

AN ORDINANCE TO AMEND SECTION 1113.10 OF THE ZONING ORDINANCE WITH RESPECT TO FENCING REQUIRED ON LANDS UTILIZED FOR FIRE ARMS EXHIBITION & PRODUCTION TO CORRECT A CONFLICT WITH ORDINANCE 62-1984 TO BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF

Richfield, Ohio:

Section 1: That Section 1113.10 of Ordinance 62-1984 is amended to read as follows:

1113.10 Post Hearing.

(a) Access to the Well Site. An access drive 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 join with public roads, the culverts and/or ditching shall be provided according to the specifications of the Director of Public Service, who shall be notified prior to commencement of such work in order to provide for inspections and approval. Access roads shall be located a minimum of forty (40) feet from rear or side lot lines.

(b) Notification of Residents. At least fifteen (15) calendar days prior to the actual drilling, the permittee shall notify all residents within 1500 feet of the well head by first class mail of the day that drilling operations will commence.

(c) Potable Water and Testing. 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. The laboratory utilized for these tests shall be approved by the Ohio EPA. The laboratory reports shall be submitted to the Zoning Inspector and approved by him prior to commencement of drilling. Copies of the report shall be submitted to the property owners. The following tests shall be performed:

Chloride	Total Dissolved Solids
Calcium	Potassium
Magnesium	Strontium
Sodium	Manganese
Iron	Nitrate
Barium	Sulfate
Mercury	ph
Lead	E. Coli

The permit holder and the driller shall establish and file with the Director of Public Service prior to commencement of drilling 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 driller 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 shall furnish potable water to any affected resident upon notification from the Director of Public Service that there is a reasonable probability that the drilling operation has affected the potable water system. After receipt of such written notification, the permit holder and/or driller shall within 90 days correct and restore the potable water source.

(d) 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 the permittee and driller and 24 hour emergency telephone numbers. The name of the company, 24 address, names of responsible individuals, 24 hour emergency phone numbers and business phone numbers shall be given to the Zoning Inspector, who in turn shall advise the Divisions of Fire and Police. 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. The Zoning Inspector shall be notified by certified mail no later than sixty (60) days after the date of assignment or transfer.

(e) Operating Time. Well drillers shall not set up or tear down on Sundays or holidays. Operation on Sundays and holidays is not permitted except with the approval of the Zoning Inspector.

(f) Street Maintenance. All permit holders and drillers shall use care in the set up, operation, and removal of drilling and fracturing equipment. 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 Director of Public Service, who 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 satisfaction of the Director of Public Service or failure to take specific steps to reduce mud at a given location, as requested, shall be grounds for revocation of a permit, and forfeiture of the bond posted. If deemed necessary by the permit holder, driller, or Director of Public Service, 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. At least 10

days before the start of well drilling operations, the permit holder and/or well driller shall submit a current transportation plan to the Zoning Inspector and Director of Public Service for review. The plan shall identify all routes to be traveled within the Village by the equipment. The Director of Public Service may revise the transportation plan or prohibit utilization of Village roads by the well drilling equipment in the event that the condition of the roads, weather or traffic conditions make travel unsafe or threaten damage to the roads. 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 Warning Signs shall be placed 500 feet before the entrance drive.

(g) Noise. Chapters 331, 337, and 511 of the Codified Ordinances shall regulate noise for all operations under this Ordinance.

(h) Fencing. A temporary fence shall be maintained around the drilling site, storage pits and all related miscellaneous apparatus during the drilling operation for the time period when the site is left unattended. Prior to production 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 together with one (1) set of three (3) strands of barbed wire above, and shall be an angle of 45 degrees outward. The fence shall be kept in good state of repair until the well is abandoned and the tanks, separators, and pump equipment are removed. 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 fence and gate installations shall be inspected by the Chief of the Division of Fire and the Zoning Inspector before the producing operation commences. All gates, including the drive entrance gate, shall be locked and keyed. Gates, entrance gate installations and locks shall be in accordance with standards set by the Zoning Inspector.

(i) Site Maintenance. Oil and/or gas wells, associated equipment, and storage tanks shall be screened in accordance with the landscaping plan. Such screening shall consist of dense, evergreen shrubs placed so as to create a substantially opaque visual barrier between the well or tanks. 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 a time extension, based on weather, is granted by the Zoning Inspector. The well driller and/or producer shall not grade the property in a manner which causes excessive soil erosion and/or surface water runoff. All areas disturbed during the drilling operation shall be graded to prevent soil erosion. All disturbed areas 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. The permit holder and/or operator shall maintain the site in a neat, clean and orderly condition. The permit holder and/or operator shall maintain all gates, access drives, fence, tanks, dikes, landscaping or any other structure or appurtenances contained on the site for the purpose of oil and/or gas production.

(j) Electric Motor. All well pumps shall be operated by electric motors only.

(k) Pipe. All transmission piping outside of fence, after completion of a producing well, shall be of high strength steel, be buried underground a minimum of three (3') feet and shall be of suitable manufacture for underground installation capable of handling all applicable working pressures, whether maintained by the permit holder, or any person, firm, or corporation having the right to utilize the gas or oil produced. The permit holder shall furnish detail drawings indicating the location and depth of all pipes and shall be at a scale of 1" = 100', shall accurately locate all equipment, pipe and appurtenances that are installed and/or proposed to be installed.

(l) Drilling Pits. All drilling pits shall be sized so as to contain all drilling fluids together with 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 conforming with specifications available from the Zoning Inspector shall be placed within the pit. The lining must be checked and maintained by the operator to insure its integrity. In the event the pit excavation shall be in coarse, sandy soil, or fractured permeable bedrock, a soil sealant conforming to specifications available from the Zoning Inspector may be required to be applied to the entire surface of the earthen pit prior to installation of the plastic liner. The discharge line must be equipped with 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 80 (eighty) feet long into a flare pit located a safe distance away from the drilling pit and directed away from any structure. During drilling, contents of the pit shall be hauled away as needed. Within seven (7) days after completion of drilling, all liquid wastes shall be removed from the pit. Within thirty (30) days after completion of the drilling, 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 and/or Ohio Division of Oil and Gas regulations with respect to solid and liquid waste shall be followed. Steel tanks may be utilized, and shall be constructed and maintained so as to prevent escape of any fluids therefrom, including any amounts that may be added by natural precipitation. The Zoning Inspector shall inspect each phase of the drilling pit construction.

(m) Cementing the Surface Casing. Ample notification shall be made to the Inspector for the Division of Oil and Gas of the State of Ohio and the 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 along the entire length of the surface casing to protect fresh water formations. The 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 twelve (12) hours time for cement set-up. The cement must recirculate to the surface.

(n) Fracturing. The Zoning Inspector shall be notified prior to the fracturing of the well. Flow back of fracturing mediums shall be made only into fully contained steel fracturing tanks approved by the Zoning Inspector. No fracturing shall be permitted between 7:00 p.m. and 7:00 a.m.

(o) 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 for release of accumulated rain water. The dike shall be lined with a one piece plastic liner which shall be buried in soil with a minimum 6" of cover. The liner shall be a minimum of 5 mils thickness or as required by the State of Ohio, whichever is greater and shall be sized to contain a minimum of 200% of the materials stored in the diked area. Oil or brine spilled inside the dike shall be immediately removed 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 shall not be stored in under-

ground storage tanks. Storage tanks and processing tanks shall not exceed ten (10) feet in height.

(p) Drilling Operations.

(1) Rotary Rigs. All rotary tools shall have the innermost string of casing equipped with a blowout preventor, capable of being remotely controlled, properly installed on the surface casing, which must be 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.

(a) The surface hole must be drilled on fluid, using potable water.

(b) When drilling past the aquifer zone with an air rotary rig, in the event excessive volumes of brine are encountered, the drilling operation must convert to fluid procedures.

(c) The drilling 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.

(2) 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.

(3) Crew Training. 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.

(q) Brine and Waste Disposal. The permittee shall provide to the Zoning Inspector duplicates of all hauling records required by the State and shall upon the written request of the Zoning Inspector make such records immediately available. Sections 521.12 and 521.13 of the Codified Ordinances shall govern brine and oil field wastes. All oil field wastes shall be disposed of in a manner approved by the Ohio EPA and/or the Division of Oil and Gas.

(r) Inspections. The Zoning Inspector, Chief of the Division of Fire, 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 Ordinance.

Section 2: Existing Section 1113.10 of the zoning ordinance found in Ordinance 62-1984 is hereby repealed.

Section 3: This Ordinance shall take effect and be in force from and after the earliest time provided by law.

Passed:

3/19/85

President of Council

Mayor

Dated: 3-19-85

Attest:

Clerk of Council