

1501:9-1-01

General provisions.

(A) Definitions:

- (1) "Access road" means any road used as primary ingress and egress to the wellhead, tank battery, and associated equipment used in the production of a well.
- (2) "Applicant" or "person" means a natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any government or a political subdivision or agency thereof. The masculine gender, in referring to a person, includes the feminine and the neuter genders.
- (3) "Authorized representative" means any contractor, sub-contactor or person directed by an owner or owner holding a permit, to complete any aspect of well site construction, drilling, production, and restoration.
- (4) "Best Management Practices (BMP's) - Oil and Gas Well Site Construction Manual" means practices, procedures and structures used to minimize accelerated erosion from oil and gas well site construction and well site restoration outlined in the manual, dated April 30, 2005 can be located at <http://www.dnr.state.oh.us/mineral/oil/index.html> or by contacting the division of mineral resources management.
- (5) "BMP's Pre-drilling Water Sampling Manual" means methods for ground water sampling from private or public supplies using practices, processes and procedures outlined in the manual, dated April 30, 2005 can be located at <http://www.dnr.state.oh.us/mineral/oil/index.html> or by contacting the division of mineral resources management..
- (6) "Cage" means a wire, wood, metal or similar material surrounding a wellhead.
- (7) "Chief" means chief, division of mineral resources management.
- (8) "Condensate" means liquid hydrocarbons that were originally in the gaseous phase in the reservoir.
- (9) "Contractor" means any third party engaged by an owner to conduct drilling, producing, and other operations.
- (10) "Direct notification" means, person to person or phone contact between a well owner, owner holding a permit or their authorized representative and a division inspector and/or division field office staff. Voice mail messages are not considered direct notification.
- (11) "Division" means division of mineral resources management, department of

natural resources

- (12) "Drilling unit" means the minimum acreage on which one well may be drilled, but does not apply to a well for injecting gas into or removing gas from a gas storage reservoir.
- (13) "Field" means the general area underlaid by one or more pools.
- (14) "Gas" means all natural gas and all other fluid hydrocarbons not defined above as oil, including condensate.
- (15) "GPS" (Global Positioning System) is a global satellite-based system for determining precise location on Earth.
- (16) "Inhabited structure" means any inhabited private dwelling house and any public building which may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public.
- (17) "Inspector" means the person who has been designated by the chief under section 1509.03 of the Revised Code, to administer and enforce provisions of Chapter 1509. of the Revised Code or rules thereunder.
- (18) "Manager" means the operator, whether the owner or not, of a well or wells.
- (19) "Map" means a graphic representation of the location and size of the existing or proposed objects it is made to represent, accurately drawn to a scale no smaller than four hundred feet to the inch.
- (20) "Oil" means crude petroleum oil and all other hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but does not include liquid hydrocarbons that were originally in a gaseous phase in the reservoir.
- (21) "Oil and gas" means oil or gas or both. The use of the plural includes the singular, and the use of the singular includes the plural.
- (22) "Owner" means the person who has the right to drill on a tract or drilling unit and to drill into and produce from a pool and to appropriate the oil or gas that he produces there from either for himself or for others.
- (23) "Pool" means an underground reservoir containing a common accumulation of oil or gas, or both, but does not include a gas storage reservoir. Each zone of a geological structure and each zone of a geological feature that is completely separated from any other zone in the same structure or feature may contain a separate pool.

- (24) "Producer" means the owner of a well capable of or producing oil or gas or both.
- (25) "Protection of correlative rights" means administration and enforcement of these rules and regulations by the chief in such a manner as to afford reasonable opportunity to every person entitled thereto to recover and receive the oil and gas in and under his tract or tracts, or the equivalent thereof, without having to drill unnecessary wells or to incur other unnecessary expense.
- (26) "Spudding" means to begin drilling, to start the hole.
- (27) "Subject tract or drilling unit" means a tract upon which a person proposes to drill, reopen, deepen, plug back, or re-work a well for producing oil and natural gas.
- (28) "Tank battery" means any combination of oil collection tanks, brine collection tanks, and associated equipment within a containment dike.
- (29) "Tract" means a single, individually taxed parcel of land appearing on the tax list.
- (30) "Urbanized area" means an area where a well or production facilities of a well are located within a municipal corporation or within a township that has an unincorporated population of more than five thousand in the most recent federal decennial census prior to the issuance of the permit for the well or production facilities.
- (31) "Vault" means a structure normally made of concrete surrounding the wellhead, recessed into the ground, all or portion that is placed below ground surfaces.
- ~~(1)~~ ~~"Well" means any borehole, whether drilled or bored, for stratigraphic exploration or for the production, extraction or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field waters, sewage, and any liquid used in or resulting from any process of industry, manufacture, trade, business, or agriculture.~~
- ~~(2)~~(32) "Waste" means and includes:
- (a) Physical waste, such as the term is understood generally in the oil and gas industry;
 - (b) Inefficient, excessive, or improper use, or the unnecessary dissipation of

reservoir energy;

(c) Inefficient storing of oil or gas;

(d) Locating, drilling, equipping, operating, or producing an oil or gas well in a manner that reduces or tends to reduce the quantity of oil or gas ultimately recoverable under prudent and proper operation from the pool into which it is drilled, or that causes or tends to cause unnecessary or excessive surface loss or destruction of oil or gas;

(e) Other underground or surface waste in the production, transportation, or storage of oil, gas, or condensate, however caused.

(33) "Well" means any borehole, whether drilled or bored, for stratigraphic exploration or for the production, extraction or injection of any gas or liquid mineral, excluding potable water to be used as such, but including natural or artificial brines and oil field waters, sewage, and any liquid used in or resulting from any process of industry, manufacture, trade, business, or agriculture.

(34) "Well site construction" means any activity by an owner holding a permit, well owner or the owners authorized representative to build the access roads, prepare the drill site location for the drilling rig or tank battery and associated equipment and restoration of the well site.

~~(3) "Chief" means chief, division of oil and gas.~~

~~(4) "Applicant" or "person" means a natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any government or a political subdivision or agency thereof. The masculine gender, in referring to a person, includes the feminine and the neuter genders.~~

~~(5) "Oil" means crude petroleum oil and all other hydrocarbons, regardless of gravity, that are produced in liquid form by ordinary production methods, but does not include liquid hydrocarbons that were originally in a gaseous phase in the reservoir.~~

~~(6) "Condensate" means liquid hydrocarbons that were originally in the gaseous phase in the reservoir.~~

~~(7) "Gas" means all natural gas and all other fluid hydrocarbons not defined above as oil, including condensate.~~

~~(8) "Pool" means an underground reservoir containing a common accumulation of~~

~~oil or gas, or both, but does not include a gas storage reservoir. Each zone of a geological structure and each zone of a geological feature that is completely separated from any other zone in the same structure or feature may contain a separate pool.~~

- (9) ~~"Field" means the general area underlaid by one or more pools.~~
- (10) ~~"Owner" means the person who has the right to drill on a tract or drilling unit and to drill into and produce from a pool and to appropriate the oil or gas that he produces therefrom either for himself or for others.~~
- (11) ~~"Producer" means the owner of a well capable of or producing oil or gas or both.~~
- (12) ~~"Protection of correlative rights" means administration and enforcement of these rules and regulations by the chief in such a manner as to afford reasonable opportunity to every person entitled thereto to recover and receive the oil and gas in and under his tract or tracts, or the equivalent thereof, without having to drill unnecessary wells or to incur other unnecessary expense.~~
- (13) ~~"Oil and gas" means oil or gas or both.~~
- (14) ~~The use of the plural includes the singular, and the use of the singular includes the plural.~~
- (15) ~~"Manager" means the operator, whether the owner or not, of a well or wells.~~
- (16) ~~"Drilling unit" means the minimum acreage on which one well may be drilled, but does not apply to a well for injecting gas into or removing gas from a gas storage reservoir.~~
- (17) ~~"Map" means a graphic representation of the location and size of the existing or proposed objects it is made to represent, accurately drawn to a scale no smaller than four hundred feet to the inch.~~
- (18) ~~"Division" means division of oil and gas, department of natural resources.~~
- (19) ~~"Tract" means a single, individually taxed parcel of land appearing on the tax list.~~

(B) Rules for giving public notice - adoption, amendment, or rescission of rules.

- (1) Public notice of hearings to be conducted by the ~~division of oil and gas~~ division of mineral resources management, department of natural resources, ~~shall be advertised one time in five newspapers published in different counties and of~~

~~general circulation in the state~~ shall be published with the Register of Ohio.

- (2) At least thirty days notice of the time and place of a public hearing shall be given by said notice which shall state the division's intention to consider adopting, amending, or rescinding a rule; a synopsis or the full text of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which such proposed rule relates; and the date, time, and place of the hearing on said proposed action.

(C) Forms:

The division shall prescribe forms required under the rules and regulations herein and, upon request, furnish such forms to any interested person requiring use of same.

Replaces: 1501:9-9-01

Effective:

R.C. 119.032 review dates: 05/05/2005

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 1509.01, 1509.03, 1509.23
Rule Amplifies: 1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.23
Prior Effective Dates: 11/1/67, 1/31/83, 4/15/04