



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

Richard J. Simmers, Chief
Division of Oil and Gas Resources Management
2045 Morse Road – Bldg. F-2
Columbus, OH 43229-6693
Phone: (614) 265-6922, Fax: (614) 265-6910

ORDER BY THE CHIEF

February 6, 2015

ORDER NO. 2015-29

TO: PETTA Enterprises, LLC Ohio
128 Steubenville Avenue
Cambridge, Ohio 43725

RE: PETTA Cambridge Facility
Cambridge Township, Guernsey County

SUBJECT: Temporary Authorization to Store, Treat, and Process Brine and Other Waste
Substances 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) PETTA Enterprises, LLC Ohio (“PETTA”) proposes to operate a storage, treatment, and processing facility located at 713 North Third Street, Cambridge, Ohio in Guernsey County (“PETTA Cambridge Facility”). The proposed PETTA Cambridge Facility will be a clean-out facility for truck and vessel residue related to oil and gas production operations. The proposed PETTA Cambridge Facility will also have the capability to process and temporarily store brine and other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources for reuse or for disposal at permitted injection wells. PETTA will solidify residual muds, sludge, or other oil and gas waste substances for transportation from the PETTA Cambridge Facility to licensed solid waste facilities for disposal.
- (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 October 7, 2014, the Division received an application from PETTA requesting to process, treat, and temporarily store brine and other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources at the PETTA Cambridge Facility. In its application, PETTA supplied the Division with information and details regarding its proposed operations. The brine and other waste substances will be processed to separate the solids from the liquids by processing the solids through a centrifuge and then further dewatering the solids through a chemical flocculation process. The liquids will be collected and stored on site until transported to a Class II injection well for disposal. The settled solids and semi-solids will be further solidified by adding lime in secondarily contained bins. Technically enhanced naturally occurring radiological materials (TENORM) received or generated from processing of the materials managed at the facility will be handled in accordance with the Radiological Protection Plan (RPP) provided by PETTA for the PETTA Cambridge Facility.

ORDER:

IT IS HEREBY ORDERED:

PETTA has temporary approval at the to process, treat, and temporarily store brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources, subject to the following conditions:

- (1) PETTA 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) PETTA shall conduct all operation at the PETTA Cambridge Facility in accordance with the application submitted to the Division for this facility.
- (4) PETTA shall construct the PETTA Cambridge Facility in accordance with the Ohio Building Code.
- (5) PETTA shall implement the RPP for the PETTA Cambridge Facility and shall continuously update the protocols and procedures in the plan based on results of radiological surveys outlined in the RPP.
- (6) PETTA shall provide record drawing to the Division that detail the constructed site and delineate the boundaries of the PETTA Cambridge Facility upon the completion of the final site work.

- (7) PETTA shall notify the Division two weeks prior to commencement of operations, in order to provide the Division with an opportunity to inspect the facility prior to commencement.
- (8) PETTA shall maintain waste management records for the PETTA Cambridge Facility and shall provide the records to the Division upon request. The records shall include, but not be limited to, manifests of all incoming waste substances, final disposition of the waste substances, and characterization results of testing performed to determine the concentration of radium-226 and radium-228 on all technologically enhanced naturally occurring radioactive materials (TENORM) at the PETTA Cambridge Facility in accordance with R.C. 1509.074.
- (9) This Chief's Order shall terminate upon any of the following, whichever occurs first:
 - a) The Division issues a permit to PETTA for the PETTA Cambridge Facility pursuant to rules promulgated under to R.C. 1509.22(C);
 - b) The Division denies a permit to PETTA for the PETTA Cambridge 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).

Date

02/06/2015

Scott R. Kell for Richard J. Simmers.
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.

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Storage, Processing, Recycling, and Treatment Operations
PETTA Cambridge Facility
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CERTIFIED MAIL No:

91 7199 9991 7034 1918 9013

cc: Legal Section
Steve Opritza, Permitting Manager
Engineering Section
Doug Bennett, Guernsey County Oil and Gas Inspector