



Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

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Division of Oil and Gas Resources Management
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ORDER BY THE CHIEF

September 2, 2015

ORDER NO. 2015-417

**TO: JASAR Recycling
183 Edgeworth Avenue
East Palestine, Ohio 44413**

**RE: JASAR Recycling Facility
Columbiana County, Unity Township**

SUBJECT: Temporary Authorization to Store, Recycle, 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) JASAR Recycling (“JASAR”) proposes to operate an oil and gas waste storage, recycling, treatment, and processing facility to be located at 183 Edgeworth Avenue, East Palestine, Ohio in Columbiana County (“JASAR Facility”). The JASAR Facility will receive used liner materials from oil and gas production operations and temporarily store, wash, process, and recycle the materials to turn the materials into a product for use by others or to extrude the materials at the JASAR Facility to produce plastic lumber. JASAR also proposes to wash trucks and vessels used in oil and gas production operations and to solidify and down-blend the associated oil and gas waste substances for lawful disposal.
- (2) Division (B)(2)(a) of R.C. 1509.22 states, in pertinent part, that “* * * 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 August 13, 2015, the Division received a revised application from JASAR requesting to temporarily store, recycle, treat, and process brine and other waste substances associated

with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources at the JASAR Facility. In its application, JASAR supplied the Division with information and details regarding its proposed operations. The JASAR Facility will receive liner materials used in oil and gas production operations, wash the liner materials, and process them into a reusable product. The JASAR Facility also will wash trucks and vessels, solidify the resulting semi-solid oil and gas drilling wastes, and purposefully down-blend technologically enhanced radiological material ("TENORM"). Residual solids generated from the washing of the liner materials and washing of trucks and vessels will be solidified for disposal in a landfill. TENORM will be down-blended with soil-like materials for lawful disposal in state at a landfill or out of state. Wash water, storm water, and other waters used in operations at the JASAR Facility will be collected for reuse at the JASAR Facility, disposed of at a Class II injection well, or reused at another oil and gas drilling operation.

ORDER:

IT IS HEREBY ORDERED:

JASAR has temporary approval at the JASAR Facility to temporarily store, recycle, treat, and process 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) JASAR shall conduct all operations at the JASAR Facility in compliance with R.C. Chapter 1509 and Ohio Adm.Code 1501:9.
- (2) Brine shall not be disposed of in this state 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) JASAR shall conduct all operations at the JASAR Facility in accordance with the application submitted to the Division for this facility. JASAR shall notify the Division prior to implementing any changes in operations at the JASAR Facility.
- (4) JASAR shall implement the Radiological Protection Plan ("RPP") submitted to the Division with the application for the JASAR Facility and shall continuously update the protocols and procedures in accordance with the plan.
- (5) Not later than one year after the date of this order, JASAR shall perform a radiation and contamination survey of the JASAR Facility, including the on-site vessels and equipment, to determine if there is a need to modify the procedures and protocols in the RPP to ensure the protection of its employees, contractors, and the health and safety of the public and of the

environment. Any modifications of the RPP are incorporated and made a part of this order and JASAR shall operate the JASAR Facility in accordance with the modified RPP.

- (6) JASAR shall stabilize waste substances by adding quick-lime, Portland cement, or an alternate stabilization material approved by the Director of the Environmental Protection Agency if the waste substances will be disposed of in this state at a licensed solid waste landfill. If the waste substance will be transported or disposed of out of state, JASAR shall comply with all applicable state and federal laws for lawful disposal.
- (7) JASAR shall maintain waste and material management records for JASAR Facility and provide those records to the Division upon request. The records shall include, but not be limited to, manifests of all incoming waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources and final disposition of those waste substances and any wastes generated as a result of the operations at the JASAR Facility.
- (8) This Chief's Order shall terminate upon any of the following, whichever occurs first:
 - a) The Division issues a permit to JASAR for the JASAR Facility pursuant to rules promulgated under to R.C. 1509.22(C), which may include modifications or reconstruction of the JASAR Facility in order to obtain a permit;
 - b) The Division denies a permit to JASAR for the JASAR Facility pursuant to rules promulgated under R.C. 1509.22(C);
 - c) Six months after the effective date of rules adopted under R.C. 1509.22(C);
 - d) The location of the JASAR Facility changes from 183 Edgeworth Avenue, East Palestine, Ohio;
 - e) The ownership of the JASAR Facility changes from JASAR.

Sept. 2, 2015
Date

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.

CERTIFIED MAIL No: 91 7199 9991 7036 1540 8741

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cc: Legal Section
Steve Opritza, Permitting Manager
Engineering Section
Rick Anderson, Region Supervisor
Joshua Schiering, Columbiana County Oil and Gas Inspector