells, and

WHEREAS, surrounding areas of the State of Ohio containing comparable oil and gas bearing strata are presently producing oil and gas; and

WHEREAS, the production of oil and gas from wells within the Geauga County General Health District is imminent, and conditions surrounding oil and gas wells, unless controlled, may permit dangerous or offensive substances or liquids to accumulate, or to cause pollution, or to cause conditions or events endangering the public health and safety and thereby create nuisances;

NOW, THEREFORE, BE IT RESOLVED that, for the purpose of preventing, abating and removing all nuisances within its jurisdiction caused or which may be caused by the development of oil and gas resources in the Geauga County General Health District, and for the purposes of preserving and promoting the public health, safety and welfare, the following rules, orders, and regulations to be identified as Section 38 of the Sanitary Regulations of the Geauga County General Health District are hereby declared to be emergency measures, and such orders, rules, and regulations shall become effective immediately upon adoption this eleventh day of May, 1964, without advertising, recording, and certifying.

SECTION 38.01. All rules and regulations governing the issuance of permits for the drilling of wells for the production of oil and gas and the operation thereof, as adopted by the Chief of the Division of Mines, State of Ohio, effective March 10, 1964, and all supplements or amendments thereto are hereby adopted and incorporated by reference into this Section 38, except that whenever the requirements of the Geauga County General Health District are in addition to or at variance with the rules and regulations adopted by the Chief of the Division of Mines, that interpretation which is most restrictive and controlling shall be applicable.

SECTION 38.02. In addition to the definitions included within the rules and regulations adopted by the Chief of the Division of Mines, as referred to in Section 38.01, the following items are defined as follows:

A. Operator means the manager, whether the owner or not, of a well or wells drilled for oil or gas, or both.

B. Sump - A water tight earthen storage pit to store waste from the location, construction, operation, maintenance, and abandonment of oil and gas wells.

SECTION 38.03. Well permit requirements for Geauga County General Health District.

A. The application for permit shall contain the following information:

1. It shall contain a copy of all the data required in the rules and regulations adopted by the Chief of the Division of Mines, as herein referred to.

2. It shall contain evidence of the permit issued by the Chief of the Division of Mines.

3. The location of well site shall be identified.

4. The location of the sump in relation to the well site shall be identified.

5. The application shall be accompanied by four hundred dollars (\$400.00), which shall be the cost of the said well permit, and the application shall be signed by the owner or his authorized agent.

6. The application must include evidence of insurability, both for liability and property damage, as otherwise described in this resolution.

B. Requirements for location of well.

1. No well shall be located less than 330 feet from any building used or usable for human occupation.

2. No well shall be located less than 330 feet from a boundary of the subject tract or drilling unit.

3. No well shall be located less than 330 feet from a stream, body of water, or water well.

4. No well shall be located less than 330 feet from any public road or highway.

5. No well shall be located where it is not suitable to provide a sump with a minimum of 10 feet in depth by 40 feet in diameter, or equivalent in volume. The requirement for a sump in conjunction with each well is mandatory, and the suitability of the sump is to be determined by the Health Department.

6. In order to protect fresh water, the surface pipe of the well must be set through the Berea into the shale at least 25 feet. If rotary rig is used, the pipe is to be cemented top to bottom. If spudder is used, then a suitable shoe or packer on bottom of surface pipe to shut off all water will be required.

7. All rotary rigs shall have blowout preventers and all spudders shall have master gates installed before entering a pay zone.

8. To further assure the public health, safety, and welfare, each owner shall provide a report from a qualified insurance company that its safety engineer has satisfied itself as to the drilling operations and regulations of the applicant in question, that there are no unsafe conditions, and that the applicant has sufficient fire extinguishers to control rig equipment fires, and that as evidence thereof it has insured said applicant in the amount of \$100,000 to \$300,000 of liability insurance and \$100,000 for property damage for liability or property damage stemming from its oil and gas well operations. The continuance of the effectiveness of the permit shall be conditioned on the compliance with the insurance requirements. Evidence of non-conformity with this requirement shall be given to the Geauga County Board of Health upon failure of the insured to maintain its premium for this coverage.

9. All wells and sumps must be adequately fenced to discourage trespass and to keep out farm livestock.

10. Any variance from these regulations due to certain hardships, and requested by the applicant for permit, may be heard and considered by the Board of Health at their regular monthly meeting.

SECTION 38.04. These regulations shall be incorporated in the Geauga County General Health District Sanitary Regulations as Section 38, under the authority of the Ohio Revised Code 3707.01 and 3709.21.

SECTION 38.05. Any person who violates any provision of these regulations shall be subject to the penalties provided by Ohio Revised Code Sections 3707.48, 3707.50, and 3707.99.

SECTION 38.06. Should any part of these regulations be declared unconstitutional or invalid for any reason, the remainder of these regulations shall not be affected thereby.

SECTION 38.07. These regulations were adopted and passed as emergency regulations by the Board of Health of the Geauga County General Health District, according to law, and are in effect on and after May 11, 1964.

Garland Shetler
Garland Shetler, President
Gauga County Board of Health

Carl F. Dill, R.S.
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Secretary of the Board