



# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

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*Richard J. Simmers, Chief*  
Division of Oil and Gas Resources Management  
2045 Morse Road – Bldg. F-2  
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## **ORDER BY THE CHIEF**

January 3, 2014

**ORDER NO. 2014-03**

**TO: The Belden Brick Company**  
**475 Dover Road,**  
**Sugarcreek, Ohio 44681**

**RE: Belden Brick Temporary Storage Facility**

**SUBJECT: Temporary Authorization to Operate Facility Pursuant to**  
**R.C. 1509.22**

Pursuant to Ohio Revised Code Section 1509.22, the Chief of the Division of Oil and Gas Resources Management (“Chief” or “Division”) issues the following Order:

### **BACKGROUND:**

- (1) The Belden Brick Company operates a temporary storage facility (“Belden Brick Facility”) located at 375 Dover Road NW, Sugarcreek, Ohio. The Belden Brick Facility is a temporary storage facility that receives brine and stores it in tanks until the brine can be properly disposed of.
- (2) Division (B)(2)(a) of R.C. 1509.22 states, in pertinent part, that “On and after January 1, 2014, no person shall store, recycle, treat, process, or dispose of in this state brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources without an order or a permit issued under this section or section 1509.06 or 1509.21 of the Revised Code or rules adopted under any of those sections.”
- (3) On December 31, 2013, the Division received an application from The Belden Brick Company requesting to operate the Belden Brick Facility. In its application, The Belden Brick Company supplied the Division with information and details regarding its operations.

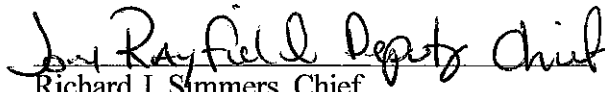
**ORDER:**

**IT IS HEREBY ORDERED**

The Belden Brick Company has temporary approval to operate the Belden Brick Facility in the State of Ohio, subject to the following **conditions**:

- 1) The Belden Brick Company shall conduct all operations in compliance with R.C. Chapter 1509 and Ohio Adm.Code 1501:9.
- 2) Brine shall not be disposed of in a manner not specified in R.C. 1509.22(C)(1)(a) through R.C. 1509.22(C)(1)(c). Disposal pursuant to R.C. 1509.22(C)(1)(d) requires separate written approval by the Chief.
- 3) This Chief's Order shall terminate upon any of the following, whichever occurs first:
  - a) The Division issues a permit to The Belden Brick Company for the Belden Brick Facility pursuant to rules promulgated under to R.C. 1509.22(C);
  - b) The Division denies a permit to The Belden Brick Company for the Belden Brick Facility pursuant to rules promulgated under R.C. 1509.22(C); or
  - c) Six months after the effective date of rules adopted under R.C. 1509.22(C).

1/31/14  
Date

  
Richard J. Simmers, Chief  
Division of Oil and Gas Resources Management

Addressee is hereby notified that this action is final and effective and may be appealed pursuant to Section 1509.36 of the Ohio Revised Code. If the Order is appealed to the Ohio Oil and Gas Commission, the appeal must be in writing and must set forth the Orders complained of and the grounds upon which the appeal is based. Such appeal must be filed with the Oil and Gas Commission, 2045 Morse Road, Building H-3, Columbus, Ohio 43229-6693, within thirty (30) days after receipt of this Order.

In addition, within three (3) days after the appeal is filed with the Oil and Gas Commission, notice of the filing must be submitted to Richard J. Simmers, Chief, Division of Oil and Gas Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building F, Columbus, Ohio 43229-6693.

CERTIFIED MAIL No:

91 7199 9991 7030 3103 6641

cc: Eric Vendel, Legal Counsel, DOGRM  
Rocky King, Region Supervisor  
Steve Opritza, Permitting Manager  
Erica Freeman, Surety Section  
Engineering Section  
Barry Grimm, Tuscarawas County Oil and Gas Inspector