



# Ohio Department of Natural Resources

JOHN R. KASICH, GOVERNOR

JAMES ZEHRINGER, DIRECTOR

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

## **ORDER BY THE CHIEF**

June 20, 2014

**ORDER NO. 2014-179**

**TO: Ohio Valley Towing Ltd.**  
**238 18<sup>th</sup> Street East**  
**New Philadelphia, OH 44663**

**RE: Ohio Valley Towing Ltd. Storage and Processing Facility**  
**Tuscarawas County, Goshen Township**

**SUBJECT: Temporary Authorization to Store and Process Brine and Other Waste**  
**Substances Pursuant to R.C. 1509.22**

Pursuant to Ohio Revised Code Section 1509.22, the Chief of the Division of Oil and Gas Resources Management ("Chief" or "Division") issues the following Order:

### **BACKGROUND:**

- (1) Ohio Valley Towing Ltd. proposes to operate a storage and processing facility located at 2232 Goshen Valley Drive SE in Goshen Township, Tuscarawas County, Ohio ("Ohio Valley Towing Ltd. Storage and Processing Facility"). The Ohio Valley Towing Ltd. Storage and Processing Operation will be a clean out facility for tank residue.
- (2) Division (B)(2)(a) of R.C. 1509.22 states, in pertinent part, that "On and after January 1, 2014, no person shall store, recycle, treat, process, or dispose of in this state brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources without an order or a permit issued under this section or section 1509.06 or 1509.21 of the Revised Code or rules adopted under any of those sections."
- (3) On March 31, 2014, the Division received an application from Ohio Valley Towing Ltd. requesting to store and process materials associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources at the Ohio Valley Towing Ltd. Storage and Processing Facility. In its application, Ohio Valley Towing Ltd. supplied the Division with information and details regarding its proposed operations. Ohio Valley Towing Ltd. submitted a revised application on May 14, 2014

**ORDER:**

**IT IS HEREBY ORDERED:**

Ohio Valley Towing Ltd. has temporary approval at the Ohio Valley Towing Ltd. Storage and Processing Facility to store and process brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources, subject to the following conditions:

- (1) Ohio Valley Towing Ltd. shall conduct all operations in compliance with R.C. Chapter 1509 and Ohio Adm.Code 1501:9.
- (2) Brine shall not be disposed of in a manner not specified in R.C. 1509.22(C)(1)(a) through R.C. 1509.22(C)(1)(c). Disposal of brine pursuant to R.C. 1509.22(C)(1)(d) requires separate written approval by the Chief.
- (3) This Chief's Order shall terminate upon any of the following, whichever occurs first:
  - a) The Division issues a permit to Ohio Valley Towing Ltd. for the Ohio Valley Towing Ltd. Storage and Processing Facility pursuant to rules promulgated under to R.C. 1509.22(C);
  - b) The Division denies a permit to Ohio Valley Towing Ltd. for the Ohio Valley Towing Ltd. Storage and Processing Facility pursuant to rules promulgated under R.C. 1509.22(C); or
  - c) Six months after the effective date of rules adopted under R.C. 1509.22(C).

Date June 20, 2014

Scott R. Kell for  
Richard J. Simmers  
Richard J. Simmers, Chief  
Division of Oil and Gas Resources Management

Addressee is hereby notified that this action is final and effective and may be appealed pursuant to Section 1509.36 of the Ohio Revised Code. If the Order is appealed to the Ohio Oil and Gas Commission, the appeal must be in writing and must set forth the Orders complained of and the grounds upon which the appeal is based. Such appeal must be filed with the Oil and Gas Commission, 2045 Morse Road, Building H-3, Columbus, Ohio 43229-6693, within thirty (30) days after receipt of this Order.

In addition, within three (3) days after the appeal is filed with the Oil and Gas Commission, notice of the filing must be submitted to Richard J. Simmers, Chief, Division of Oil and Gas Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building F, Columbus, Ohio 43229-6693.

CERTIFIED MAIL No: 91 7199 9991 7034 1303 5583

cc: Eric Vendel, Legal Counsel, DOGRM  
Rocky King, Region Supervisor  
Steve Opritza, Permitting Manager  
Erica Freeman, Surety Section  
Engineering Section  
Barry Grimm, Tuscarawas County Oil and Gas Inspector





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June 20, 2014

Ohio Valley Towing Ltd.  
238 18<sup>th</sup> Street East  
New Philadelphia, OH 44663

To Whom It May Concern:

RE: Stabilization of brines and other waste substances

Ohio Valley Towing Ltd. is receiving this letter because Ohio Valley Towing Ltd. has been issued Chief's Order 2014-179 to store and process brine or other waste substances pursuant to R.C. 1509.22. Division (C)(1) of R.C. 1509.22 states that brine from a horizontal well can only be disposed of by injection into a Class II injection well, in association with a method of enhanced recovery, or in a manner approved by a permit or an order issued by the Chief that authorizes an alternative method of brine disposal. If wastes containing amounts of brine are being solidified with compressible bulking agents, such as sawdust or auto-fluff, the use of such bulking agents may release brine when the waste is transported and/or placed in a landfill. In order to eliminate the release of brine during transportation or placement in a landfill, liquid and semi-solid oil and gas wastes that contain free liquids must be stabilized with Portland cement, quick-lime (CaO), and other materials that may be approved by the Chief. Stabilization with these agents binds the liquid waste component to the stabilizing agent resulting in a stable solid that passes the paint filter test.

All facilities that are operating under a Chief's order authorized under R.C. 1509.22 must ensure that all oil and gas wastes are stabilized with agents as referenced above.

Please note that the above process does not eliminate the responsibility to test for levels of radium 226 and radium 228 in all technologically enhanced naturally occurring radioactive material (TENORM), pursuant to R.C. 1509.074.

Sincerely,

*Richard J. Simmers*

Richard Simmers  
Chief, Division of Oil and Gas Resources Management