

A RESOLUTION PROVIDING FOR THE REGULATION OF OIL AND GAS DRILLING WITHIN THE VILLAGE OF RICHFIELD, FOR REFERENCE TO THE PLANNING AND ZONING COMMISSION AND DECLARING AN EMERGENCY.

WHEREAS, it is in the best interest of the health, safety and welfare of the Village of Richfield to enact stringent, but fair, regulations governing oil and gas wells within the Village which use is a conditional use under the Village of Richfield's zoning regulations.

Now Therefore Be It Resolved by the Council of the Village of Richfield, Ohio:

- Section 1: Intent. It is the intent of this resolution to prescribe the minimum standards and requirements to make the drilling, fracturing, production, including storage and transmission, termination, and removal of the wells as safe and compatible as possible with other land uses and activities in the Village.
- Section 2: The Planning Commission is herewith given full authority to make such recommendations as it shall deem necessary to give full force and effect to the purposes and requirements expressed herein. No determination shall serve as a precedent to any other case. Each application for a permit shall rest solely upon its merits and the prudent use of discretion by the Planning Commission.
- Section 3: Council is herewith given final authority to impose such conditions as it shall deem necessary to give full force and effect to the intent as expressed herein. What is a proper case shall be within the discretion of council, and no determination shall serve as a precedent to any other case. Each application for a permit shall rest solely upon its merits and the prudent use of discretion by council.
- Section 4: Conditional Zoning Permit Required. No person, property owner, firm, company, or corporation shall commence to drill a well for oil, gas, or other hydrocarbons within the corporate limits of the Village until all relevant provisions of this chapter have been complied with and a conditional zoning permit has been granted by the Planning Commission with the approval of council.
- Section 5: No person, property owner, firm, company, or corporation shall be permitted to drill more than two (2) wells at any one time. Application for the third permit, or any subsequent permits, may be made

upon completion of the first, second, and each numerically subsequent well.

Section 6:

Permit Application. Applications for a conditional zoning permit for oil and gas drilling shall be made to the Zoning Inspector. The application form shall be in such form and format as determined by the Zoning Inspector. The following data shall also be submitted as part of the application.

1. A copy of an approved permit issued by the Ohio Division of Oil and Gas, including all information required therein.
2. A site plan and vicinity map of the area involved in the application drawn to scale dimensions and showing thereon:
 - a. The current lot lines of all abutting and other properties within 1,000 feet of the proposed well and storage tanks;
 - b. The current location and use of all buildings and structures within 1,000 feet of the proposed well and storage tanks and associated producing and processing equipment location;
 - c. The names and addresses of all property partly or fully within a radius of 1500 feet of the proposed well and storage tanks and associated equipment site(s);
 - d. The proposed location of pipelines to be utilized to transport gas and/or oil to off site locations and facilities;
 - e. The proposed location of the well and all associated appliances and facilities, such as wellhead, piping, separators, scrubbers, tank batteries, storage tanks, access road, dikes, fences, and any other accoutrements;
 - f. A schematic of all pipelines, connections and shut-off valves for emergency purposes; the schematic shall be modified and re-submitted to the Village for emergency purposes at any time that a change in equipment or facilities occur.
3. Specific plans for the removal, disposal methods and disposal site of all spoils, salt water, and other residues and waste materials resulting from the drilling, fracturing, or production of the wells.

4. Each individual, corporation or association who has been or will be contracted to haul brine or salt water shall provide evidence of state certification, state permit or such other similar documentation as may be required to operate.
5. Applicant shall submit a statement naming the land owner, owner if different than land owner, producer, all contractors and subcontractors, and the qualifications and experience of producers and contractors.
6. A designated route for Village inspections and emergency access, proposed truck routes in and out of site via public roads, and a designated truck route to the site for the entire period such trucks are within the Village of Richfield.
7. A detailed landscaping, screening, and restoration plan, including professional estimates as to the cost of plant materials and construction.
8. Easements or options. Copies of easements or options for easements shall be submitted with the application for all pipelines, production and processing equipment and access drivers where all such facilities are to cross properties not included as part of the drill site or drill unit.
9. Resident Consent. All applications for a conditional zoning permit for oil and gas drilling shall be accompanied by written consents of the owners and adult occupants of 51% or more of the residential dwellings partly or fully included within a radius of 1000 feet from the proposed well locations as identified on the state required well location survey and within 1000 feet from proposed storage tank site(s). The consents shall plainly state the the persons whose signatures are affixed thereto do hereby acknowledge the well drilling proposal as contained in the application and are not opposed to the drilling of a well for oil or gas on the site as proposed in the application for the conditional use zoning permit for oil and gas drilling. Owners or adult occupants of the residential dwellings partly or fully included within a radius of 1000 feet from the proposed well location or proposed storage tank site(s) and who meet any of the following criteria shall not be permitted to object, but shall be deemed to have given his consent, under provisions of this section, to the drilling of an oil or gas well on the proposed site:

- a. Said persons has leased his/her property for drilling for gas or oil;
 - b. Said person his/her lessee, contractor, or agent has signed and filed an application for a state or local permit to drill for oil or gas on his property;
 - c. Said person has signed and delivered a written assent under this section to another application for a permit to drill for oil or gas.
 - d. Said person has utilized his/her property by entering into a community lease or other agreement for drilling for gas or oil.
10. Waivers from residents within 500 feet. In addition to the consents required above, no drilling shall be permitted from oil or gas wells within 500 feet of any existing building or structures or any nature unless written waivers as herein specified accompany an application for a conditional zoning permit for oil and gas.
- a. The owners and adult occupants of any building or structure which is located within 500 feet of the proposed well must waive, in writing, the distance set forth in the proposal. The owners or occupants may waive down to a minimum distance of 200 feet without necessity of vacating, or causing to be vacated, any building or structure during drilling operations.
 - b. The owners and adult occupants of any building or structures of any nature may consent to drilling for oil and gas closer than 200 feet to such building or structures, but in such cases, the Planning Commission and Council shall consider special features affecting the application, such as topographical condition, nature of occupancy and proximity of buildings to the abutting property, facilities available at the Fire Department to cope with controlling liquid and gas fires, and such other matters as the Planning Commission and Council shall deem relevant to the application. Should the Planning Commission and Council, upon considering such special features, find that an undue hazard is created, then irrespective of waivers being provided, as specified in this section, the Council may refuse to authorize a conditional

the zoning permit to drill. Such denial and the undue hazard upon which the denial is based, shall be recorded in the minutes of the Planning Commission or Council.

- c. Where the owners or adult occupants of any building or structure which is closer than 500 feet to a proposed well have waived in writing, at any time, the distance requirement provided in this section, then such property owners and occupants shall be deemed to have waived the distance requirement provided for in this section down to the same distance that such party waived for the other proposed drilling site or to the distance that a gas or oil well was actually drilled, which ever is smaller.
 - d. All distances, as set forth in this Section shall be those distances as measured from the proposed well location as shown on the State Required Well Locations Survey.
11. Affidavit of compliance. The applicant for a well conditional zoning permit for oil and gas drilling shall file an affidavit stating that the applicant has complied with all conditions of this chapter and any other applicable requirements of this code, or setting forth any exceptions thereto. Any false or erroneous statement in the affidavit shall be grounds to refuse to authorize a conditional zoning permit for oil and gas drilling or shall be grounds to revoke a permit already issued by the Village.

Section 7:

Permit Approval.

1. Upon determining that the application is complete, the Zoning Inspector shall submit such application to the Planning Commission, Village Engineer, and Fire Chief together with a report indicating any non-compliance with the requirements of this chapter. The Zoning Inspector, Village Engineer and Fire Chief shall review the application and report their recommendations to the Planning Commission. The Planning Commission shall either deny the application or recommend its approval to council. In its recommendation to Council, the Planning Commission may recommend any exceptions or modifications to the requirements of this chapter and/or any conditions of approval it deems warranted.
2. After the first reading in council, but before the third reading of the legislation granting a

conditional zoning permit for oil and gas drilling, Council shall require the applicant to schedule a public hearing, the date and time of which shall be approved by council, and the permittee shall cause all property owners whose properties abutt the drill unit and residents within the Village or neighboring communities, including the chief executive officer or elected officials of neighboring communities, within 1200 feet of the well head to be notified of such hearing in writing, all by certified mail return receipt requested. The Zoning Inspector shall provide the form of notice. The public hearing must occur not less than thirty (30) days prior to the commencement of drilling unless waived by council. The permittee shall file a list of addresses with the Village of all residents notified and shall thereon note the time and place of hearing.

Section 8: Standards for Review by Village Planning Commission and Council. The Village Planning Commission and Council, when studying an application for a conditional use for drilling of a well for oil or gas shall review the particular facts and circumstances of each proposed use in terms of the following standards, and if taking favorable action on the proposal, shall find adequate evidence that the use:

- a. will be harmonious with and in accordance with the general objectives of the Village's land use and thorough plan of current adoption.
- b. will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- c. will not be hazardous or disturbing to existing or future neighboring uses.
- d. will not be detrimental to property in the immediate vicinity or to the community as whole.
- e. will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal and schools; or the proposed use shall be able to provide adequately any such service.

- f. will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public streets or roads.

Section 9: Issuance of Conditional Zoning Permit for Oil and Gas Drilling.

1. Insurance. Before directing the Zoning Inspector to issue the approved permit, Council shall require the applicant for the oil and/or gas well drilling and operation permit to provide proof of public liability insurance coverage in amounts not less than \$1,000,000 combined single limit for bodily injury or property damage. Applicant shall provide insurance in the amount of \$100,000.00 per occurrence in the event potable well water pollution occurs. The policy or policies and the coverages thereunder shall be approved by the Village Council and shall be kept in force for such period of time as drilling is in progress, the well is in operation, is producing oil and/or gas, or until such well is plugged and the storage tanks emptied and taken out of use. Each year on or before the anniversary date of the insurance policy the operator/producer shall provide a certificate of insurance to the Zoning Inspector. Failure to do so will result in the Zoning Inspector to order the well site closed. All sub-contractors to be named as additional insured on applicant's policy or provide their own insurance coverage. The policy shall include coverage of blow out or cratering of any well and also include underground resources and equipment coverage. Should a policy be cancelled before the expiration date thereof, the issuing company will mail 60 days written notice to the Village of Richfield.
2. Performance Guarantee. At the time that the permit is approved and issued, a \$5000 cash deposit shall be deposited with the Zoning Inspector's office to serve as a financial guarantee of compliance with all maintenance, restoration, abandonment and other requirements of State Law, and this permit. Such guarantee shall not only be conditioned upon compliance by the applicant for the permit, but also by any assignee, employee, contractor, sub-contractor or other party performing services in connection with the permit. The deposit shall be maintained until the Zoning Inspector has inspected and has approved satisfactory final abandonment and restoration.
3. Time Limit. When a permit for drilling and

operation of a gas and/or oil well has been granted, the same shall terminate and become inoperative, without any action on the part of the Village Planning Commission, unless within one hundred eighty (180) days from the day of Planning Commission approval, actual drilling of the well shall have commenced. After that, the permit and the well shall be deemed abandoned and it shall be unlawful thereafter to drill or operate any such well without the issuance of another permit.

4. Penalty. Failure to comply with any of the provisions of this permit shall be grounds to refuse a future permit to drill a well or shall be grounds to revoke a permit already issued. Revocation of this permit shall remove the right of the permit holder to drill or operate for oil or gas until such permit holder shall have complied with the provisions of this permit. Operations carried on by the permit holder after the revocation of said permit shall be a minor misdemeanor, as provided by State law, each day shall be deemed to be a separate offense, punishable under the provisions of the Village's Ordinance. The Zoning Inspector is hereby granted the authority to cancel and revoke any permit when it appears that fraud or misrepresentation was practiced in obtaining a permit, or that the permit holder has failed to comply with the terms of this permit after notice of any violations thereof.

Section 10: Locational Objectives.

1. No well, storage tank or separator shall be located within 1,000 feet of any residentially zoned property, within 500 feet of any residence, within 300 feet of any public right-of-way, within 300 feet of any drilling unit boundary, within 200 feet of any inhabited building, nor within 100 feet of any other building.
2. No gas well shall be located within 100 feet of an electrical powerline or transmission line of any public or private utility line.
3. All future residential buildings to be constructed in the vicinity of a well or production or processing equipment shall be located at least 200 feet from any existing wells or associated equipment (excluding transmission lines); proposed residential subdivisions and multi-family developments shall be designed so that all future residential dwelling shall be located at least 200 feet from any existing wells

or production and processing equipment (excluding transmission lines).

4. No oil and/or gas wells and no associated production or processing equipment (excluding transmission lines) shall be permitted within 500 feet of any existing school, church, hospital, theater, or assembly hall, except as otherwise provided herein.
5. In the case of particular proposals for well locations or sites where strict compliance with the foregoing criteria and requirements may be a handicap or an excessive burden to the use of the property and where no undue hazard will be created, requirements and degrees of compliance may be reduced or modified at the discretion of council after due consideration of such special features as topographical conditions, nature of occupancy and proximity of buildings on the adjoining property, proximity of storage tanks, degree of fire protection provided and the facilities available at the fire department with controlling fires. The above features are not to be construed as a limitation of the matter which Council may consider.
6. Limits on unitizing properties. Any owner who has utilized or unitized any portion of his property by entering into a community lease or other agreement shall not share in any adjacent well production because of conflicting lease interests of such real estate caused by such real estate being in more than one unitized site. It is the express intention of this provision to prohibit an owner of property from unitizing identical property under more than one community lease or agreement. No more than two (2) separate contiguous lots of records may be joined for the purpose of creating a drilling unit.
7. Planning Commission and Council shall have the right to consider any and all special features of conditions they may consider important in determining whether or not an undue hazard is created and may require such other additional conditions they may find necessary for the achievement of the objectives of this chapter or other sections of the Villages code.

Section 11: Special Requirements. All applicants and permittees for conditional permits for oil and gas drilling shall comply with the following specific requirements, which are deemed to be minimum specifications unless otherwise noted.

1. Access to the Well Site. Access drives shall be constructed of suitable aggregate, according to standards set by the zoning inspector, and shall be inspected and approved by the Zoning Inspector prior to the delivery of drilling equipment. Where access drives with public roads, culverts and/or ditching shall be provided according to the specifications of the zoning inspector, who shall be notified prior to commencement of such work in order to provide for inspections and approval.
2. Notification of Residents. At least fifteen (15) days prior to the actual drilling, the permittee shall notify all residents within 1200 feet of the well head by first class mail of the day that drilling operations will commence.
3. Potable Water. It shall be the duty of the permit holder to seal gas and oil wells to protect fresh water wells from salt water or other pollution or contamination. The well driller and permit holder shall be jointly and severally responsible for any loss or reduction of flow or change in water quality in an existing water well. Prior to the start of the drilling operation the permit holder or well driller shall test all wells within 1000 feet of the proposed well site for water quality and volume. Laboratory utilized for these tests shall be approved by the Ohio EPA. The following tests shall be performed:

Chloride	Total Dissolved Solids
Calcium	Potassium
Magnesium	Strontium
Sodium	Manganese
Iron	Nitrate
Barium	Sulfate

Both the permit holder and his drilling shall establish contingency plans for the immediate furnishing of potable water to affected residents for such period as may be required to re-establish proper potability on any polluted or contaminated well or wells. The permit holder and the drilling shall be jointly and severally responsible for the obligation to provide potable water, without cost to the residents receiving the water. The permit holder and the driller

s' ll begin furnishing the water. The permit holder and the driller shall be furnishing water to any affected resident upon notifications from the Zoning Inspector that there is a possibility that their drilling operation has affected the resident's potable water system. After receipt of such written notification, the permit holder and/or drilling shall within 90 days correct and restore a potable water source to the affected residence.

4. Identification. Prior to the start of drilling operations, a 24" x 24" metal sign shall be posted at the access road entrance by the public road showing the name and address of company and all 24 hour emergency telephone numbers. The name of the company, address, names of responsible individuals, all 24 hour emergency phone numbers and all business phone numbers for each well, tank and separator sites shall be given to the Zoning Inspector, who in turn shall advise the Fire and Police Departments. Prior to the start of production, a 24" x 24" sign shall be affixed to the access road gate and all fenced in areas stating the owner, lease name, well number, permit number, county, all emergency telephone numbers, and street or road address of site. If multiple wells are being produced into a common tank(s), each well head shall be identified as to owner, permit number, well number and lease name. Any change of ownership shall be shown at the well head, storage tank(s) and access road gate no later than sixty (60) days after the date of assignment of transfer.
5. Operating Time. Well drillers shall give consideration to periods of operation. Operation on Sundays and holidays are not permitted except with the approval of the Zoning Inspector.
6. Street Maintenance. All permit holders and well drillers shall use care in the set up, operating, and removing of drilling and fracturing equipment; keep the area around the drilling site free of mud which will be carried onto the public streets by any vehicle or other equipment used at the drilling site. Should any mud be carried onto public streets from a drilling site, the permit holder shall be required to clean up the streets to the satisfaction of the Village Zoning Inspector. The Zoning Inspector shall have authority to request a permit holder or driller to take specific steps to reduce mud at a given location. Failure of a permit holder or driller to clean up the public streets to the

dissatisfaction of the Village Zoning Inspector, or failure to take specific steps to reduce mud at a given location, as requested by the Village Zoning Inspector shall be grounds for revocation of a permit, forfeiture of the bond posted, and shall further be a misdemeanor. If deemed necessary by the permit holder, driller, Zoning Inspector, or Village Engineer, suitable washing equipment shall be stationed at the road entry location and used to remove the loose mud from all vehicle tires and equipment prior to entry upon the public road right-of-way. A minimum of 10 days prior to the start of well drilling operations, the permit holder and/or well driller shall submit a transportation plan to the Zoning Inspector and the Chief of Police for review. A transportation plan as submitted shall identify all ingress and egress points to the Village of Richfield and all routes traveled by the equipment. The Zoning Inspector and Chief of Police shall have the right to revise the transportation plan or to prohibit utilization of Village roads by the well drilling equipment should the condition of the roads, weather or traffic conditions make travel unsafe or threaten damage to the roads. Such notice shall be given a minimum of 24 hours prior to the proposed roadway use. Flagmen shall be used when equipment is moved into or out of the site. The permit holder and/or well driller shall provide parking outside the public right-of-way for all employees, machinery, and/or equipment. "Construction Equipment" and/or "Men Working" signs shall be placed 500' before the entrance drive.

7. Noise. The Village of Richfield Ordinance for noise shall govern all operations under these regulations.
8. Fence. A temporary fence shall be maintained around the drilling site, storage pits and all related miscellaneous apparatus in accordance with good oil field practice during the drilling operation when the site is left unattended. Should a well be a producer, and upon completion of said well all storage tanks, separators, well installations, and other permanent facilities shall be entirely and continuously enclosed by a six (6') foot high chain-link type of fence plus 1 set of three (3) strands of barbed wire above, each set shall be at an angle of 45 degrees to the horizontal. Fences shall be kept in good state of repair until the well is abandoned and the tanks, separators, and pump equipment are

removed. Said fence shall be erected a minimum of 30 days after the well has been placed into production unless waived by the Village Zoning Inspector. The fence shall be located a minimum of five (5') feet outside of all wells, tanks, pumps, separators and any related miscellaneous apparatus. Sites larger than six hundred twenty-five square feet (625) shall have two (2) exits remote from each other and all gates shall have a minimum opening of four (4') feet. All gates larger than four (4') feet shall be made up of two (2) sections, each being one half of the exit opening size to facilitate orderly and safe fire fighting operations. All fences and gate installations shall be inspected by the authorized representative of the Fire Department and the Zoning Department before the producing operation commences. All gates, including the drive entrance gate, shall be locked and keyed to the Village Standards. All fences, gates and entrance gate installations shall be in accordance with the Village Standards and/or as approved by the Zoning Department.

9. Site Maintenance. Oil and/or gas wells, associated equipment, and storage tanks located within one thousand (1000') feet of existing residence(s) or within five hundred (500') feet of the right-of-way of a public road, highway, street, or alley, shall be effectively screened from said residence(s) or public roadways. Such screening shall consist of dense, evergreen shrubs placed so as to create a substantially opaque visual barrier between the well or tanks and the affected residence(s). A combination of evergreen shrubs and land forms such as earthen berms may also be used as a visual screen. In addition to fine grading, grass or other vegetative cover shall be restored to create an environment and appearance compatible with the adjacent properties, neighborhood and area. All landscaping and/or screening shall be in place 90 days after the well is placed in operation unless an extension for weather is granted by the Village Zoning Inspector. The well driller and/or producer shall grade the property in an effort to prevent excessive soil erosion and/or surface water runoff in excess of that which presently exists. All areas disturbed during the drilling operation shall be graded to prevent soil erosion. In addition, all areas disturbed shall be seeded immediately upon completion of the drilling operation. All equipment, including tanks, shall be painted forest green in color at the time of installation and every two (2) years

thereafter. Shutoff valves shall be painted a contrasting, conspicuous color. As long as the well is a producer, the permit holder and/or operation shall maintain the site in a neat, clean and orderly condition in accordance with the Ordinances of the Village of Richfield. The permit holder and/or operator shall maintain all gates, access drivers, fence, tanks, dikes, landscaping or any other structure or appurtenances contained on the site for the purpose of oil and/or gas production.

10. Restoration Plan. The permit holder shall file with the Zoning Inspector's office a detailed plan for the restoration of the area to be disturbed. To insure faithful performance of all requirements contained in the approved Restoration Plan, the bond or letter of credit in the amount of \$5000 as mentioned in the "Bond" section shall be maintained until the Zoning Inspector gives written certification that the restoration and abandonment is complete and in compliance with the Restoration Plan. Only at this time will the bond be released.
11. Electric Motor. All well pumps shall be operated by electric motors only.
12. Pipe. All transmission piping outside of fence, upon completion a producing well, shall be of steel or P.V.C., be buried underground a minimum of three (3') feet and shall be of suitable manufacture for underground installation capable of handling all working pressures applicable. This shall apply not only to the permit holder, but also to any individual, group, or company having the right to utilize the gas or oil produced. Permit holder to furnish detail drawings indicating location and depth of all pipes. Detail drawings shall be at a scale of 1" = 100' and shall accurately locate all equipment, pipe and appurtenances that are installed and/or proposed to be installed.
13. Drilling pits shall be sized so as to fully contain all drilling fluids plus any fluids resulting from natural precipitation. An earthen dike shall be constructed around the perimeter of the pit. A properly sized, properly anchored, re-inforced, single piece plastic liner (specifications available from the Zoning Inspector) shall be placed within the pit and care shall be taken to ensure the integrity of the liner. Should the pit excavation be in coarse, sandy soil • soil sealant specifications

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available from the Zoning Inspector shall be applied to the entire surface of the earthen pit prior to the installation of the plastic liner. The Zoning Inspector shall inspect each phase of the drilling pit construction. The discharge line must be equipped until a baffle which deflects the cuttings as they enter the drilling pit in order to preserve the integrity of the pit liner throughout the drilling operation. Gas must be flared through a flow line at least 60 feet long into a flare pit located a safe distance away from the drilling pit and directed away from the drilling pit and directed away from any inhabited structure. During drilling, contents or the pit shall be hauled away as needed. Upon completion of drilling, all liquid wastes shall be removed from the pit. Within thirty (30) days, the remaining contents of the pit and the plastic liner shall be removed and hauled away, the pit inspected by the Zoning Inspector, and backfilled extensions for weather delays may be granted by the Zoning Inspector. All EPA rules shall be followed relative to the disposal of any and all wastes.

14. Cementing the Surface Casing. Ample notification shall be made to the State Inspector and the Village Zoning Inspector to enable them to be present to supervise the installation and cementing of the surface casing. Care will be taken to ensure a complete cement bond the entire length of the surface casing to protect fresh water formations. The well driller shall maintain an accurate record of the depth of the casing, the amount of cement used, and the personnel at the site during the cementing operation. A copy of this record shall be filed with the Zoning Inspector upon completion of the cementing procedure. Prior to drilling below the surface casing, the driller shall allow a minimum eight (8) hour cement set-up time.
15. Fracturing. The Zoning Inspector shall be notified prior to the fracturing of the well. "Flow back" of fracturing mediums shall only be made into fully contained steel fracturing tanks approved by the Zoning Inspector. No "flow back" shall be permitted between 7:00 p.m. and 7:00 a.m.

16. Storage and Processing Tanks All storage and processing tanks shall be diked and maintained to prevent any seepage or drainage beyond the fenced in area. The dike shall have an outlet valve for use in release of accumulated rain water. The dike shall be lined with a one piece plastic liner; liner to be buried in soil with a minimum 6" of cover. Liner to be a minimum of 5 mils or as required by the State of Ohio, whichever is greater. It shall be sized to contain a minimum of 200% of the materials stored in the diked area. In the event oil or brine is spilled inside the dike, they shall be removed immediately from the site. All storage and processing tanks shall be furnished with drip pans to collect any oil and/or brine that may be spilled during the loading operation. Brine and/or oil is NOT permitted to be stored in underground storage tanks. Storage tanks and processing tanks shall not exceed ten (10) feet in length in residentially zoning districts.
17. Drilling Operations.
- a. Rotary Rigs. All rotary tools shall have the innermost string of casing equipped with a blowout preventer properly installed on the surface casing which is in good working condition and of sufficient size and working pressure rating to control normal hydrostatic pressure for the deepest pool to be penetrated by the borehole. The rotary air-head and stripped rubber must be in good working condition.
 - b. Cable Tool Rigs. Wells drilled with cable tools shall have the innermost string of casing equipped with a high pressure master gate valve and control head, and an oil saver, securely anchored by concrete, prior to drilling into any formation likely to contain oil or gas.
 - c. During the drilling operation, only potable water shall be utilized as a drilling fluid while the drilling is proceeding through the aquifer zone. The drilling specified procedures used in rotary equipment shall be capable of sealing off each oil, gas, brine or fresh water stratum above the producing horizon or objective formation and shall be capable of preventing blowouts and flows of salt or fresh water in accordance with good well drilling practice.

- d. All crews shall be trained in the operation of the blowout preventer, control head and related equipment, and all equipment to be used shall be in good condition.
 - e. Sanitary toilet facilities shall be provided on the drill site for the drilling crew.
18. Brine and Waste Disposal. The permittee shall provide to the Zoning Inspector, duplicates of all hauling records required by the State and shall further make such records available immediately upon the written request of the Zoning Inspector at any time he deems necessary to verify proper dumping procedures. Section 521.13 of the Codified Ordinances of the Village of Richfield prohibits the annular disposal of brine. Section 521.12 of the Codified Ordinances of the Village of Richfield states that no person, firm or corporation shall dispose of or deposit any brine, sludge, frac-water or other oil field waste within this Village. Permittee further agrees that all oil field wastes shall be disposed of in a manner approved by the EPA.
19. Inspections. The Zoning Inspector, Fire Chief, or their duly authorized representatives, shall have the authority, at any time, to enter upon property where a well is in the process of being drilled, or upon a producing well site, for the purpose of inspecting and testing the site, equipment, and all other operations and conditions as may be necessary to assure compliance with the provisions of this permit.
20. Liability. The permit holder shall pay to the owners of any realty, crops, buildings, improvements, goods or chattels located in the area, any extra cost of insurance on the property imposed by reason of the granting of the permit or the operations carried on thereunder, and any and all damages suffered by any person, persons, or corporation as to property within the Village or adjacent communities from fire over and above the insurance collected thereon, or from oil, gas, or water caused by or originating from the operation connected with the well, and will hold the Village free and harmless from any and all liability growing out of the granting of the Permit.
21. Technical Assistance. In light of the technical and potentially complex in nature of well drilling, gas and oil productions and facilities maintenance, the Village may need to utilize

consultants, technical people, and special equipment for the evaluation and regulation of plans, operations and maintenance including such things as monitoring and measuring noise and odor levels. The costs for such consultants, technical people or special equipment shall be paid for by the applicant or permittee in an amount not to exceed the sum of the performance guarantee and may be charged against the performance guarantee. In the event additional money is required for technical assistance these costs will be incurred only upon the prior consideration with the well owner, applicant, or permittee. In the event that the deposit is reduced by disbursements in an amount less than \$2,500. The applicant or permittee shall post an additional \$2,500 to bring the deposit back to \$5,000.

22. All artificial lighting used during drilling or production of any gas or oil well shall be designed, constructed and located in such a manner to prevent emission upon any property not within the drilling unit.
23. Technological Improvements. In the event technological improvements are made in the gas and oil industry and additional safeguards are available to the applicant, in order to protect person or property from any hazards and such technological improvements are available at a reasonable cost, and upon notice from the Village of Richfield or its officials, the applicant shall if technologically possible incorporate such technological improvements into its gas and oil well drilling, production, transmission or abandonment operations.
24. Plat of Completed Facilities. Within one month after the well is in operation, the permittee shall furnish the Village with a plat detailing the exact location of the well, all permanent storage facilities, fences, property boundaries, roads, landscaping and transmission lines.
25. Abandoning Wells. In the event a well is abandoned, it shall be the duty of the owner or lessee to notify the Zoning Inspector of such abandonment before the well is abandoned and equipment removed. All permittees shall be required to pull and/or plug a well site on abandonment and remove all above ground appurtenances and return ground to original grade and condition and follow any other rules and regulations promulgated by any department or

d. Decision of the State relating to pulling, plugging and abandoning oil or gas wells. Landscaping may be preserved at the time of abandonment, if feasible, and if desired by the property owner.

26. The Fire Chief shall be notified twenty-four (24) hours in advance of all scheduled or anticipated well tests and other extraordinary well production conditions which will result in large volumes of gas being released to the air.
27. All gas and oil production facilities shall be equipped with automatic regulating and shut-off valves, which shall be located in the system ahead of any pressure relief valves included in the production and processing equipment. Such valves shall be designed to eliminate or reduce to as great a degree as possible, the venting of gas to the air.
28. The permittee shall not permit any hydrocarbons or brines to enter the Sharon or Berea Sandstone formations during drilling or production of any oil and gas well. In the event that such contamination of either sandstone shall occur, the permittee shall immediately notify the Zoning Inspector.

Section 12: This Resolution shall be and hereby is referred to the Planning and Zoning Commission for its report and recommendations pursuant to the amendment section of the ordinances with respect to zoning and the Planning and Zoning Commission shall have the time allotted in such amendment section within which to make its report and recommendations.

Section 13: This Resolution is determined to be an emergency measure necessary for the immediate preservation of the public peace, health or safety for the reason of present problems with the implementation of oil and gas exploration and provided this Resolution receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest date provided by law.

Passed:

6/5/84

John R. Hill
President of Council

E. James Fisher
Mayor

Dated: 6-5-84

Attest:

Mary L. Hegley
Clerk of Council