



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

August 27, 2015

ORDER NO. 2015-415

TO: PETTA Enterprises, LLC Ohio
128 Steubenville Ave.
Cambridge, Ohio 43725

RE PETTA Cambridge Facility,
Guernsey County, Cambridge Township

SUBJECT: Suspension of Operations

Pursuant to Ohio Revised Code Sections 1509.03(D) and 1509.04(B)(1), the Chief of the Division of Oil and Gas Resources Management ("Chief" or "Division") makes the following Findings and issues the following Order:

BACKGROUND:

- (1) PETTA Enterprises LLC ("PETTA") is operating a storage, treatment, and processing facility at 713 North Third Street Cambridge, Ohio in Guernsey County ("PETTA Cambridge Facility").
- (2) Division (B)(2)(a) of R.C. 1509.22 states, in pertinent part, that "****[no] person shall store, recycle, treat, process, or dispose of in this state brine or other waste substances associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources without an order or a permit issued under this section or section 1509.06 or 1509.21 of the Revised Code or rules adopted under any of those sections."
- (3) Division (A) of R.C. 1509.22 states, in pertinent part, that "**** [n]o person shall place or cause to be placed in ground water or in or on the land or discharge or cause to be discharged in surface water brine, crude oil, natural gas, or other fluids associated with the exploration, development, well stimulation, production operations, or plugging of oil and gas resources that causes or could reasonably be anticipated to cause damage or injury to public health or safety or the environment."

- (4) On October 7, 2014, the Division received an application from PETTA requesting to operate the PETTA Cambridge Facility. In its application, PETTA supplied the Division with information and details regarding its operations.
- (5) On February 6, 2015, the Division issued Chief's Order 2015-29 granting PETTA the authority to process, treat, and store brine or other waste substances associated with oil and gas operations at the PETTA Cambridge Facility.
- (6) On July 29, 2015, an inspection of the PETTA Cambridge Facility by Division representatives found that PETTA was storing, recycling, treating, and processing brine and other waste substances adjacent to the PETTA Cambridge Facility, which is in construction. The adjacent location was not included in the original application or Chief's Order.
- (7) The July 29, 2015 site inspection found that secondary containment for the adjacent location where PETTA was storing, recycling, treating, and processing brine and other oilfield waste substances had failed and brine and other oilfield waste substances had been discharged on to the ground.

FINDINGS:

The Chief finds that PETTA has failed to comply with Chief's Order 2015-29 and is in violation of 1509.22(A).

ORDERS:

IT IS HEREBY ORDERED:

- (1) PETTA shall do all of the following:
 - (a) Cease all storing, recycling, and processing operations adjacent to or at the PETTA Cambridge Facility.
 - (b) Develop and submit for the Chief's approval a plan to determine the horizontal and vertical extents of the discharged brine and other oilfield waste substances.
 - (c) Remediate the site in accordance with the approved plan.
- (2) PETTA cannot resume operations until the Chief determines that the PETTA Cambridge Facility has been properly remediated and the PETTA Cambridge Facility is inspected by the Chief in accordance with Chief's Order 2015-29.

8/27/15
Date

Jon Rayfield for R. Simmers
Richard J. Simmers, Chief
Division of Oil and Gas Resources Management

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

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

CERTIFIED MAIL No: 91 7199 9991 7036 1540 8598

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cc: Legal DOGRM
Robert Worstall, Deputy Chief
David Claus, Deputy Chief
Steve Opritza, Permitting Manager
Brent Bear, Regional Supervisor
Doug Bennett, Guernsey County Inspector
Engineering