



How are underground sources of drinking water (USDW) including the Monroe Water System water plant, protected from a release from the injection operations at the Guy Brown #1 well facility?

During the application review process, the Division examines the proposed casing program and ensures that it adequately protects underground sources of drinking water (USDWs). Ohio Administrative Code 1501:9-3-05(A)(1) requires that the surface casing be set at least 50 feet through the deepest USDW and is cemented to surface.

In this application, the company proposes to run 125 feet of conductor casing and cement it to surface to protect shallow sources of drinking water. The applicant also proposes to set 300 feet of surface casing and cement it to surface to protect deeper groundwater aquifers that may be brackish. The proposed plan also includes three additional casing strings set to depths deeper than the surface casing. This proposal is adequate to protect USDWs in this area. Local water wells are drilled to depths between 58 feet and 81 feet. The Monroe Water District wells are drilled to depths between 30 feet and 57 feet.

The proposed surface storage facility plan is reviewed during the application process. All surface storage facilities must meet the requirements for primary and secondary containment, unloading pad design, and impervious construction. Division inspectors witness construction of surface storage facilities to ensure they are constructed in accordance with the approved plans.

The Guy Brown No. 1 well is too close to the Ohio River and Deadhorse Run.

Ohio Revised Code 1509.021 requires a new well to be at least fifty feet from a stream, river, watercourse, water well, pond, lake, or other body of water. The Guy Brown #1 meets this requirement as it is proposed to be 1,050 feet from the Ohio River and approximately 220 feet from Deadhorse Run.

Why was the area of review map not submitted with the application? Why were 5 plugged oil and gas wells within the Area of Review not included within the applicant's area of review?

Ohio Administrative Code 1501:9-3-06(G)(3) requires the applicant to submit a map or maps with the geographic locations of all wells penetrating the formation proposed for injection, regardless of status, within the area of review. There are no wells that penetrate the formation proposed for injection. The applicant submitted a map that fulfilled the requirements of the rule.

What agency regulates air emissions at the surface facility?

The Ohio Environmental Protection Agency regulates air emissions in Ohio.

How will truck traffic be regulated for the Guy Brown No. 1 well site?

The Ohio General Assembly did not grant authority to the Division to regulate traffic or dust generated from traffic associated with a proposed injection well. The Ohio Department of Transportation has regulatory authority of traffic on state routes in Ohio.

This injection well will affect my property value.



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The Ohio General Assembly did not grant authority to the Division to evaluate an application based upon a project's anticipated impact on property values. If an applicant has the right to inject for a subject tract and meets the setback standards and other applicable rule requirements for a Saltwater Injection Well, the applicant may apply for a permit anywhere in the state for the Division to evaluate.

How can an injection well be within 500 feet of multiple occupied dwellings?

Ohio Administrative Code 1501:9-3-09 requires that no well for the injection of saltwater shall be drilled or converted nearer than 100 feet to any inhabited private dwelling house or nearer than 100 feet from 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. The proposed well location complies with the regulatory setback distance from occupied dwellings.

Why is there no water well identification in the area of review by the applicant and no water well sampling required?

The area of review is used to identify potential migration pathways for injected fluid to move out of the proposed injection zone into an underground source of drinking water (USDW). Water wells are not included in the area of review because they are not pathways that injected fluids would migrate through to reach the USDW. In this area, the deepest USDW is not mapped due to the lenticular, braided, intertwining nature of the deposits which contain qualifying water. However, in accordance with the Ohio Administrative Code well construction rules, nearby water well depths were considered when evaluating the proposed casing program to ensure USDWs are protected. The closest water well to the proposed Guy Brown No. 1 Well has a total depth of 81 feet, however the proposed injection zone for the Guy Brown No. 1 is estimated to be approximately 12,200 to 12,900 feet. There are numerous geologic formations and confining layers between the total depth of the water well and the proposed injection zone for the Guy Brown No. 1 well.

The Division's laws and rules only give the Division the authority to require water well sampling in urban areas or for applications for horizontal wells.

**Why was the public notice allowed to be run in the Marietta Times, not the Monroe County Beacon?
How is this public notice compliant with Ohio Administrative Code 1501:9-3-06(H)?**

Ohio Administrative Code 1501:9-3-06(H)(1) requires a legal notice to be published by the applicant in a newspaper of general circulation in the county in which the proposed well is situated for a period of not less than five consecutive days. The Marietta Times is a newspaper of general circulation in Monroe County and satisfies the requirement of the rule.

Why were there two public notices run in the Marietta Times for the Guy Brown No. 1?

The public notice that was published in the Marietta Times on February 1-5, 2021 contained an error. A corrected notice was run in the Marietta Times on March 15-19, 2021. This notice is compliant with the notification requirements established by Ohio Administrative Code 1501:9-3-06 (H).

The proposed well is in a coal mining area, how would a permit to drill the Guy Brown No. 1 Saltwater Injection Well address this?



During the application review process, mining records and maps were reviewed. Based on the review of those records and maps, it is unlikely that a mine void would be encountered during drilling. However, if a mine void is encountered during drilling, Ohio Administrative Code 1501:9-1-08(I)(3) requires a mine string (additional casing) to be installed and cemented above and below the mine void.

The initial permit application had a total depth of 10,000 feet but was changed to 12,900 feet. Why was the total depth changed? Why is this well proposed to be the deepest injection well in the state of Ohio?

The applicant modified their proposed total depth during the application process. The proposed formations and depth comply with all applicable laws and rules.

The company has prior compliance issues with their landfill regulated by Ohio EPA. Why would ODNR allow the company to own a Saltwater Injection Well.

The Ohio General Assembly did not grant authority to the Division to evaluate an application based on the compliance history of the applicant with other regulatory agencies.

The Guy Brown No. 1 is in an area of historical oil and gas activity. Can these wells can be a conduit for injected brine to reach the surface?

The Guy Brown #1 is proposed to be drilled to a depth that far exceeds the depths capable of being reached with historical drilling practices. Additionally, there are multiple confining strata between the proposed injection interval and the depth of wells within the area of review for the Guy Brown #1 well.

How does the proposed well protect USDW's and meet the requirements of Ohio Revised Code 1509.22(D)(3)?

A permit to drill a saltwater injection well will not be issued if the proposed casing and cementing program is not protective of the USDW or if the area of review revealed a potential migration pathway for injected fluid to migrate out of the injection interval and impact a USDW. If a permit to drill is issued, it would include several permit conditions that must be fulfilled if the permittee chooses to drill and construct the well. Prior to operating the well, the owner must apply for a permit to inject pursuant to R.C. 1509.22. Before a permit to inject is issued, the Division will confirm that the well was drilled in accordance with the permit and all of the terms and conditions of the permit have been satisfied. After the chief determines that all terms and conditions of the permit to drill have been satisfied, the Chief may issue a permit to inject. If a permit to inject is issued, additional conditions will be attached to the permit to inject. These conditions would include continuous monitoring of the annular space between the injection tubing and the production casing, installation of an automatic injection pressure shut down switch, and mechanical integrity testing, among other conditions to protect public health, safety and the environment.

Why is the proposed Guy Brown #1 allowed to be sited in an area of heightened vulnerability of potential pollution as presented in ODNR's groundwater pollution report #78?

The proposed location for the Guy Brown #1 saltwater injection well is in compliance with all siting requirements in Ohio law and rule. Well construction standards and surface facility standards that are



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included as requirements of a permit, ensure that underground sources of drinking water and surface water are protected.

Has the applicant provided the requirements of financial responsibility of injection well owners and operators imposed under Ohio law?

K A Brown Oil and Gas is bonded and insured at levels required to legally own multiple wells, including new saltwater injection wells.

Ohio Revised Code 1509.07(A)(1)(a) requires an owner of any well, except an exempt Mississippian well or an exempt domestic well, to obtain liability insurance coverage from a company authorized or approved to do business in this state in an amount of not less than \$1,000,000 bodily injury coverage and property damage coverage to pay damages for injury to persons or damage to property caused by the drilling, operation, or plugging of all the owner's wells in this state. Ohio Revised Code 1509.07(B)(1) further requires an owner of any well, before being issued a permit under section 1509.06 of the Revised Code or before operating or producing from a well, shall execute and file with the division of oil and gas resources management a surety bond conditioned on compliance with the restoration requirements of section 1509.072, the plugging requirements of section 1509.12, the permit provisions of section 1509.13 of the Revised Code, and all rules and orders of the chief relating thereto, in an amount set by rule of the chief. Ohio Administrative Code 1501:9-3-03(A) is the rule of the chief that sets the individual bond covering a single well at \$5,000 and a blanket bond covering all such wells operated by the principal at \$15,000. K A Brown Oil & Gas LLC currently has a \$1,000,000 insurance policy and a bond in the amount of \$15,000 on file with the Division.

How was the area of review determined?

Ohio Administrative Code 1501:9-3-06(B)(1) states that the area of review for wells in which injection of greater than an average volume of 200 barrels per day per year is proposed shall be the area circumscribed by a circle with the center point at the location of the injection well and having a radius of one-half mile. The proposed average daily injection volume for the Guy Brown #1 is greater than 200 barrels per day per year and therefore, the area of review is one-half mile.

How would the Division respond if a spill occurred at the Guy Brown #1 well site? Who gets notified?

If a release occurs at a class II injection well or surface facility, the owner of the well is required to identify any problems, correct them, and remediate any impacts to the environment, including proper disposal of any contaminated materials. Pursuant to Ohio Administrative Code 1501:9-8-02(A)(8), an owner is required to notify the Division if greater than 1 barrel (42 gallons) of brine (or other waste) is released outside of secondary containment into the environment. The Division would oversee the owner's response to ensure compliance with Ohio's laws and rules and take enforcement action where necessary.

If a permit to drill is issued, would it include a requirement to monitor for seismicity?

To operate the Guy Brown #1 well, the Division would require seismic monitoring as a permit condition.



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If the applicant does not have adequate funds to close the Brown Brother Landfill as required by an Ohio EPA consent order, then how does ODNR allow them to submit a permit application to drill a saltwater injection well?

K A Brown Oil and Gas is bonded and insured at levels to legally own multiple wells, including new saltwater injection wells. The Ohio General Assembly did not grant authority to the Division to evaluate an application based on the compliance history of the applicant with other regulatory agencies.

How is the proposed saltwater injection well allowed to be within 261 feet of the Guy Brown #1 well, API # 34-111-2-3959 oil and gas well?

Ohio Administrative Code 1501:9-3-09 specifies that no well for the injection of saltwater shall be drilled or converted nearer than 100 feet to any other well. The proposed location is compliant with this rule.