



# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

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## **ORDER BY THE CHIEF**

March 6, 2014

**ORDER NO. 2014-52**

**TO: Industrial Waste Control/Ground Tech., Inc.**  
**240 Sinter Court**  
**Youngstown, Ohio 44510**

**RE: IWC/Ground Tech. 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) Industrial Waste Control/Ground Tech., Inc. (“IWC/Ground Tech.”) proposes to operate the IWC/Ground Tech. Facility located at 240 Sinter Court, Youngstown, Ohio (“IWC/Ground Tech. Facility”). The IWC/Ground Tech. Facility will perform radiological waste characterization, tank cleaning and decontamination, waste solidification, brine storage, and preparation for disposal operations. The radiological waste characterization and handling at the IWC/Ground Tech. Facility will be performed by Austin Master Services, LLC, who has been issued License for Radioactive Material No. 03219 510000 by the Ohio Department of Health.
- (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 February 7, 2014, the Division received an application from IWC/Ground Tech. requesting to operate the IWC/Ground Tech. Facility. In its application, IWC/Ground Tech. supplied the Division with information and details regarding its operations.

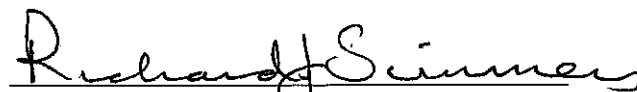
**ORDER:**

**IT IS HEREBY ORDERED:**

IWC/Ground Tech. has temporary approval to operate the IWC/Ground Tech. Facility in the State of Ohio, subject to the following conditions:

- (1) IWC/Ground Tech. 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 of brine 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 IWC/Ground Tech. for the IWC/Ground Tech. Facility pursuant to rules promulgated under to R.C. 1509.22(C);
  - b) The Division denies a permit to IWC/Ground Tech. for the IWC/Ground Tech. 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).

3/5/14  
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 3133 1449

cc: Eric Vendel, Legal Counsel, DOGRM  
Tom Hill, Region Supervisor  
Steve Opritza, Permitting Manager  
Erica Freeman, Surety Section  
Engineering Section  
John Fleming, Mahoning County Oil and Gas Inspector