



Common Sense Initiative

Mike DeWine, Governor

Jim Tressel, Lt. Governor

Business Impact Analysis

Agency, Board, or Commission Name: Ohio Department of Natural Resources – Division of Oil and Gas Resources Management

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Regulation/Package Title (a general description of the rules' substantive content):

"No change" filing for oil and gas definitions, permits, simultaneous operations, prevention of pollution and contamination, and safety rules.

Rule Number(s): OAC 1501:9-1-01, 1501:9-1-02, 1501:9-1-05, 1501:9-1-07, 1501:9-9-02, 1501:9-9-03, 1501:9-9-04, 1501:9-9-05, 1501:9-9-06.

Date of Submission for CSI Review: July 20, 2026

Public Comment Period End Date: August 3, 2026

Rule Type/Number of Rules:

New/___ rules

No Change/ 9 rules (FYR? Y)

Amended/___ rules (FYR? ___)

Rescinded/___ rules (FYR? ___)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing

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regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Reason for Submission

1. R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☒ Requires a license, permit, or any other prior authorization to engage in or operate a line of business.
- b. ☒ Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.
- c. ☒ Requires specific expenditures or the report of information as a condition of compliance.
- d. ☒ Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.

Regulatory Intent

2. Please briefly describe the draft regulation in plain language.

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Please include the key provisions of the regulation as well as any proposed amendments.

In this package, the Ohio Department of Natural Resources, Division of Oil and Gas Resources Management (“Division”) is proposing “no change” to the following rules covering the identified topics:

Rule No.	Rules Set	Rule Topic
1501:9-1-01	Oil and Gas Wells	General provisions
1501:9-1-02	Oil and Gas Wells	Permits
1501:9-1-05	Oil and Gas Wells	Simultaneous operations
1501:9-1-07	Oil and Gas Wells	Prevention of contamination and pollution
1501:9-9-02	Safety Regulations	General
1501:9-9-03	Safety Regulations	Drilling and deepening operations
1501:9-9-04	Safety Regulations	Workover, reconditioning, plugging back, completion, and plugging operations
1501:9-9-05	Safety Regulations	Producing operations
1501:9-9-06	Safety Regulations	Exceptions

Ohio Administrative Code (OAC) 1501:9-1-01 establishes definitions for all of Ohio Administrative Code 1501:9. OAC 1501:9-1-02, -05, and -07 set requirements and standards for the protection of public health, safety, and Ohio’s natural resources in the permitting of wells under the jurisdiction of the Division, in oil and gas operators conducting simultaneous oil and gas production operations at a well pad, and for the prevention of pollution and contamination in oil and gas production operations. The Safety rules in OAC 1501:9-9 establish safety standards designed to ensure safe production operations wells the Division regulates.

The rules proposed for “no change” are attached as Attachment 1.

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3. Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.

Rule No.	Authority	Statutes Implemented/Amplified
1501:9-1-01	1509.03, 1509.17, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.10, 1509.12, 1509.17, 1509.18, 1509.23
1501:9-1-02	1509.03, 1509.06, 1509.17, 1509.23	1509.02, 1509.03, 1509.05, 1509.06, 1509.09, 1509.10, 1509.12, 1509.17, 1509.18, 1509.23
1501:9-1-05	1509.03, 1509.23	1509.01, 1509.02, 1509.06, 1509.09, 1509.15, 1509.19, 1509.22
1501:9-1-07	1509.03, 1509.23	1509.02, 1509.03, 1509.06, 1509.072
1501:9-9-02	1501.02, 1509.03, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.073, 1509.20, 1509.22, 1509.23
1501:9-9-03	1509.02, 1509.03, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.073, 1509.20, 1509.22, 1509.23
1501:9-9-04	1509.02, 1509.03, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.073, 1509.20, 1509.22, 1509.23
1501:9-9-05	1509.02, 1509.03, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.073, 1509.20, 1509.22, 1509.23
1501:9-9-06	1509.02, 1509.03, 1509.23	1509.01, 1509.02, 1509.03, 1509.05, 1509.06, 1509.073, 1509.20, 1509.22, 1509.23

4. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

If yes, please briefly explain the source and substance of the federal requirement.

Not applicable.

5. If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

Not applicable.

6. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

ORC 1509.02 grants the Division sole and exclusive authority to regulate the permitting, location, and spacing of oil and gas wells and production operations within the state. The statute states that the regulation of oil and gas activities is a matter of general statewide interest that requires uniform statewide regulation. In accordance with the laws that require them, the Division seeks to develop reasonable standards for the regulated industry to operate within that provide clarity and certainty to the regulated community, while also protecting public health and safety and the State's natural resources. Additionally, ORC 1509.03 provides that the Chief of the Division "...shall adopt, rescind, and amend... rules for the administration, implementation, and enforcement of ORC Chapter 1509." Pursuant to ORC 1509.03(A), among other things, the subjects of the rules must include:

1. Safety concerning the drilling or operation of a well;
2. Protection of the public and private water supplies;
3. Fencing and screening of surface facilities of a well;
4. Containment and disposal of drilling and production wastes;
5. Construction of access roads for purposes of the drilling and operation of a well; and
6. Noise mitigation for purposes of the drilling of a well and the operation of a well.

The "General Provisions" in OAC 1501:9-1-01 establish the definitions for terms used in the Division's rules (OAC 1501:9-1 to 1501:9-12) that are not otherwise specifically defined in individual rules.

The "Permits" rule in OAC 1501:9-1-02 sets forth the minimum requirements for permit applications to the Division to obtain a permit to drill and operate an oil or gas well in the state. The permitting process enables the Division to ensure proper site boundaries and setbacks; proper construction and water management plans are in place and adhered to; proper emergency procedures are implemented and emergency access is maintained; proper operation and closure of pits; and proper disposal of drill cuttings and other waste substances.

The "Simultaneous Operations" rule in OAC 1501:9-1-05 provides the standards for safe drilling and operations where existing wells are in the fall impact radius of a new well that is being drilled at the same site. The "Prevention of contamination and pollution" rule in OAC 1501:9-1-07 requires oil and gas well operators to conduct operations in a manner to avoid contaminating or polluting the land, water, or subsurface areas at or near a well site.

The "Safety" rules in OAC 1501:9-9-02 through 1501:9-9-06 establish specific standards and requirements to protect public health, safety, and the environment during all phases of oil or gas well drilling and production operations.

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7. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

The primary measure of success is the continued protection of Ohioan's health and safety and the State's natural resources through:

- Avoidance of incidents, loss of integrity, contamination, or accidents related to improper well construction, drilling activities, or production operations at oil and gas wells in the state;
- Implementation of permit conditions to ensure proper setbacks, water and wastewater management, construction, and operations at well sites to avoid incidents, loss of integrity, contamination, or accidents.
- Continued adherence to permit terms conditions designed to ensure proper and safe and well drilling and production operations;
- Safe operations and avoidance of incidents related to simultaneous drilling and production operations at a well pad;
- Well owner and operator adoption and implementation of proper safeguards and practices to protect public health and safety during drilling, reworking, reconditioning, deepening, plug back, production, shut-in, and plugging operations at oil and gas wells.

The Division can measure compliance through incident responses, inspections, and ongoing monitoring.

The Division strives for operators to achieve compliance with applicable rules and laws before taking any punitive actions as Ohio laws and rules are written to both allow and require operators to develop oil and gas resources in a manner that will not negatively impact public health, safety, and the environment.

8. Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931?

If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.

No.

Development of the Regulation

9. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

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If applicable, please include the date and medium by which the stakeholders were initially contacted.

On May 21, 2026, the Division sent a notice letter and copies of the proposed “no change” rules via email to the oil and gas industry representatives and interested parties listed in Attachment 2.

10. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

No comments or other input was received.

11. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

The Division relied on the decades of experience of its geologists, engineers, and other experts from within the Division who are consistently administering and enforcing Division rules as well as inspecting and observing operations. The Division tracks inspections and responses to reported incidents. This tracking data is used to monitor the effectiveness of and the ultimate success of the rules.

12. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn’t the Agency consider regulatory alternatives? *Alternative regulations may include performance-based regulations, which define the required outcome, but do not dictate the process the regulated stakeholders must use to comply.*

The provisions and standards in these rules have been developed with careful consideration and extensive input from government experts and experts from the regulated community. The rules have proven effective and are best practices for operating wells. For these reasons, no other regulatory alternatives were considered.

13. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The Agency has sole and exclusive authority to regulate oil and gas activity (ORC 1509.02), so those activities are not and cannot be regulated by any other agency.

14. Please describe the Agency’s plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the

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regulated community.

The Agency communicated with the regulated community in the original development of these rules and submitted this “no change” package to the regulated community and other affected parties for review and comment. No comments were received. The Division staff is always available to answer questions, and field inspectors are trained in the requirements and standards established under the rules.

Adverse Impact to Business

15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:

a. Identify the scope of the impacted business community, and

The scope of the impacted business community is any person regulated by the Division under Sections OAC 1501:9-1-02, 1501:9-1-05, 1501:9-1-07, and 1501:9-9-02 through 1501:9-9-06 of the Administrative Code and other rules adopted under Section 1509 of the Revised Code.

b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a representative business. Please include the source for your information/estimated impact.

The adverse impact can be quantified in increased costs and time to comply with the rules. However, there are no additional costs associated with this package because Division is recommending no changes to these rules.

16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify. (*Reductions in regulatory burden may include streamlining reporting processes, simplifying rules to improve readability, eliminating requirements, reducing compliance time or fees, or other related factors*).

No. In this package, the Division is proposing no changes to the rules.

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17. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

The rules in this package provide reasonable regulations and standards for the regulated industry to operate within while protecting public health and safety and the State's environment natural resources. The rules are consistent with the statutory requirements set forth in in ORC 1509.03 and are necessary for safe operation of wells for ongoing protection of public health and safety, the environment, and State's natural resources. The regulation of oil and gas activity in Ohio is in the public interest while also providing reasonable standards for the regulated industry to operate within.

Regulatory Flexibility

18. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

The rules provide opportunities for the Chief to make modifications based on well-specific conditions and situations; however, these rules are generally designed to protect human health and safety and prevent damage to the environment and natural resources, so often exemptions are not applicable.

19. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

The Division's enforcement process seeks to return the regulated community to compliance at the lowest level of enforcement possible. Generally, before a case would be filed with the Ohio Attorney General's Office for civil penalties, the Division has repeatedly notified the person of an ongoing violation and attempted to return the person to compliance and referrals are typically not made for a single violation of law. Additionally, ORC 1509.04 contains a process that ensures the Division makes reasonable attempts to contact a person for outstanding paperwork violations before issuing a Chief's Order. Through that process, a person has an opportunity to request an extension up to 60 days to submit the documents and has an opportunity to correct paperwork violations.

20. What resources are available to assist small businesses with compliance of the regulation?

Division staff are always available to assist with compliance of the regulation for all businesses. Additionally, there are forms and instructions available on the Division's website that incorporate the requirements in a manner that is easier to understand.

Attachment 1 – Proposed “No Change” Rules

Attachment 2 – May 21, 2026 Contact List

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Attachment 1 - Proposed "No Change" Rules
***** DRAFT - NOT YET FILED *****

1501:9-1-01 General provisions.

(A) Definitions. As used in Chapters 1501:9-1 to 1501:9-12 of the Administrative Code:

- (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) "Active underground mine" means an underground excavation of coal or industrial minerals in any phase of the mining operation which is required to be permitted by the division of mineral resources management, regularly and routinely examined by state-certified forepersons, and inspected quarterly by mine safety inspectors of the division of mineral resources management for compliance with mine safety laws, including the active workings of a mine, any and all sealed or unsealed boreholes, shafts, drifts, slopes or any other openings to the surface, and any and all in-seam contiguous, abandoned areas physically connected to but separated by permanently constructed seals from the current active workings where miners are able to work or travel.
- (3) "Adverse communication" means a negative communication at an offset well that may include damage to production tubing, casing, or the wellhead, or sudden significant increased volume of brine from the subsequent hydraulic fracturing treatment of another well in the same subject tract.
- (4) "API" means the American petroleum institute.
- (5) "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.
- (6) "Annulus" means the space between a wellbore and tubulars or between tubulars where fluid can flow.
- (7) "ASTM" means ASTM international, formerly known as the American society for testing and materials.

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1501:9-1-01

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- (8) "Authorized representative of the owner" means any contractor, sub-contractor or person directed by an owner or owner holding a permit, to complete any aspect of well site construction, drilling, production, and restoration.
- (9) "Best Management Practices (BMPs) For 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 June 2013, which can be located at the division's website, oilandgas.ohiodnr.gov or by contacting the division of oil and gas resources management.
- (10) "Best Management Practices (BMPs) For 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 September 20, 2012, which can be located at the division's website, oilandgas.ohiodnr.gov or by contacting the division of oil and gas resources management.
- (11) "Brine" has the same meaning as in section 1509.01 of the Revised Code.
- (12) "Cage" means a wire, wood, metal or similar material surrounding a wellhead.
- (13) "Casing shoe test" means a pressure test conducted after drilling into the confining strata below a cemented casing string seat to evaluate pressure containment integrity and to determine the maximum fluid density that the strata can contain without breaking down.
- (14) "Chief" means the chief of the division of oil and gas resources management.
- (15) "Condensate" means liquid hydrocarbons that were originally in the gaseous phase in the reservoir.
- (16) "Conductor casing" means one or more strings of casing set and cemented to provide a base for an air body for diversion of shallow naturally occurring natural gas including coalbed methane and to accomplish one or more of the following well construction objectives:
 - (a) Stabilize unconsolidated sediments;
 - (b) Isolate shallow aquifers that provide or are capable of providing groundwater for water wells and springs in the vicinity of the well; or

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- (c) Isolate groundwater before penetrating the workings of an active underground mine.
- (17) "Contractor" means any third party engaged by an owner to conduct drilling, producing, and other operations.
- (18) "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.
- (19) "Division" means the division of oil and gas resources management, department of natural resources.
- (20) "Drilling unit" has the same meaning as in section 1509.01 of the Revised Code.
- (21) "Drive pipe" means a casing string that is driven through unconsolidated sediment to stabilize the wellbore and isolate associated groundwater.
- (22) "Exempt domestic well" has the same meaning as in section 1509.01 of the Revised Code.
- (23) "Field" means the general area underlaid by one or more pools.
- (24) "Gas" means all natural gas and all other fluid hydrocarbons not defined in this paragraph as oil, including condensate.
- (25) "GPS" means global positioning system, which is a global satellite-based system for determining precise location on Earth.
- (26) "Horizontal well" has the same meaning as in section 1509.01 of the Revised Code.
- (27) "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.
- (28) "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.

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1501:9-1-01

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- (29) "Intermediate casing" means one or more strings of casing set after surface casing has been cemented through the base of the deepest underground source of drinking water, but before drilling into the permitted hydrocarbon reservoir(s) to isolate hydrocarbon or brine bearing flow zones, stabilize the wellbore, to isolate protected groundwater if encountered after drilling below surface casing, isolate lost circulation zones or other potential geologic hazards, or serve as a base for well control equipment.
- (30) "Lead cement" means the first, typically less-dense slurry pumped during primary cementing operations to seal intervals above those sealed by the tail cement and to reduce the hydrostatic pressure of the cement slurry column at the casing seat while the slurry sets.
- (31) "Liner" means a string of casing set and cemented which does not extend to surface. Liners are anchored or suspended inside the previous casing string and may serve the purpose of intermediate or production casing strings.
- (32) "Manager" means the operator, whether the owner or not, of a well or wells.
- (33) "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.
- (34) "Mine string" means a string of casing set and cemented to isolate a mine void, rubble zone, or a mined seam.
- (35) "Minimum internal yield pressure" means the minimum internal pressure at which permanent casing deformation could take place assuming no external pressure.
- (36) "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.
- (37) "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.
- (38) "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.

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1501:9-1-01

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- (39) "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.
- (40) "Potable water supply" means water that is satisfactory for drinking, culinary, and domestic purposes as defined by the Ohio department of health for private water systems in paragraph (LLL) of rule 3701-28-01 of the Administrative Code.
- (41) "Potential flow zone" means any zone in a well where hydrocarbons or other fluids can flow when wellbore pressure is less than pore pressure and isolation of such zones is necessary to:
 - (a) Isolate hydrocarbons that may be present in testable or commercial quantities;
 - (b) Prevent over-pressurization of the surface casing annulus; or
 - (c) Maintain well control when drilling on fluid below the zone.
- (42) "Producer" means the owner of a well capable of or producing oil or gas or both.
- (43) "Production casing" means a string of casing set to isolate the permitted hydrocarbon bearing reservoir(s), and other pressurized flow or corrosive, hydrogen sulfide-bearing zones not effectively isolated by previous casing(s).
- (44) "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.
- (45) "Rathole" or "mousehole" means the temporary storage space that is used to store the kelly or drill pipe while adding a new section of pipe to the drill string at some rotary drilling rigs.
- (46) "Rules adopted or promulgated by the chief," "rules adopted thereunder," "rules herein, "applicable rules," "these rules and regulations," or "these

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1501:9-1-01

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rules" means all rules contained in Chapters 1501:9-1 to 1501:9-12 of the Administrative Code.

- (47) "Spudding" means to begin drilling, to start the hole.
- (48) "Storage protective boundary" means the line denoting the outermost protected area surrounding a storage reservoir certified by the federal energy regulatory commission (FERC), or, absent a FERC certificate, the boundary as defined by divisions (D)(2) and (E) of section 1571.01 of the Revised Code.
- (49) "Subject tract" means a tract or tracts upon which a person proposes to drill, reopen, deepen, plug back, or re-work one or more wells for producing oil and natural gas.
- (50) "Surface casing" means a string of casing set and cemented to isolate and protect the deepest underground source of drinking water and to serve as a base for well control equipment.
- (51) "Sustained annular pressure" means pressure in an annulus between casing strings that is measurable at the wellhead and rebuilds to at least the same shut-in pressure after pressure has been released.
- (52) "Tail cement" means the last, typically higher density slurry pumped during primary cementing operations to seal the casing seat and isolate specific intervals providing faster thickening times and higher early compressive strength.
- (53) "Take point" means any point along a well bore where oil, gas, or oil and gas may be produced from a pool.
- (54) "Tank battery" means any combination of oil collection tanks, brine collection tanks, and associated equipment within a containment dike.
- (55) "Tract" has the same meaning as in section 1509.01 of the Revised Code.
- (56) "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.
- (57) "Underground source of drinking water" and "USDW" mean an aquifer or portion of an aquifer that supplies any public water system or that

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contains a sufficient quantity of groundwater to supply a public water system, and currently supplies drinking water for human consumption, or that contains fewer than ten thousand milligrams per liter total dissolved solids and is not an exempted aquifer.

(58) "Vault" means a structure normally made of concrete surrounding the wellhead, recessed into the ground, all or portion that is placed below ground surfaces.

(59) "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; and

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

(60) "Well" has the same meaning as in section 1509.01 of the Revised Code.

(61) "Well integrity" means the quality or condition of a well being structurally sound with competent pressure seals by the application of technical and operational solutions that prevent uncontrolled fluid release or migration of annular fluids into protected groundwater throughout the well life cycle.

(62) "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.

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

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- (1) Public notices of hearings to adopt, amend, or rescind rules, to be conducted by the division of oil and gas resources management, department of natural resources, state of Ohio, shall be given in 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 these rules and regulations and, upon request, furnish such forms to any interested person requiring use of same.

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Five Year Review (FYR)

Dates:

Certification

Date

Promulgated

119.03

Under:

Statutory Authority:

1509.03, 1509.17, 1509.23

Rule Amplifies:

1509.01, 1509.02, 1509.03, 1509.05, 1509.06,
1509.10. 1509.12, 1509.17, 1509.18, 1509.23

Prior Effective

11/01/1967, 01/31/1983, 04/15/2004, 08/11/2005,

Dates:

08/01/2012, 10/10/2019, 01/01/2021

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*** DRAFT - NOT YET FILED ***

1501:9-1-02

Permits.

(A) Application for permit--supplementary statutory requirements:

- (1) The date of application;
- (2) Designation of the well by name and number;
- (3) The plan for disposal of water and other waste substances resulting from, obtained, or produced in connection with exploration, drilling, or production of oil or gas. The plan for disposal of salt water shall include identification of any disposal well or disposal wells to be used. A statement that one of the named disposal wells on the application shall be used, is sufficient. Where the applicant finds that the disposal well to be used is different from that indicated on the permit, the applicant shall so notify the division immediately in writing. The plan for disposal may include such other methods as are approved by the chief. Such plan shall include the name of the person or company disposing of the salt water and the ultimate location of its disposal. Any change in the plan for disposal shall be timely submitted to the chief.
- (4) An affidavit that the applicant is the owner as defined in section 1509.01 of the Revised Code;
- (5) A map showing:
 - (a) The subject tract of land or drilling unit upon which the well is to be drilled and property lines with surface and mineral owner name(s) within;
 - (b) The location of the proposed well on the subject tract of land or drilling unit established by a field survey showing the distances in feet from the proposed well site to the boundary lines of the subject tract or drilling unit, and to the nearest permanent geographic subdivision boundaries.

The proposed well location also shall be designated by plane coordinates as provided by Chapter 157. of the Revised Code (Ohio coordinate system. Indicate if the coordinates are NAD 27 or NAD 83.) Coordinates may be established by map scale to the nearest fifty feet or by GPS;

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- (c) Location of drilling or producing wells, which are within the distances required according to depth of drilling as set forth in rule 1501:9-1-04 of the Administrative Code, and a showing of the distances between such drilling or producing wells and the proposed well;
- (d) The location of all buildings, public roads, railroads and streams within two hundred feet of the proposed well site, and their distances from the proposed well site;
- (e) A title block to the map certifying the above information and including the applicants name, well name, county, civil township, permanent geographic subdivisions (section, lot and/or tract) and surface elevation for the well location, USGS quadrangle name, date map prepared, name of surveyor preparing the map and phone number, and map scale;
- (f) If the proposed well is to be in an urbanized area, the map shall include the name of the urbanized area in addition to the original civil township name;

An additional color map (three copies) based on aerial photography, where available, at a scale of one inch to one hundred feet or one inch to two hundred feet showing the location of the tank battery, access road, and gas sales line and a five hundred foot radius around the well location;

As an overlay on the base aerial map, include three additional copies of the map including topographic contours (where available); and

- (6) A casing plan and cementing plan showing how the owner proposes to drill and construct the well consistent with the best available geologic information in the vicinity of the proposed wellbore and with the requirements of rule 1501:9-1-08 of the Administrative Code, including at least the following:
 - (a) The name and anticipated depth of all zones to be tested or produced;
 - (b) The estimated total depth of the wellbore;
 - (c) The anticipated diameter of each wellbore segment;

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- (d) The proposed casing type, outside diameter, and setting depth for each proposed casing string;
- (e) Proposed cement volumes for each casing string; and
- (f) Whether the owner plans to stimulate any permitted hydrocarbon zone by hydraulic fracturing.

(B) Procedure for review of application for permit.

- (1) All complete applications shall be date-stamped upon receipt by the division. Within twenty-one days of filing of the application the chief shall either issue the permit or notify the applicant of objections to the application.
 - (a) Notice of objections by the division to the application may be given in person, by telephone or by mail to the address on the application at the discretion of the division.
 - (b) Any record of telephoning or mailing the notice, made in the normal course of business by the division, shall constitute notice of objection to the applicant.
 - (c) Applicants will be given a reasonable opportunity to correct any objections to the application and to request an informal hearing with the chief. Except as otherwise required, amendments to applications need not be separately signed by the applicant.
 - (d) If an application does not contain required information, the division shall notify the applicant of the omitted data by mail or telephone. If the omissions are substantial, the division may return the application by mail with the omitted items indicated.
- (2) When the chief finds that efforts to cure objections to an application will be unavailing and that the application is not in accordance with the requirements of Chapter 1509. of the Revised Code and applicable rules, or that the applicant failed to respond to objections within thirty days of notice, the chief shall issue an order denying the application for permit.
 - (a) The applicant has a right to an informal meeting with the chief within fifteen days after such order is issued. If, as a result of this meeting, the chief believes the application meets, or if the application is amended to meet, the requirements of Chapter 1509.

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of the Revised Code and applicable rules, he shall within ten days vacate or modify his order as appropriate.

- (b) The applicant need not exercise his right to an informal meeting with the chief, but may treat the order issued as final and appealable pursuant to Chapter 1509. of the Revised Code.

(C) Notification.

Each drilling permit issued in an urbanized area will be conditioned on the division inspector and or the respective division regional office receiving direct notification a minimum of forty-eight hours prior to:

- (1) Commencement of site construction;
- (2) Pit construction and closure;
- (3) Spudding of the well;
- (4) Placement of the surface casing;

A twenty-four-hour (or less) direct notification may be approved if prior communications have been initiated with the division inspector and/or respective regional office.

(D) Commencement.

No well site construction shall commence in an urbanized area until a permit is issued, received by the applicant and is available on-site unless the chief waives this requirement.

- (1) Site construction shall comply with the division's best management practices (BMPs) for oil and gas well site construction manual, as defined in rule 1501:9-1-01 of the Administrative Code. Site clearing and surface affectment shall be minimized.

- (E) For wells permitted after September 15, 2004, in urbanized areas or where there is no reasonable emergency response access to the wellhead or tank battery at the ingress point to the access road, an apron of durable material shall be placed. The apron shall be sufficient in width and length to enable unobstructed access to the access road.

- (1) The access road shall be constructed and maintained in a manner to permit the ingress and egress for fire and emergency response.

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- (2) Mud and debris deposited on public roads from the well site during drilling, production, and restoration operations shall be immediately removed by the well owner or their authorized representative.
- (3) Where the well head/tank battery is in excess of one hundred fifty feet from the ingress point to the access road, the access road to the well head/tank battery shall be reasonably passable by any equipment expected to access the well head/tank battery. It is recommended that a durable surface be maintained on the lease road. The durable surface may include, gravel, crushed stone, crushed concrete, slag (when approved by the chief), crushed brick, asphalt, or concrete.
- (4) Where the access road is in excess of one hundred fifty feet in length, turnaround areas shall be located as practical based on the existing site conditions (topography, land use, forest cover, and natural drainage - perennial/intermittent streams). Turnarounds located prior to any natural drainage area not having a constructed crossing sufficient to handle equipment expected to access the site may be needed.
- (5) All equipment and vehicles used in the site construction, drilling, production and restoration shall not be parked on public roads without the approval of the local road authority.

(F) Water sampling.

The well owner shall sample all water wells within three hundred feet of the proposed well location in urbanized areas prior to drilling under the guidelines provided in the division's best management practices (BMPs) for pre-drilling water sampling manual, as defined in rule 1501:9-1-01 of the Administrative Code. The chief may require modification of this distance if determined necessary to protect water supplies or site conditions may warrant.

(G) Permit not transferable.

A permit issued pursuant to these rules and regulations shall not be transferable. It may be reissued as a new permit to a successor owner.

(H) Well deviation.

The maximum point at which a well penetrates the producing formation shall not vary unreasonably from the vertical drawn from the center of the hole at the surface, with the exception of approved directional drilling. Such approval must be in writing from the chief.

(I) Expiration of permit.

Once a permit to drill has been issued pursuant to this rule, actual drilling of the well authorized by the permit shall be commenced within twelve months of the date of issuance of such permit or the permit shall expire; if drilling is commenced but not completed within said twelve month period, drilling shall be continued with due diligence following the twelve month period or the permit shall expire.

(J) Revising subject tract or drilling unit.

A subject tract or drilling unit of a well or proposed well, previously approved by the division, may be revised by the owner with the filing of a revised map complying with this rule and section 1509.06 of the Revised Code and a non-refundable fifty dollar fee. One fee is required if revising a subject tract with multiple wells; however, an original revised map is required for each well within the subject tract.

(K) Revising location.

The location of a proposed well may be changed only if the owner submits an application, non-refundable two hundred fifty dollar fee and revised map complying with this rule, section 1509.06 and section 1509.09 of the Revised Code.

(L) Post drilling map.

The post drilling map required by conditions of the permit must be accompanied by a non-refundable fifty dollar fee.

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Five Year Review (FYR)

Dates:

Certification

Date

Promulgated

119.03

Under:

Statutory Authority:

1509.03, 1509.06, 1509.17, 1509.23

Rule Amplifies:

1509.02, 1509.03, 1509.05, 1509.06, 1509.09,
1509.10, 1509.12, 1509.17, 1509.18, 1509.23

Prior Effective

01/22/1975, 01/31/1983, 08/09/1993, 09/16/2003,

Dates:

08/11/2005, 08/01/2012, 01/01/2021

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*** DRAFT - NOT YET FILED ***

1501:9-1-05

Simultaneous operations.

(A) As used in this rule:

- (1) "Fall impact radius" means either of the following as applicable:
 - (a) The distance calculated in feet by multiplying the total height of overhead equipment by a safety factor of 1.2 and measured laterally from the well being constructed or accessed; or
 - (b) For drilling rigs, the distance calculated in feet by multiplying the total height of overhead equipment from the drilling rig floor to the crown block by a safety factor of 1.2 and measured laterally from the well being constructed or accessed.
- (2) "Emergency shutdown system" means a valve or a system of valves that, when activated, initiate an automated shutdown of production operations.
- (3) "Overhead equipment" means any aerial, suspended, raised, elevated, or projected equipment over the height of the well being constructed or accessed.
- (4) "Overhead operation(s)" means the use of overhead equipment for the purpose of well drilling, well stimulation, well completion, well logging, well testing, workover, reconditioning, plugging back and plug and abandonment.
- (5) "Production operation(s)" means the same as in section 1509.01 of the Revised Code.
- (6) "Simultaneous operation(s)" means any overhead operations where a well or wells not being constructed or accessed are located within the fall impact radius of overhead equipment used to construct or access a well.
- (7) "Simultaneous operations plan" means a written plan that sets forth the simultaneous operation(s), considers the risks to existing production operations that are located within the fall impact radius, describes the actions to be performed to mitigate risks to the existing production operations that are located within the fall impact radius, and that includes all of the following:

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- (a) The location of the work planned identified in any of the following ways:
 - (i) The permit number for the horizontal well site constructed in accordance with rule 1501:9-02 of the Administrative Code;
 - (ii) The GPS location of the well pad constructed before July 16, 2015; and
 - (iii) The GPS location of the well.
- (b) Emergency contact information of the applicant;
- (c) A map on a scale not smaller than four hundred feet to the inch for each different type of overhead operation that contains the following: and
 - (i) Legend, date prepared, scale bar, scale in feet, north arrow, and version number;
 - (ii) Identification of each well on the well pad with the corresponding API number and well name;
 - (iii) Identification of each proposed well with proposed well name and number, if applicable;
 - (iv) Identification of each fall impact radius;
 - (v) Identification of all surface production operations within each fall impact radius;
 - (vi) Identification of each location of each emergency shutdown device; and
 - (vii) Identification of each lower explosive level monitoring location on the well pad.
- (d) Information regarding the wells located within each fall impact radius including all of the following:
 - (i) Dates wells were drilled, stimulated, and placed into production;
 - (ii) Well(s) production configuration (casing flow, tubing flow, artificial lift);

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- (iii) Average daily production of oil, gas, and water for each well for the previous thirty days before submittal of the plan; and
 - (iv) Highest recorded tubing, casing, and annular pressures for all strings for each well, including the measurement dates, for thirty days prior to submittal of the plan.
 - (e) A drawing illustrating:
 - (i) The location on the well pad and corresponding height of all overhead equipment to be utilized during simultaneous operations; and
 - (ii) The location and depth of burial of all subsurface piping located on the well pad;
- (8) "Well pad" means the same as in section 1509.01 of the Revised Code.
- (9) "Workover" means performing work on a well using coiled tubing, snubbing, or installing or removing tubing or pipe.
- (B) On and after the effective date of this rule, no person shall conduct production operation(s) resulting in simultaneous operation(s) without first having electronically submitted in a format approved by the chief and received written acceptance of a simultaneous operations plan.
- (1) If the applicant proposes to produce wells located within the fall radius during overhead operations, the chief will not accept the plan unless all of the following are included:
 - (a) A description of the how the offset well(s) and production operations will be shut-in during mobilization/demobilization activities and any movement of overhead equipment;
 - (b) A description of cages, with high visibility markings, that will be installed and secured over wells prior to and during simultaneous operations;
 - (c) A description of barriers, with high visibility markings, that will be installed around the perimeter of wells and production equipment prior to and during simultaneous operations;
 - (d) A description of tanks that will remain on location prior to and during simultaneous operations that are capable of holding at least 1.5

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times the volume of kill weight fluid needed for each well located in the fall radius;

- (e) A description of the piping (kill lines) capable to connect the tanks of kill weight fluid to all wells located within the fall radius prior to and during simultaneous operations;
 - (f) A description of how kill lines will be installed and maintained from tanks to each well located within the fall radius prior to and during simultaneous operations;
 - (g) A description of the lower explosive limit monitors that will be placed around production operations on the well site prior to and during simultaneous operations;
 - (h) A description of an emergency shutdown system that will be installed at the location;
 - (i) A description of lifts to be performed during simultaneous operations; and
 - (j) A description of the qualifications of the person performing lifts, the supervisor or spotter that will be present during all lifts, and the review procedures of the overhead operations plan.
- (2) If the applicant proposes to shut-in wells located within the fall radius during overhead operations, or cannot meet the requirements in paragraph (B)(1) of this rule, the chief will not accept a simultaneous operations plan unless all of the following are included:
- (a) A description of the internal barrier(s), type(s), and purpose(s) that will be installed in each well within the fall radius, excluding pre-existing valves, to suspend production and prevent flow during simultaneous operations;
 - (b) A description of how each wellhead will be configured/deconstructed and night cap installed or lock out/tag out-performed on master and wing valves prior to and during simultaneous operations;
 - (c) A description of how all production operations within the fall radius will be emptied, purged, depressurized, and/or decommissioned prior to and during simultaneous operations; and

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- (d) A description of how midstream facilities on the well site will be isolated and depressurized prior to and during simultaneous operations.
- (3) For all simultaneous operations conducted pursuant to a plan accepted by the chief under paragraph (B) of this rule, all of the following apply;
 - (a) No lifts may occur above a well(s) that is not being constructed or accessed;
 - (b) An emergency shutdown system shall be tested before simultaneous operations begin and the owner will directly notify the chief at least twenty-four hours before testing; and
 - (c) Any equipment installed pursuant to paragraph (B) of this rule, must be in good working order and function properly.

(C) Review

- (1) The chief may request additional information be included in the simultaneous operations plan if the chief determines such information is necessary to protect public health, safety, and/or the environment.
- (2) Upon receipt, the chief will review the simultaneous operations plan and either accept or reject the plan in writing within thirty business days. Upon receipt, the chief will review a simultaneous operations plan involving a workover and either accept or reject the plan in writing within twenty business days.

(D) Operational requirements

- (1) The person must follow the accepted simultaneous operations plan while conducting simultaneous operations.
- (2) When a simultaneous operations plan is required by this rule, the person must provide direct notification to the inspector or a person at a regional office two business days prior to the beginning of simultaneous operations in the accepted plan.
- (3) Prior to conducting simultaneous operations pursuant to a plan accepted under paragraph (B) of this rule, the chief will verify that the operations on the well site are implemented in accordance with the accepted simultaneous operations plan. The chief may grant written permission to conduct simultaneous operations if the chief cannot verify operations are

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implemented in accordance with the accepted simultaneous operations plan.

- (4) A person shall directly notify the division if a simultaneous operations plan did not perform as designed.
 - (5) A copy of the most recently accepted simultaneous operations plan shall be kept in a readily-accessible location at the well site.
- (E) Plan Modifications. Prior to conducting production operations, a previously accepted simultaneous operations plan must be modified to reflect any changes in the production operations and the modifications submitted to the division in writing. The division will review all modifications in accordance with the requirements of this rule and accept modifications in writing or reject within two business days of receipt.

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Five Year Review (FYR)

Dates:

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Date

Promulgated

119.03

Under:

Statutory Authority:

1509.03, 1509.23

Rule Amplifies:

1509.01, 1509.02, 1509.06, 1509.09, 1509.15,
1509.19, 1509.22

Prior Effective

10/04/2021

Dates:

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*** DRAFT - NOT YET FILED ***

1501:9-1-07

Prevention of contamination and pollution.

- (A) All persons engaged in any phase of operation of any well or wells shall conduct such operation or operations in a manner which will not contaminate or pollute the surface of the land, or water on the surface or in the subsurface
- (B) In urbanized areas, to minimize off-site sedimentation, erosion and to control the surface flow of water, the well owner and or authorized representative must follow the best management practices (BMPs) for oil and gas well site construction manual, as defined in rule 1501:9-1-01 of the Administrative Code. BMPs and other design standards other than provided by the chief maybe used if a well owner or their authorized representative demonstrates that the alternative BMP or practices minimize erosion to the same degree as the BMP's provided by the chief.

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1501:9-1-07

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1509.02, 1509.03, 1509.06, 1509.072

Prior Effective

11/01/1967, 08/11/2005, 01/01/2021

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1501:9-9-02

General.

All owners, contractors and persons or organizations in control of wells being drilled, reworked, reconditioned, deepened, plugged back, produced, shut-in, or plugged prior to abandonment will use all reasonable means to safeguard against hazards to life, limb and property and are subject to and will comply with safety rules herein specified. Chapter 1501:9-9 of the Administrative Code with the exception of paragraphs (A)(10) and (D) of rule 1501:9-9-05 of the Administrative Code do not apply to operations extant prior to the effective date of these rules. The chief or inspectors, as authorized under section 1509.03 of the Revised Code, may issue orders to any owner, contractor or person or organization who is in violation of Chapter 1501:9-9 of the Administrative Code. Such orders will specify the nature of the violation and what steps are to remedy the violation. The chief, as authorized in section 1509.04 of the Revised Code, may apply for an injunction to the court of common pleas in the county in which any violation occurs. Any operator, contractor or person or organization who is in violation of Chapter 1501:9-9 of the Administrative Code will also be subject to penalties prescribed in section 1509.99 of the Revised Code.

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1501.02, 1509.03, 1509.23

Rule Amplifies:

1509.01, 1509.02, 1509.03, 1509.05, 1509.06,
1509.073, 1509.20, 1509.22, 1509.23

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01/03/1969, 01/31/1983, 06/30/2024

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Drilling and deepening operations.

- (A) No fires are permitted within fifty feet of a drilling well when oil and/or gas are exposed to the atmosphere at the well, unless the oil or gas is properly vented or controlled.
- (B) A chemical fire extinguisher in good working condition has to be on location of a drilling well at all times.
- (C) When drilling with cable tools, a valve in good working condition of sufficient size and working pressure to control normal hydrostatic pressure for the deepest pool to be penetrated has to be installed on the casing through which drilling is proceeding when drilling within two hundred feet of an inhabited structure or when drilling in urbanized areas unless the chief finds that a blow-out preventor (BOP) is not needed. The provisions set forth in paragraph (C) of rule 1501:9-9-03 of the Administrative Code will be considered fulfilled if sufficient fluid is contained in the borehole which is calculated to be one and one-half times the normal hydrostatic pressure for the deepest pool penetrated.
- (D) When drilling with rotary tools and using a liquid as a drilling medium, a BOP in good working condition of sufficient size and working pressure rating to control normal hydrostatic pressure for the deepest pool to be penetrated has to be installed on the casing through which drilling is being performed when drilling within two hundred feet of an inhabited structure or when drilling in urbanized areas, unless the chief finds that a BOP is not needed. Blow-out preventors have to be capable of closing off the annulus between casing and drill pipe as well as completely closing off the casing when drill pipe is not in the hole. Blow-out preventor systems have to include a device which will permit bleed-off of hydrostatic pressure. Upon request of the chief or his inspectors, the owner, contractor or person or organization in control of a well has to demonstrate that the BOP is in good working condition. In addition, the chief may direct a person to use a blow-out preventor in other cases when he deems it necessary.
- (E) When drilling with rotary tools using air or other gaseous material as a drilling medium, a rotating air-head in good working condition with stripper rubbers of proper size and sufficient working pressure rating to control normal hydrostatic pressure for the deepest pool penetrated has to be installed on the surface casing. Upon request of the chief or his inspectors, the owner, contractor or person or organization in control of a well has to demonstrate

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that the air-head and stripper rubber are in good working condition. The discharge line from the annulus between the casing and drill pipe has to be vented not less than sixty feet from the well into a pit of sufficient size to contain drill cuttings, foam, produced water, oil and/or casing-head gas.

If drilling with air or other gaseous material as the drilling medium within two hundred feet of an inhabited structure, a BOP in good working condition of sufficient size and working pressure rating to control normal hydrostatic pressure for the deepest pool to be penetrated has to be installed on the casing through which drilling operations are being performed beneath the rotating air-head or when drilling in urbanized areas, unless the chief finds that a BOP is not needed. Blow-out preventors have to be capable of closing off the annulus between the casing and drill pipe as well as completely closing off the casing when drill pipe is not in the holes. Blow-out preventor systems have to include a device which will permit bleed-off of hydrostatic pressure.

Upon request of the chief or his inspectors, the owner, contractor or person or organization in control of the well has to demonstrate that the BOP is in good working condition. In addition, the chief may direct a person to use a BOP in other cases when he deems it necessary.

In urbanized areas, the division inspector or supervisor shall have to have direct notification of the BOP test no less than twenty-four hours in advance. The inspector or division representative may waive witnessing the BOP test.

- (F) A pit or pits of sufficient size and shape has to be constructed adjacent to each drilling well to contain all the drilling muds, cuttings, salt water and oil flowed into same. No oil or salt water will be permitted to overflow the pit.
- (G) No oil, water or gas from a drill stem test will be permitted to flow uncontrolled.
- (H) During drilling in an urbanized area a temporary fence no less than three feet in height will be placed to restrict access to the drilling location. The fence will have "Danger Stay Out" (or similar) posting at no less than one hundred fifty foot intervals along the outside of the fence. All access to the rig, associated drilling equipment and pits has to be restricted. The temporary fence will be maintained until the drilling pits have been removed.
- (I) Drilling, well servicing and well site maintenance operations in urbanized areas will be conducted in a manner to mitigate noise, including the reasonable use of screening and appropriate mufflers on drilling and servicing equipment.
- (J) In urbanized areas where there is a known occurrence of shallow gas or H₂S, drilling on air is not permitted and fluid drilling will be used. During drilling,

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the state inspector will direct a person to use fluid drilling where there is an imminent threat to safety of the rig crew and/or the public.

- (K) In urbanized areas where flaring is expected, the permittee will notify the local emergency response officials that such may occur. It is recommended that notice be provided if possible just prior to the expected flaring and/or immediately upon flare ignition.
- (L) In urbanized areas, once total depth has been reached and the rig has been removed from the drilling location, all drilling pits will be closed within thirty days or sooner if instructed by the chief.

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Five Year Review (FYR)

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Under:

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1509.02, 1509.03, 1509.23

Rule Amplifies:

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1509.073, 1509.20, 1509.22, 1509.23

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01/03/1969, 08/11/2005, 06/30/2024

Dates:

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1501:9-9-04

**Workover, reconditioning, plugging back, completion,
and plugging operations.**

- (A) No fires are permitted within fifty feet of a well which is being worked over, reconditioned, plugged back, completed or plugged if oil and/or gas are exposed to the atmosphere at the well.
- (B) A rig used in workover, reconditioning, plugging back, completion or plugging has to be equipped with a chemical fire extinguisher in good working order.
- (C) Pits or tanks of sufficient size and shape have to be constructed adjacent to each operation to contain all the drilling muds, cuttings and oil flowed into same. No oil will be permitted to overflow the pit.
- (D) No well will be permitted to flow oil or gas uncontrolled.

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1501:9-9-05 **Producing operations.**

Rule 1501:9-9-05 of the Administrative Code with the exception of paragraphs (A) (10) and (D) of rule 1501:9-9-05 of the Administrative Code applies to all wells completed after the effective date of this chapter. Paragraph (E) of rule 1501:9-9-05 of the Administrative Code applies to all urbanized area wells where the permit was issued after the effective date of rule 1501:9-9-05 of the Administrative Code with the exception where the chief finds it necessary for protection of public health or safety or to prevent damage to natural resources, as provided by section 1509.23 of the Revised Code, the chief may apply any portion of paragraph (E) of rule 1501:9-9-05 of the Administrative Code to any well in an urbanized area. If additional tanks are added to a tank battery established prior to the effective date of rule 1501:9-9-05 of the Administrative Code, the placement of the new tank(s) has to comply with paragraph (E) of rule 1501:9-9-05 of the Administrative Code.

(A) Surface equipment:

- (1) All wells have to be equipped so that no oil, gas or condensate is allowed to escape with the exception of gas flares as per paragraph (B) of rule 1501:9-9-05 of the Administrative Code.
- (2) Oil production tanks will be set a minimum of fifty feet from the traveled portion of a public road and a minimum of one hundred feet from existing inhabited structures and a minimum of three feet between tanks and a minimum of fifty feet from any well.
- (3) Indirect fire heaters will be set a minimum of fifty feet from the well and a minimum of fifty feet from oil production tanks and a minimum of one hundred feet from existing inhabited structures. Direct fire heaters, excluding under tank and internal tank heating, will be a minimum of fifty feet from the well and a minimum of fifty feet from oil production tanks and a minimum of one hundred feet from existing inhabited structures and a minimum of fifty feet from mechanical separators.
- (4) Portable heaters may be closer than fifty feet to the oil production tanks providing an attendant is on hand and a chemical fire extinguisher in good working condition is provided.
- (5) Mechanical separators will be set a minimum of fifty feet from the well, a minimum of ten feet from oil production tanks and a minimum of one hundred feet from existing inhabited structures.

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- (6) Under tank oil and internal tank heating cannot occur while oil is being produced into the same tank.
- (7) All oil production tanks have to be located in a position so that any escaping oil cannot drain onto public roads or towards existing inhabited structures or other areas which could cause a safety hazard.
- (8) All surface equipment has to be pressure rated to withstand operating pressures to which it is subjected.
- (9) In order to protect life, health, and property where a clear and present hazard exists, the chief may direct a person to protect any producing equipment at the well-head and related storage tanks by an earthen dike or earthen pit which will have a capacity sufficient to contain any substances resulting, obtained, or produced in connection with the operation of the related oil or gas well.

The dike or pit will be maintained for the purpose for which it was constructed, and the reservoir within will be kept reasonably free of water and oil.

- (10) All producing leases will be legibly identified in a conspicuous place on or near the well-head or the storage tank(s) as to owner, lease name, well number, permit number where available, county, and an emergency telephone number. If multiple wells are being produced into the common tank(s) each well-head will be identified as to owner, permit number where available, well number and lease name.

Any change of ownership will be shown at the well-head or storage tank(s) not later than sixty days after the date of the assignment or transfer.

- (B) All gas vented to the atmosphere has to be flared, with the exception of gas released by a properly functioning relief device and gas released by controlled venting for testing, blowing down and cleaning out wells. Flares have to be a minimum of one hundred feet from the well, a minimum of one hundred feet from oil production tanks and all other surface equipment, and one hundred feet from existing inhabited structures and in a position so that any escaping oil or condensate cannot drain onto public roads or towards existing inhabited structures or other areas which could cause a safety hazard.

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(C) Pits, pumps and flares have to be safely fenced if within one hundred fifty feet of an existing inhabited structure and if in the opinion of the chief, such fence is necessary to protect life and limb.

(D) In order to protect life, health, and property the chief may direct a person to secure valves on storage facilities by locks, bull plugs, or other similar devices in such a manner as to discourage vandalism. When the chief determines that valves on storage facilities should be secured, the chief will notify the owner(s) and include the reason why securing said valves will protect life, health, and property.

(E) Urbanized areas:

(1) Each identification sign, in lieu of the identification set forth under paragraph (A) of rule 1501:9-9-05 of the Administrative Code, posted by the owner or their authorized representative will include, at a minimum, the following information in two inch or larger letters:

(a) Well owners name, address, and telephone number.

(b) County, township, name of village - city - town (where applicable).

(c) Property street address (or nearest address to the access road entrance. If "nearest" is used, it should be reflected on sign).

(d) State permit number, lease name, and well number.

(e) Local emergency response phone number and company emergency phone number.

(f) Where a gate exists on the access road, the identification sign will be placed on the gate as well as the tank battery.

(g) The identification will be posted securely on the outside of the fence for the wellhead and tank battery fence in a conspicuous location.

(h) The identification will be on a metal or wooden sign with the sign maintained to remain legible at all times. The sign may be placed on a post securely placed in the ground at the gate and/or adjacent to the fence at the wellhead or tank battery in lieu of on the fence/gate.

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- (i) "Danger, Keep Out" (or similar wording) and no smoking signs will be securely attached to each side of the fencing used to screen the tank battery and wellhead.
- (2) Prior to placing the well in production, the owner will install a fence around the wellhead and tank battery/separator and associated production equipment. The fence will be a chain link fence no less than eight feet in height, nine gauge and topped with three strands of barbed wire, if necessary. In lieu of chain link fence, a cedar board on board (or similar material) fence, eight feet in height may be used. All fence will be securely anchored in the ground.
 - (a) The fence will be placed no closer than four feet to the wellhead or any portion of the tank battery/separator. The wellhead may be "caged" or vaulted. The cage or vault cover will provide for easy removal for well servicing and/or emergency access. Clearance between the cage or vault cover or sides and the wellhead should be sufficient to maintain safe operations.
 - (b) The gate to the wellhead and tank battery/separator will be no less than four feet in width and lockable. Where there are two or more tanks in a tank battery, two gates on opposite sides of the facility will be placed.
 - (c) Where a lease/access road to the wellhead and/or tank battery extends a significant distance from the ingress access point a locked gate made of tubular steel or material similar in strength will be placed near the entrance to the access road restricting access to the well site. Keys or the combination to the lock will be provided to the state inspector or local emergency response officials on request.
 - (d) The well owner may request in writing to the chief, a variance to placing a fence and/or to the specifications for fence placement around the wellhead, tank battery/separator and associated equipment. In the future where a variance has been granted or if site conditions warrant, the chief may direct a person to place a fence.
- (3) All gates, electrical boxes and brine/oil pick-up lines will be locked unless in use, under repair, or company staff or representatives are on-site. Keys or combinations to the locks will be provided to the state inspector and local emergency response staff on request.

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(4) Tanks:

- (a) Tanks cannot be buried.
- (b) Activated charcoal filters will be installed on the vent stack and filters replaced as needed.
- (c) Vent stacks will have a functioning low-pressure relief valve.
- (d) Tank hatch lids will have a functioning seal and the hatch will be secured at all times when the well owner or the owner's representative is not on-site.
- (e) Each oil storage tank shall have a functioning lightning arrestor.
- (f) Low profile tanks are recommended and the tanks cannot extend more than three feet above the highest portion of the fence.
- (g) Storage tanks cannot be equipped with glass or plastic sitting tubes.
- (h) The tank battery, separator and associated equipment cannot be placed closer than seventy-five feet from any property not part of the drilling unit unless the property owner and resident of the property grants approval in writing of any proposed location closer than seventy-five feet, or the chief waives the seventy-five foot set-back specifications.
- (i) Where more than six tanks (total capacity exceeding seven hundred bbl) are to be located nearer than seventy-five feet to property not included in the drilling unit, the adjacent property owner and resident of the property will approve the location of the tanks in writing including a reference to the total number of tanks or, the chief may waive the seventy-five foot set-back mandate.

(5) Operations and maintenance:

- (a) Servicing and maintenance of the well will occur between the hours of seven a.m. and seven p.m. (emergency repairs may occur at any time).
- (b) Equipment not used in the production of the well cannot be stored at the well site. Replacement equipment or replaced equipment cannot be stored on-site for more than thirty days.

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- (c) Equipment and vegetation will be maintained consistent with reasonably prudent operations, including being free of refuse, in order to assure protection of public health or safety or to prevent damage to natural resources.

(6) Landscaping

- (a) All landscaping placed to screen the tank battery or wellhead will be placed to permit reasonable access for well servicing and emergency access.
- (b) Evergreen or similar stock no less than six feet in height placed no more than ten feet on center will be placed around the tank battery and wellhead fence.
- (c) The chief, upon request by the well owner, may grant a variance on the placement of screening around the tank battery and/or wellhead.

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Five Year Review (FYR)

Dates:

Certification

Date

Promulgated

119.03

Under:

Statutory Authority:

1509.02, 1509.03, 1509.23

Rule Amplifies:

1509.01, 1509.02, 1509.03, 1509.05, 1509.06,
1509.073, 1509.20, 1509.22, 1509.23

Prior Effective

01/03/1969, 08/11/2005, 06/30/2024

Dates:

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*** DRAFT - NOT YET FILED ***

1501:9-9-06 **Exceptions.**

1501:9-9 with the exception of 1501:9-9-05(A)(10) and (D) does not apply to any operations extant prior to the effective date of 1501:9-9. However, the Chief and inspectors have the authority to issue orders to correct operating practices on wells extant prior to the effective date of 1501:9-9 if such practices are in violation of 1501:9-9 and have proved by actual incident to be hazardous or dangerous.

Exceptions to 1501:9-9 may be granted by the Chief or his inspectors.

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Five Year Review (FYR)

Dates:

Certification

Date

Promulgated

119.03

Under:

Statutory Authority:

1509.02, 1509.03, 1509.23

Rule Amplifies:

1509.01, 1509.02, 1509.03, 1509.05, 1509.06,
1509.073, 1509.20, 1509.22, 1509.23

Prior Effective

01/03/1969, 06/30/2024

Dates:

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