

## ATTACHMENT B

### Sec. 25-1. Position of Petroleum Administrator Established.

~~There is hereby established the position of petroleum administrator of the County of Santa Barbara. The board of supervisors shall appoint the petroleum administrator. The petroleum administrator may appoint such assistants and deputies as may be necessary for the proper administration of this chapter.~~

(a) The Petroleum Administrator is hereby authorized and directed to enforce the provisions of this ~~chapter~~ Ordinance and the codes adopted by reference herein. For such purpose, the Petroleum Administrator shall have the powers of a law enforcement officer. The Petroleum Administrator shall be appointed by the Director of Planning and Development. The Petroleum Administrator is hereby authorized to consult experts qualified in fields related to the subject matter of this Ordinance and codes adopted by reference herein as necessary to assist him/her in carrying out his/her duties. The decisions of the Petroleum Administrator in enforcing, interpreting, or in exercising the authority delegated by the provisions of this Ordinance and of the codes adopted hereby shall be deemed final, subject to appeal as provided in Section 25-16 of this Ordinance. ~~the provisions of this chapter or codes adopted by reference, or interpreting the provisions thereof, or exercising the authority delegated, shall be final, subject to appeal as provided in section 25-17.~~

(b) The Petroleum Administrator shall be authorized to appoint such number of officers, inspectors, assistants and other employees for the Petroleum Division Unit all as shall be authorized by the Board of Supervisors from time to time. The Petroleum Administrator may deputize such employees as may be necessary to carryout the functions of the Petroleum Division.

~~The petroleum administrator may delegate duties under this chapter to any experts or persons that he deems to be qualified in fields related to this chapter. (Ord. No. 2795, § 1; Ord. No. 3136, § 1; Ord. No. 4530, § 1)~~

### Sec. 25-2. Purpose of Chapter

(a) It is the purpose of this chapter, among other things, to protect the health, safety, public welfare and physical environment of the county by the

reasonable regulation of onshore petroleum facilities and operations, including but not limited to: exploration; production; storage; processing; transportation; and disposal; plugging and abandonment of wells; and of operations and equipment accessory and incidental thereto. ~~of petroleum and other hydrocarbons and of operations accessory and incidental thereto. In order to protect this environment, petroleum operations are reasonably prohibited or tightly regulated.~~

~~This chapter, insofar as it regulates petroleum operations also regulated by the State Division of Oil and Gas, is intended to supplement such state regulations and to be in furtherance and support thereof. It is further intended to meet particular problems in the county which do not apply generally throughout the state. Such problems include a very limited water supply for agricultural and domestic uses in this county which depends heavily on agriculture and tourism for its economic welfare. This fresh water supply must be protected at all costs from pollution by petroleum operations.~~

(b) It is further the intent of the county board of supervisors that petroleum operations shall be permitted ~~in all districts~~ within this county (except where expressly prohibited herein), subject to the application of this ~~Chapter 25,~~ Chapter 35 Zoning and all other applicable laws, regulations and requirements.

(c) It is not the intent of this chapter 25 to regulate public utility operations for the storage or distribution of natural gas. Any drilling, therein, however, shall be subject to this chapter. (Ord. No. 2795, § 1)

~~Sec. 25-3. Definitions.~~ Sec 25-3 Adopted Codes, Regulations and Standards

(a) This Chapter insofar as it regulates petroleum operations also regulated by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), is intended to supplement such state regulations and to be in furtherance and support thereof. Additionally, the following codes currently adopted by the Board of Supervisors and standards are intended to supplement the regulation of this Chapter:

- 1) California Building Code (CBC)
- 2) California Electric Code, NEC 70, Article 79, as amended
- 3) California Fire Code (CFC)
- 4) ASME Pressure Boiler & Pressure Vessel Code
- 5) National Board Inspection Code: NB-23
- 6) Pertinent and applicable California codes, statutes and regulations.
- 7) Applicable American Petroleum Institute (API) Standards, such as, but not limited to:

- a) API RP 500: Recommended Practice for Classification of Locations for Electrical Installation at Facilities Classified as Class I, Division 1 and Division 2.
- b) API 510: Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration.
- c) API 570: Piping Inspection Code Inspection, Repair, Alteration and Rating of In-service Piping Systems.
- d) API Standard 650: Welded Steel Tanks for Oil Storage
- e) API Standard 653: Tank Inspection, Repair, Alteration and Reconstruction.
- f) API Standard 12B – Bolted Tanks
- g) API RP 12R1: Recommended Practice for Setting, Maintenance, Inspection, Operation, and Repair of Tanks in Production Service.
- h) API 1104: Welding of Pipelines and Related Facilities
- i) API Standard 2000: Venting Atmospheric and Low-Pressure Storage Tanks Non-refrigerated and Refrigerated.

(b) (1)The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the Petroleum Administrator.

(2) The Petroleum Administrator may approve any such alternate, provided the Petroleum Administrator finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

(3) The Petroleum Administrator shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered into the files of the Petroleum enforcement agency.

~~The following terms as used in this chapter 25 shall, unless the context clearly indicates otherwise, have the respective meanings set forth herein: Abandoned well is a well that has been rendered unusable through compliance with the procedures outlined in section 25-34 of this Code, or a well that is considered “abandoned” by the Division of Oil and Gas, and for which the permit and bond have been cancelled prior to the enactment of this Code.~~

~~ANSI is the American National Standards Institute.~~

~~A.P.I. is the American Petroleum Institute.~~

~~Approved means approved by the petroleum administrator. “Approved type” or “approved design” includes improvements, equipments, equipment or facilities of a type or design approved by the petroleum administrator. Attended is the presence of a person who is close enough to petroleum operating facilities so that he may reasonably observe activities in or near such facilities.~~

~~Blow-out is the uncontrolled discharge of gas, liquids, or solids (or a mixture thereof) from a well.~~

~~Blow-out preventer is a mechanical, hydraulic, pneumatic or other device or combination of such devices secured to the top of a well casing, including valves, fittings and control mechanisms connected therewith, which is designed and capable of preventing a blow-out.~~

~~Cellar is an excavation of sufficient size, generally lined with concrete, to enclose the surface control valves and fittings of a well.~~

~~Completion of drilling occurs for the purpose of this chapter 25, thirty days after the drilling crew has been released, unless drilling, testing or remedial operations are resumed before the end of such thirty day period.~~

~~Completion of a well occurs for the purpose of this chapter 25, thirty days after either fluid production or fluid injection is established, excluding any test periods which will not exceed a cumulative duration of twenty-four hours.~~

~~Deepening means the downward extension of any existing wellbore, wherein all of the existing well will remain in use.~~

~~Deleterious substances shall mean salt water, or any other injurious chemical, waste oil, waste emulsified oil, basic sediment, mud with any injurious substances or injurious substances produced or used in the drilling, development, production, transportation, refining and processing of oil.~~

~~Derrick encompasses any framework, tower, or mast, together with all parts of and appurtenances to such structure, including any foundations, pump house, pipe racks and each and every part thereof, which is (are) required or used (useful) for the drilling for and the production of petroleum from the earth, except tanks used for storage purposes.~~

~~Desertion is the cessation of petroleum operations at a drill site without compliance with the provisions of this chapter 25, relating to suspended operations or abandonment.~~

~~Division of oil and gas is that particular division in the department of conservation of the state.~~

~~Drilling is any boring into the earth greater than two hundred feet for petroleum operations; but excluding any well drilled solely for the production of fresh water.~~

~~Drillsite means the premises used during the drilling, maintaining, operating and producing of a well or wells located thereon.~~

~~Dwelling means any building or structure which has, for its primary purpose, human residence.~~

~~Fresh water pollution is the contamination of fresh water, either surface or subsurface, by salt water, mineral brines, waste oil, oil, gas or other deleterious substances, associated with, produced from, obtained or used in connection with the drilling, development, producing, refining, transporting or processing of oil or gas within the county.~~

~~Incidental equipment and appurtenances are facilities for the collection and/or separation of petroleum from water or other materials; for storage of water, petroleum or unrefined petroleum by-products for recycling, repressuring or injecting such material for underground disposal, use or storage; and for preparation of such products for shipping and storage. It shall include processing plants, lease tanks, pipelines, test equipment, etc., but not include refineries, gasoline plants or their associated tankage. Lease is that portion of a property or properties with respect to which a lessee enjoys the right to develop and produce petroleum resources for a determinable period.~~

~~Lessee is the possessor of the right to develop and produce petroleum resources.~~

~~Lessor is the owner of a petroleum right subject to a petroleum base.~~

~~N.F.P.A. is the National Fire Protection Association.~~

~~Onshore is landward from the mean high tide line.~~

~~Operator is the person, whether proprietor, lessee or individual contractor, actually in charge and in control of the drilling, maintenance, operation or producing of petroleum from a well or wells.~~

~~Person encompasses any individual, firm, association, corporation, joint venture or any other group or combination acting as an entity.~~

~~Petroleum embraces any and all hydrocarbon substances found in a natural state, including but not limited to crude oil, natural gas, natural gasoline and other related substances.~~

~~Petroleum administrator is the administrative official, his assistants and deputies having the responsibility for the enforcement of this chapter 25.~~

~~Petroleum operations are all activities in connection with the exploration, drilling for and the production of petroleum, together with all incidental equipment and appurtenances thereto.~~

~~Pipelines, for the purposes of this chapter 25, shall mean all flow lines for the transportation of hydrocarbons or their by-products or of materials used in the production of unrefined hydrocarbons.~~

~~Re-drilling is any drilling outside the confines of an existing wellbore, usually necessitating the abatement of the unused portion of the well.~~

~~Re-entry is the process of cleaning out by drilling, jetting, or any other method of an abandoned well.~~

~~Salt water is any water containing an excess of one hundred grains per gallon of salt or containing salts or other minerals or materials in any amount which may injure or damage the soil, animal or plant life or surface or subsurface fresh water supply of any portion of this county.~~

~~Structure is that which is built or constructed; a tank, edifice or building of any kind or any piece of work artificially built up or composed of parts jointed together in some definite manner.~~

~~Suspended operations encompass the suspension of drilling or redrilling operations for more than thirty days.~~

~~Tank setting shall mean the area on a lease where tanks are located for collecting, testing, treating and/or shipping crude oil or other fluids incidental to petroleum operations.~~

~~Well is a hole, including a core hole, drilled or being drilled into the earth greater than two hundred feet for the purpose of obtaining and removing or reintroducing into the ground, any substance for petroleum operations or which is to be used as an accessory to the production of petroleum, including the production, injection or disposal of salt water; but excluding any well drilled solely for the production of fresh water.~~

~~Well servicing including remedial or maintenance work performed within an existing well which does not involve drilling or redrilling. (Ord. No. 2795, § 1)~~

#### Sec. 25-4. Definitions

(a) The following terms as used in this chapter 25 shall, unless the context clearly indicates otherwise, have the respective meanings set forth herein:

ANSI is the American National Standards Institute.

A.P.I. is the American Petroleum Institute.

Approved means approved by the Petroleum Administrator or approved pursuant to the regulations and standards adopted in Section 25-3.

Attended is the presence of a person who is close enough to petroleum operating facilities so that activities in or near such facilities may be reasonably observed.

Blow-out is the uncontrolled discharge of gas, liquids, or solids (or a mixture thereof) from a well.

Blow-out preventer is a mechanical, hydraulic, pneumatic or other device or combination of such devices secured to the top of a well casing, including valves, fittings and control mechanisms connected therewith, which is designed and capable of preventing a blow-out.

Building is a structure subject to provisions of the California Building Code and Chapter 10 of the Santa Barbara County Code.

Cellar is an excavation of sufficient size, generally lined with concrete or steel, to enclose the surface control valves and fittings of a well.

Class II Commercial Wastewater Disposal Well is a well that is used to dispose of oilfield wastewater for a fee and that is regulated by the DOGGR.

Completion of drilling occurs for the purpose of this chapter 25, thirty days after the drilling crew has been released, unless drilling, testing or remedial operations are resumed before the end of such thirty day period.

Completion of a well occurs for the purpose of this chapter 25, thirty days after either fluid production or fluid injection is established, excluding any test periods which will not exceed a cumulative duration of twenty-four hours.

The County is the County of Santa Barbara.

Deepening means the downward or lateral extension of any existing well bore, wherein all of the existing well will remain in use.

Deleterious substances shall mean produced water, or any other injurious chemical, waste oil, waste emulsified oil, basic sediment, mud with any injurious substances produced or used in the drilling, development, production, transportation, refining and processing of petroleum.

Derrick encompasses any framework, tower, or mast, together with all parts of and appurtenances to such structure, including any foundations, pump house, pipe racks and each and every part thereof, which is (are) required or used (useful) for the drilling for and the production of petroleum from the earth, except tanks used for storage purposes.

Desertion is the cessation of petroleum operations at a drill site without compliance with the provisions of this chapter 25, relating to suspended operations or abandonment.

DOGGR is that particular division in the Department of Conservation, Division of Oil, Gas and Geothermal Resources, of the State of California.

Drilling is any boring into the earth for petroleum operations; but excluding any well drilled solely for the production of fresh water.

Drill site means the premises used during the drilling, maintaining, operating and producing of a well or wells located thereon.

Dwelling means any building or structure which has, for its primary purpose, human residence.

Enforcement Action is any administrative, injunctive, or legal action (either civil or criminal), to enforce, cite or prosecute a violation or efforts to abate or correct a violation (or dangerous or hazardous situation caused by a violation), including investigation, research, legal action, physical abatement, law enforcement and other necessary acts.

Facilities include tanks, compressors, pumps, vessels, and other large equipment or structures pertinent to oil field operations sited at a single location.

Fresh water pollution is the contamination of fresh water, either surface or subsurface, by salt water, mineral brines, waste oil, oil, gas or other deleterious substances, associated with, produced from, obtained or used in connection with the drilling, development, producing, refining, transporting or processing of oil or gas within the County.

GPS is a Global Positioning System

Incidental equipment and appurtenances are facilities for the collection and/or separation of petroleum from water or other materials; for storage of water, petroleum or unrefined petroleum byproducts for recycling, re-pressuring or injecting such material for underground disposal, use or storage; and for preparation of such products for shipping and storage. It shall include lease facilities, processing plants, lease tanks, pipelines, test equipment, etc., but not include refineries, gasoline plants or their associated tanks or onshore operations directly related to offshore petroleum operations.

Injection well is a well used for the purpose of injecting fluids or gas into the ground.

Idle Well means any well that has not produced oil or natural gas or has not been used for injection for six consecutive months of continuous operation during the last five or more years. An idle well does not include an active observation well.

Lessee is the possessor of the right to develop and produce petroleum resources.

Lessor is the owner of a petroleum right subject to a petroleum base.



Long-term idle well means any well that has not produced oil or natural gas or has not been used for injection for six consecutive months of continuous operation during the last 10 or more years. A long-term idle well does not include an active observation well.

N.F.P.A. is the National Fire Protection Association.

Onshore is landward from the mean high tide line.

Operator is the person, whether proprietor, lessee or individual contractor, actually in charge and in control of the drilling, maintenance, operation or producing of petroleum from a well or wells.

Person encompasses any individual, firm, association, corporation, joint venture or any other group or combination acting as an entity.

Petroleum is crude oil, natural gas and petroleum derivatives.

Petroleum Administrator is the administrative official, his/her assistants, inspectors and deputies having the responsibility for the enforcement of this Ordinance.

Petroleum Operations are all activities in connection with the exploration, drilling for and the production of petroleum, gas and other hydrocarbons, together with all incidental equipment and appurtenances thereto.

Pipelines, for the purposes of this chapter 25, shall mean all flow lines for the transportation of hydrocarbons or their by-products or of materials used in the production of unrefined hydrocarbons.

Plugged and abandoned well is a well that has been rendered unusable through compliance with the procedures outlined in section 25-34 of this Code, or a well that is considered “plugged and abandoned” by the DOGGR as evidence by the issuance of a Report of Well Abandonment.

Produced water is water produced with oil and gas.

Re-drilling is the deepening of an existing well or the creation of a partial new well bore some distance below the surface of the earth. Typically that portion of the well bore below the kickoff point for the re-drill has been plugged and abandoned to DOGGR standards.

Re-entry is the process of cleaning a plugged and abandoned well by drilling, jetting, or other method.

Secondary and enhanced recovery operations include any such operation where the flow of hydrocarbons into a well are aided or induced with the use of injected substances including but are not limited to the introduction of or subsurface injection of water and natural gas, steam, air, CO2, nitrogen, chemical substances and any other substance or combination thereof.

Structure is that which is built or constructed; a tank, edifice or building of any kind or any piece of work artificially built up or composed of parts jointed together in some definite manner.

Suspended operations encompass the suspension of drilling or re-drilling operations for more than thirty days.

Tank setting shall mean the area on a lease where tanks are located for collecting, testing, treating and/or shipping crude oil or other fluids incidental to petroleum operations.

USEPA is the United States Environmental Protection Agency.

Water Board shall mean the Central Coast Regional Water Quality Control Board.

Well is a hole, including a core hole, drilled or being drilled into the earth for the purpose of obtaining and removing or reintroducing into the ground, any substance for petroleum operations or which is to be used as an accessory to the production of petroleum, including the production, injection or disposal of USEPA designated Class II materials; but excluding any well drilled solely for the production of fresh water.

Well servicing including remedial or maintenance work performed within an existing well which does not involve drilling or re-drilling.

Well site means the premises used during the maintaining, operating and producing of a well or wells located thereon.

### Sec 25-3 Adopted Codes, Regulations and Standards

(a) This chapter, insofar as it regulates petroleum operations also regulated by the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), is intended to supplement such state regulations and to be in furtherance and support thereof. Additionally, the following codes and standards are intended to supplement the regulation of this chapter:

- 8) California Building Code (CBC)
- 9) California Electrical Code, NEC 70
- 10) California Fire Code (CFC)

- 11) ASME Pressure Boiler & Pressure Vessel Code
- 12) National Board Inspection Code: NB-23
- 13) Pertinent and applicable California codes, statutes and regulations.
- 14) Applicable American Petroleum Institute Standards, such as, but not limited to:
  - a) API RP 500: Recommended Practice for Classification of Locations for Electrical Installation at Facilities Classified as Class I, Division 1 and Division 2.
  - b) API 510: Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration.
  - c) API 570: Piping Inspection Code Inspection, Repair, Alteration and Rating of In-service Piping Systems.
  - d) API Standard 650: Welded Steel Tanks for Oil Storage
  - e) API Standard 653: Tank Inspection, Repair, Alteration and Reconstruction.
  - f) API Standard 12B – Bolted Tanks
  - g) API RP 12R1: Recommended Practice for Setting, Maintenance, Inspection, Operation, and Repair of Tanks in Production Service.
  - h) API 1104: Welding of Pipelines and Related Facilities
  - i) API Standard 2000: Venting Atmospheric and Low-Pressure Storage Tanks Non-refrigerated and Refrigerated.

(a) (1) The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the Petroleum Administrator.

(2) The Petroleum Administrator may approve any such alternate, provided the Petroleum Administrator finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

(3) The Petroleum Administrator shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered into the files of the Petroleum enforcement agency.

Sec. 25-4 ~~25-5~~ Permits Generally

~~(a) Required. A permit from the petroleum administrator must be obtained for drilling a new well or re-entering a well previously abandoned, prior to commencing said operation. A copy of the well permit must be conspicuously posted at the well site throughout the operation for which the permit was issued.~~

~~(b) Expiration. Any permit issued under this chapter 25 will expire:~~

~~(1) One year from the date of issuance, if the well is not drilled, or drilling operations have not commenced in earnest.~~

~~(2) Upon the termination of the faithful performance bond.~~

~~(3) When the well is officially abandoned.~~

~~(4) Upon action by the board of supervisors.~~

~~(c) Extension. Prior to the expiration of the twelve month period, the administrator, upon good cause shown, may extend the permit for a period not to exceed six months beyond the original twelve month period. In the event a permit expires because of failure to commence within the said twelve months or any extension thereof granted by the administrator, the permit fee shall not be refunded. If any grading or other work has been done on the site of the proposed well, the applicable provisions of this chapter shall be complied with by the permittee, in the same manner as in the case of an abandonment of a well; the expiration date of the permit to be considered the same as the abandonment date of a well.~~

~~Any permit issued hereunder shall automatically expire as of the date of abandonment of operations under the permit, provided, however, that for good cause shown, the administrator may permit temporary suspension of operations under the permit for reasonable periods of time.~~

~~The petroleum administrator shall determine the date of abandonment.~~

~~(d) Prohibited. Surface petroleum operations are prohibited in all county parks and the Cachuma recreational area, unless specifically approved by the park commission, planning commission and board of supervisors.~~

~~(e) Discretionary and Ministerial. Permits for petroleum operations under this chapter are either ministerial or discretionary (as defined in the County of Santa Barbara Guidelines for Implementation of the California Environmental Quality Act of 1970). The board of supervisors hereby declares that permits for petroleum operations, to be ministerial within the following existing well established oil fields, delineated from time to time on California Division of Oil and Gas Department of Conservation Maps. (Cat Canyon Field, Orett Field, Casmalia Field, South Cuyama Field, Russell Ranch Field, Lompoc Field, Santa Maria Valley Field, Los Alamos, Guadalupe, Barham Ranch, Zaca, and Jesus Maria.) In all other areas of the county where petroleum operations are not prohibited, permits for petroleum operations shall be discretionary permits, subject to the guidelines referred to above, with any adopted modifications, additions, or amendments thereto; including denial. In approving discretionary permits, the petroleum administrator is hereby authorized to impose any reasonable~~

~~conditions, which in his judgment are necessary to eliminate or substantially mitigate any significant adverse impact on the environment. (Ord. No. 2795, § 1)~~

(a) A permit from the Petroleum Administrator must be obtained for drilling a new well or re-entering a well previously abandoned, prior to commencing said operation. A copy of the well permit must be conspicuously posted at the well site throughout the operation for which the permit was issued.

(b) Expiration. Any permit issued under this chapter 25 will expire:

(1) One year from the date of issuance, if the well is not drilled, or drilling operations have not commenced in earnest;

(2) When the well is officially plugged, abandoned and the drill site is restored; or

(3) Upon action by the Board of Supervisors.

(c) Extension. Every permit issued by the Petroleum Administrator under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one year from the date of issuance of such permit. If the work authorized by such permit is started and then the work is suspended or abandoned for a period of one hundred eighty days or longer, the work shall not be recommenced until a new permit is obtained by paying all applicable fees currently in effect, provided that no revisions have been made to the original plans and specifications for such work, and provided that the suspension or abandonment of the work has not exceeded one year. If

~~Sec. 25-6. Fees.~~ Sec. 25-6 Permit procedures

~~(a) Drilling Permit Fees. An amount, established by a resolution of the board of supervisors of this county, shall be charged for each permit issued for drilling or reentry of a previously abandoned well, and shall be paid to the petroleum administrator, no part of which shall be refunded unless the permit is denied or rescinded by the county. Whenever drilling or reentry of a previously abandoned well has been commenced prior to obtaining said permit, the fee herein specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter 25, or from any other penalties prescribed herein. Deepening or redrilling of an existing well, where there is no disruption of the fresh water seal, will not require a permit hereunder. However, verification of the integrity of the fresh water seal, as determined by the petroleum administrator, will be required.~~

~~(b) Annual Inspection Fees. The petroleum administrator shall inspect annually and at such other times as he deems necessary each producing well site, idle well site and lease tank site, (including headers and associated pipelines), for the purpose of ascertaining conformity with the minimum standards of this chapter 25. To meet the expense of such inspection, the operator shall pay to the petroleum administrator an annual inspection fee to be established by a resolution of the board of supervisors of this county, per well for each active and each idle well. An annual inspection fee, to be established by a resolution of the board of supervisors of this county, for each tank setting shall be paid by each operator to the petroleum administrator.~~

~~The year for which each fee is applicable runs from January 1 to December 31. The fee shall be based upon the total number of wells and tank settings in existence (whether being used or not) on January 1. The fees shall be due no later than January 31, in advance for the ensuing calendar year. The petroleum administrator shall keep a permanent, accurate account of all annual inspection fees collected and received under this chapter 25, the name of the operator for whose account the same were paid, the date and number thereof, together with the well names and description and the general location of the wells and tank settings. The petroleum administrator's annual inspection statement shall be available to the operator. (Ord. No. 2795, § 1)~~

(a) The applicant for a permit shall file the application in writing on a form furnished for that purpose by the Petroleum Administrator. The Petroleum Administrator is hereby authorized to impose any reasonable conditions, which in his judgment are necessary to eliminate or substantially mitigate any significant adverse impact on the environment as related to the permit application.

(b) The application shall be accompanied by:

(1) Plot plan showing the well location, including GPS coordinates, nearest adjacent well, and any buildings, structures, and/or natural or artificial features within two hundred feet.

(2) Fees are payable to the County of Santa Barbara, Petroleum Unit, according to the latest fee resolution adopted by the Board of Supervisors.

(3) A use permit from the county planning department as set forth under section 2 of article XII of the county Zoning Ordinance and as amended.

(4) Such other pertinent and reasonable information as may be required by the petroleum administrator, including but not limited to environmental data.

(5) One copy of each of the DOGGR Notice(s) in section 25-8 (C) (D) (E) of new well operations.

**Sec. 25-7. Forms. Fees**

~~Attached hereto, and by this reference expressly made a part of this chapter 25, are forms marked Exhibits 1 through 9, inclusive. Wherever in this chapter 25 submission of a form is required, any alternate form which provides substantially equivalent information and data shall be accepted by the petroleum administrator. (Ord. No. 2795, § 1; Ord. No. 3136, § 3~~

a) Drilling Permit Fees. An amount, established by a resolution of the Board of Supervisors of this County, shall be charged for each permit issued for drilling or reentry of a previously abandoned well, and shall be paid to the Petroleum Administrator, no part of which shall be refunded unless the permit is denied or rescinded by the county. Whenever drilling or reentry of a previously abandoned well has been commenced prior to obtaining said permit, the fee herein specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this Chapter 25, or from any other penalties prescribed herein. Deepening or re-drilling of an existing well, where there is no disruption of the fresh water seal, will not require a permit hereunder. However, verification of the integrity of the fresh water seal, as determined by the Petroleum Administrator will be required.

(b) Annual Inspection Fees. The Petroleum Administrator shall inspect annually and at such other times as necessary each lease site, each tank site, producing well site, idle well site and lease tank site, (including headers and associated pipelines), for the purpose of ascertaining conformity with the minimum standards as set forth in this chapter. To meet the expense of such inspection, the operator shall pay to the Petroleum Administrator an annual inspection fee to be established by a resolution of the board of supervisors of this county, per well for each active and each idle well. An annual inspection fee, to be established by a resolution of the Board of Supervisors of this county, for each tank setting shall be paid by each operator to the Petroleum Administrator.

The year for which each fee is applicable runs from January 1 to December 31. The fee shall be based upon the total number of wells and tank settings in existence (whether being used or not) on January 1. The fees shall be due no

later than January 31, in advance for the ensuing calendar year. The Petroleum Administrator shall keep a permanent, accurate account of all annual inspection fees collected and received under this chapter 25, the name of the operator for whose account the same were paid, the date and number thereof, together with the well names and description and the general location of the wells and tank settings. The Petroleum Administrator's annual inspection statement shall be available to the operator.

(c) Research and Inquiry Fee. An hourly fee to be set by a resolution of the board of supervisors for reimbursement of costs associated with research and inquiry projects.

(d) Abandonment Fee. A fee to be set by a resolution of the board of supervisors for reimbursement of costs associated with the abandonment of a well or tank.

(e) Soil Remediation Fee. An hourly fee to be set by a resolution of the board of supervisors for reimbursement of costs associated with soil remediation projects.

(f) Inspection Fee. An hourly fee as set by the Board of Supervisors for reimbursement of reasonable costs associated with enforcement actions due violations of this codes.

(g) Enforcement Fee. Any person or entity, whether as principal, agent, employee, or otherwise, who acts or fails to act in violation of any provision of this Chapter, Chapters 10 or 14 of the Santa Barbara County Code, any of the adopted Uniform Codes, or State or federal regulation and statutory law shall be liable for and obligated to pay to the county all reasonable costs incurred by the county in obtaining abatement or compliance which is attributable to or associated with the enforcement or abatement action, whether such action is administrative, injunctive, or legal, and for all damages suffered by the county, its agents, officers, and employees as a result of such violation or efforts to abate the violation. The owner of the mineral estate or the owner of the fee estate if the mineral and surface estates are not separate shall be jointly liable for payment of any enforcement fee brought about by actions of the well or oilfield operator or its employees or agents. The owners of all mineral estate parcels eligible for or entitled to participation in revenues from a well shall be jointly and severally liable for any enforcement fee generated by operation of a well servicing their mineral estate.

(h) Collection and Liens. (1) If the owner of the mineral estate of the property fails to pay for the costs of an abatement or compliance action or any other above described fees upon demand by the county, the board of supervisors by resolution may order the cost of the abatement or unpaid fees to be specially assessed against the mineral estate parcel. Such assessment shall be collected at the same time and in the same manner as ordinary county taxes are



collected and shall be subject to the same penalties and the same procedure and sale in case of the delinquency as are provided for ordinary county taxes. (2) To the extent that the ownership of the surface estate is the same as or similar to (that is, any common owner) the ownership of the mineral estate of the property involved in such abatement or compliance action, or if the mineral and surface estates are not separate the enforcement fee or other unpaid fees may be assessed, collected and attached to the surface estate in the same manner as the mineral estate. Such assessment shall be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of the delinquency as are provided for ordinary property taxes. (3) The assessment of and tax lien upon an owner for the enforcement fee or other unpaid fees shall not absolve an operator, other owners or other responsible parties of joint liability to pay any assessed enforcement fee.

#### Sec. 25-8 Notices.

~~Each operator must submit the following notices, in writing, to the petroleum administrator at a time certain to be set by the petroleum administrator.~~

~~(a) Change of well status.~~

~~(b) Intention to engage in secondary recovery operations.~~

~~(c) Well completion report.~~

~~(d) Intention to install or remove permanent production facilities.~~

~~(e) Intention to plug and abandon a well.~~

~~(f) Transfer of Operator and/or Surety. The operator of (or any person who acquires) any well, property, or equipment appurtenant thereto, whether by purchase, transfer, assignment, conveyance, exchange or otherwise, shall each notify the petroleum administrator within ten days of said action. The notice shall contain the following:~~

~~(1) The names and addresses of the person from whom and to whom the well(s) and property changed.~~

~~(2) The name and location of the well(s) and property.~~

~~(3) The date of acquisition.~~

~~(4) The date possession changed.~~

~~(5) A description of the properties and equipment transferred.~~

~~(6) The new owner's agent or person designated for service of notice and his address.~~

~~(7) The name and addresses of the new owners, bonding and insurance companies.~~

~~(g) Suspension of Drilling Operations. The operator of any well shall notify the petroleum administrator of suspension of any drilling operations, greater than five days. If such notice is not given, the petroleum administrator may require the well to be abandoned in accordance with the provisions of this chapter 25. The petroleum administrator may approve~~

~~suspension of operations for valid reasons given in the notice and provided that such well will not constitute a nuisance or a hazard as defined in this chapter 25. Failure of the petroleum administrator to act within ten days shall constitute permission thereof. Suspension shall be approved for a period not to exceed one year; provided, however, that upon application the suspension may be renewed for one year periods for each application. Approval of suspension may be granted upon reasonable conditions to be imposed by the petroleum administrator as are necessary or reasonable to prevent the well from becoming a nuisance or hazard. The operator shall notify the petroleum administrator, in writing, upon resumption of operations giving the date thereof.~~

~~Notification of the following operations must be given to the petroleum administrator in advance, but need not be in writing, when:~~

~~(a) Drilling operations start.~~

~~(b) A change of program is made prior to cementing casing opposite any fresh water bearing formations.~~

~~(c) Cementing operations are to be conducted.~~

~~(d) Plugging at base of fresh water and at the surface. (Ord. No. 2796, § 1; Ord. No. 3136, § 3)~~

**Each operator must submit the following notices, in writing, to the Petroleum Administrator, prior to commencement of said operation:**

**(a) Change of idle well status to producing or injection status.**

**(b) Intention to engage in secondary recovery operations.**

**(c) DOGGR Notice of Intent to Drill New Well**

**(d) DOGGR Permit To Conduct New Well Drilling Operations**

**(e) DOGGR Final Summary of Operations and History Report on New Well**

**Completion**

**(f) Intention to install, remove, re-start or replace permanent production facilities (piping, vessels and tanks), that have been idle for more than 5 years.**

**(g) DOGGR Notice of Intent to Plug and Abandon Well**

**(h) DOGGR Permit to Conduct Plugging and Abandonment Operations**

**(i) DOGGR Report of Well Abandonment and History Report on Abandonment Operations.**

**(j) Transfer of Operator. The operator of (or any person who acquires) any well, property, or equipment appurtenant thereto, whether by purchase, transfer, assignment, conveyance, exchange or otherwise, shall each notify**

the petroleum administrator within ten days of the transaction closing date. The notice shall contain the following:

(1) The names and addresses of the person from whom and to whom the well(s) and property changed.

(2) The name and location of the well(s) and property.

(3) The date of acquisition.

(4) The date possession changed.

(5) A description of the properties and equipment transferred.

(6) The new operator's agent or person designated for service of notice and his address.

(k) Suspension of Drilling Operations. The operator of any well shall notify the Petroleum Administrator in writing, of the suspension of any drilling operations, greater than five days. The Operator shall notify the Petroleum Administrator in writing upon the resumption of operations giving the date thereof.

(l) Notification of reportable oil and/or gas releases must be given to the Petroleum Administrator immediately upon release. Additionally, the operator must submit a copy of the Community Awareness & Emergency Response (CAER) form within twenty- four hours.

(m) Notification of the following operations must be given to the Petroleum Administrator in advance, but need not be in writing, when:

(1) Drilling operations start.

(2) Plugging at base of fresh water and at the surface

**Sec. 25-9. Reports. Sec. 25-9 Pollution Control Plan**

~~(a) Contents. The operator of petroleum properties will file with the petroleum administrator on or before the twentieth day of each calendar month, for the preceding month, the following reports or substantially the equivalents thereof:~~

~~(1) A copy of the Santa Barbara County "Monthly Production Report" (Exhibit 5).~~

~~(2) A copy of the Santa Barbara County "Injection and Waste Disposal Report," including disposition of all drilling materials (Exhibit 4).~~

~~(3) Major pipeline throughputs or access for the petroleum administrator to review such records as may be reasonably necessary.~~

~~(b) Failure to Report Production. Failure to report as required by the above provision shall constitute a misdemeanor, punishable as provided in section 25-16 of this Code.~~

~~(c) False Reports. Filing a false, fraudulent, or intentionally inaccurate report shall constitute a misdemeanor, punishable as provided in section 25-16 of this Code.~~

~~(d) Variance. As a convenience to the operator, the reports required in subsections (a)(1) and (a)(2) above, may, at the discretion of the operator, be waived by placing on file with the California Division of Oil and Gas, the properly signed authority for the petroleum administrator to review such records as may be necessary. Any records made accessible to the petroleum administrator, or his designee, are considered strictly confidential as covered in the public records section 25-14. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

Each operator shall have on file with the Petroleum Administrator a copy of their Spill Prevention, Control and Countermeasure Plan(s) (SPCC Plan) required by the United States Environmental Protection Agency (USEPA). In the event that an operation is exempt from the requirement to develop an SPCC Plan or the Plan does not cover all the operator's leases in Santa Barbara County a Pollution Control Plan (PCP) shall be developed. Said SPCC/PCP shall meet the requirements of county, state, and federal authorities. The SPCC Plan will be subject to review by the Petroleum Administrator. PCP Plans will be subject to review and approval by the Petroleum Administrator. The PCP will describe how the operator will control spillage from the operator's facilities in the County.

**Sec. 25-10. Pollution control plan. Sec 25-10 State and Federal Laws  
Generally**

~~Within thirty days of the enactment of this amended chapter 25, of the Santa Barbara County Code,\* each operator shall have on file with the petroleum administrator, a pollution control plan for controlling oil spillage and for preventing saline or other polluting or contaminating substances from reaching the water courses and reservoirs of the watershed, including salt water estuaries, except as may be specifically approved by the California Water Quality Control Board. Said pollution control plan shall meet the requirements of county, state and federal authorities.~~

~~As an alternative to filing such a plan, the operator may submit a copy of its environmental protection agency spill prevention plan or maintain on file with the petroleum administrator, written authorization for him to review such plan. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

~~\* Ordinance No. 2795, § 1, from which this chapter was derived, was enacted December 15, 1975.~~

It shall be the duty of the Petroleum Administrator to promptly report to the appropriate local, state or federal enforcement agency any violations of local, state or federal laws, rules and/or regulations which he may be observed and to cooperate fully with such local, state and federal enforcement agency to terminate such violations. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

~~Sec. 25-11-State and federal laws generally.~~ Public Records

Information and records obtained are public records and available to public inspection as provided in Government Code Section 6253; provided, however, that all records covering subsurface operations (except as to protective measures for subsurface fresh water aquifers) shall be strictly confidential, and shall be a misdemeanor, punishable as provided in this chapter 25, to reveal any such information to any person other than the Petroleum Administrator or his assistants, deputies and employees without prior express written consent of the operator. The Petroleum Administrator shall provide the public with available data concerning oilfield operations. The Petroleum Administrator shall charge the public for those services at rates as specified in Section 25-7.

~~Sec. 25-12 Public records.~~ Service of Notice

~~Information and records obtained are public records and available to public inspection as provided in Government Code Section 6253; provided, however, that all records covering subsurface operations (except as to protective measures for subsurface fresh water aquifers) shall be strictly confidential, and shall be a misdemeanor, punishable as provided in this chapter 25, to reveal any such information to any person other than the petroleum administrator or his assistants, deputies and employees without prior express written consent of the operator. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

Every operator of any well shall designate an agent who is a resident of the state upon whom all orders and notices provided in this chapter 25 may be served in person, or by registered or certified mail. Every operator so designating such agent shall, within ten days, notify the petroleum administrator, in writing, of any change in such agent or such mailing address, unless operations within the county are discontinued. Service by registered or certified mail, or in person, to the agent so designated, shall

constitute service for all purposes of this chapter 25. (~~Ord. No. 2795, § 1; Ord. No. 3136, § 3~~)

~~Sec. 25-13. Service of notice.~~ Extension or Waivers

Whenever, in this chapter 25, time limits are specified for the commencement or completion of any acts or for ceasing to perform any acts, such time limits may be extended in writing by the Petroleum Administrator for good cause shown. The Petroleum Administrator may also modify or waive compliance with any of the terms or provisions of this chapter when the modification or waiver is deemed to be reasonable and in accordance with good oil field practice. In connection with such modification or waiver, the Petroleum Administrator may require equivalent measures when they are needed.

~~Nothing herein contained shall be deemed to permit noncompliance with all applicable county, state and federal ordinances, laws and regulations.~~ (~~Ord. No. 2795, § 1; Ord. No. 3136, § 3~~)

~~Sec. 25-14. Extensions or waivers.~~ Enforcement

The Petroleum Administrator shall have the primary responsibility for enforcing the provisions of this chapter. In the event the Petroleum Administrator is unable to obtain compliance with any of the terms and provisions of this chapter, or of any resolution of the Board of Supervisors adopted pursuant thereto, he may order immediate cessation of operations. If such operations are not stopped or if resumed prior to written approval of the Petroleum Administrator may, request ~~the petroleum administrator may, at his option, request~~ civil action by the office of county counsel or criminal prosecution by the office of the district attorney or both such remedies. (~~Ord. No. 2795, § 1; Ord. No. 3136, § 3~~)

~~Sec. 25-15. Enforcement.~~ Penalties

Penalties for any noncompliance with the terms of this chapter shall be as provided in, but not limited to, chapters 1 (General Provisions) and 24A (Administrative Fines) of the Code of Santa Barbara County, i.e., up to five hundred dollars fine or up to six months imprisonment in the county jail, or both such fine and imprisonment for each offense. Each day of noncompliance constitutes a separate offense. The remedies or penalties provided by this Code are cumulative to each other and to other remedies or penalties available under all other laws of this state and shall not be construed to restrict any remedy provided by law. (~~Ord. No. 2795, § 1; Ord. No. 3136, § 3~~)

Sec. 25-16. Penalties. Appeals

Appeals from decisions, interpretations, or acts of the Petroleum Administrator, shall be filed in writing with the Board of Appeals. Such appeals shall be filed within fifteen days of the act by the Petroleum Administrator. Such board of appeals is hereby expressly declared to be the local appeals board referred to in Sections 17920.5 and 17925 of the Health and Safety Code. Such Board of Appeals is hereby authorized to hear appeals regarding the petroleum requirements of the county and shall have all of the power and authority conferred on a local appeals board under the said sections of the Health and Safety Code

Sec. 25-17. Appeals Appeals Board

~~The board of supervisors shall have and exercise the power to hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement, decision or determination made by the petroleum administrator in the administration or enforcement of any of the provisions of this chapter 25.~~

~~An appeal shall be in writing by any person who is or may reasonably be affected by the action being appealed and shall be filed in triplicate, together with a fifty dollar nonrefundable filing fee, in the office of the clerk of the board of supervisors, with a copy of the appeal filed with the petroleum administrator.~~

~~An appeal from any order, requirement, decision or determination by the petroleum administrator must set forth specifically wherein it is claimed there was an error or abuse of discretion by his action or where the decision is not supported by the evidence in the matter.~~

~~Any appeal not filed within thirty days from and after the date of the order, requirement, decision or determination complained of may be dismissed by the board of supervisors. Within five days from and after the filing of the appeal, the petroleum administrator may be directed by the board of supervisors to transmit to the clerk of the board of supervisors all documents involved in the proceedings. In addition, the petroleum administrator may make and transmit to the board of supervisors such supplementary data as he may deem necessary to present clearly the facts and circumstances of the case.~~

~~Upon receipt of the record, the board of supervisors shall set the matter for hearing and give notice by mail of the time, place, and purpose thereof to appellant and to the petroleum administrator and any other interested party who has requested in writing to be so notified; and no other notice need be given. Upon the date set for the hearing, the board of supervisors shall hear the appeal, unless for good cause the board of supervisors shall on that date~~

~~continue the matter. No notice of continuance need be given if the order therefor be announced at the time for which the hearing was set. Upon the hearing of such appeal, the board of supervisors may affirm, change or modify the ruling, decision or determination appealed from, or in lieu thereof, may make such other or additional determination as it shall deem prior in the premises, subject to the same limitations as are placed upon the petroleum administrator by this chapter 25 and any other provisions of law. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

The Board of Appeals shall consist of three members appointed by the Petroleum Administrator to such terms of office as determined by the Petroleum Administrator. At least 2 of the members shall possess such experience and training as the Petroleum Administrator shall deem appropriate to qualify such members to pass upon matters pertaining to the subject of the appeal. The Petroleum Administrator or his/her representative shall be an ex-officio member without voting rights. The Board of Appeals shall deliver written findings and decisions on all appeals considered by it to the applicant and the Petroleum Administrator within ten days from the date a decision was reached. In certain emergency cases where the Board of Appeals cannot be assembled quickly, the Petroleum Administrator may appoint a Hearing Officer to hear the case. All decisions of the Board of Appeals and/or the Hearing Officer may be appealed to the Board of Supervisors in writing within fifteen days of the decision rendered by the Board of Appeals and/or the Hearing Officer.

#### ~~Sec. 25-18. Conflicts with state law.~~ **Appeals Hearing Fee**

~~The Board of Supervisors of the County recognizes that the state has adopted provisions of law in the California Public Resources Code and other codes, the basic purposes of which are to conserve and protect natural petroleum and other hydrocarbon resources and fresh water sources and to protect the environment. Accordingly, in all cases where there is conflict with state regulations or laws, such state regulations or laws shall prevail over any contradictory provisions of this chapter 25 or contradictory prohibitions or requirements made pursuant thereto. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

A fee, as adopted by the Board of Supervisors, shall be paid to the Petroleum Administrator at the time of application for a hearing before the Board of Appeals. The hearing fee shall be refunded in cases where the applicant has substantially prevailed.



~~Sec. 25-19. Copies of adopted codes.~~ Conflicts with State Law

~~The clerk of the board of supervisors Petroleum Administrator shall keep on file in his office, not less than three copies of each of the a copy of the codes and publications adopted by reference by this chapter 25. All such copies of such codes which shall be made available for public inspection in that office while this chapter 25 is in force. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

The Board of Supervisors of the County recognizes that the state has adopted provisions of law in the California Public Resources Code and other codes, the basic purposes of which are to conserve and protect natural petroleum and other hydrocarbon resources and fresh water sources and to protect the environment. Accordingly, where there is conflict with state regulations or laws, such state regulations or laws shall prevail over any conflicting provisions of this chapter 25 or contradictory prohibitions or requirements made pursuant thereto

~~Sec. 25-20. Copies of chapter.~~ Copies of Adopted Codes and Referenced Publications

~~The petroleum administrator of the county shall, upon request, furnish a reasonable number of copies of this chapter 25 to each applicant for a permit hereunder without charge (other than the permit fee) and shall make additional copies of this chapter 25 available for purchase by the general public at a price not to exceed the actual cost to the county of the printing thereof. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

The Petroleum Administrator shall keep on file in his office, a copy of the codes and publications adopted by reference by this chapter 25 which shall be made available for public inspection in that office while this chapter 25 is in force.

~~Sec. 25-21. Spacing.~~ Spacing and Location

No new wells or lease tankage shall be located within two hundred feet of the nearest edge of the normally traveled portion of any major street, highway, railroad track, or building (except as may be incidental to the operation thereof). No building shall be erected within two hundred feet of any well or ~~tankage~~ tanks. Spacing requirements for seldom used roadways or ~~unmaintained~~ un-maintained rights-of-way shall be set by the Petroleum Administrator based on the particular circumstances associated with each such situation.

In any area adjacent to an existing well, or tank setting, the Petroleum Administrator may shall suspend provisions of this section in whole or in part, or impose less restrictive requirements if such provisions are rendered unnecessary or unreasonable by the then existing special features (such as topography, nature of the use, proximity to buildings on adjoining property, height, type of buildings, proposed mitigation features and the nature of the oil field development) or may impose additional safety requirements rendered necessary because of the special features. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

#### Sec. 25-22. Grading.

Roads and other excavations and the well site shall be planned, constructed and maintained to control dust, mud, erosion, noise, and debris, so as to result in the least possible disfigurement of the environment and to keep soil erosion and aesthetic disfigurement to a minimum. The location and construction of all roads, culverts, excavations and drainage structures shall be subject to the approval of the administrator and such special drainage, planting, spraying or control measures shall be installed as may ~~in his opinion~~, be necessary to prevent excessive soil erosion or other damage. ~~Any well location or tank setting to be located more than four hundred feet from an existing road will require a grading plan approved by the county public works department.~~ Any grading associated with petroleum operations may require a grading permit as specified in Chapter 14 of the Santa Barbara County Code. Soil compaction tests showing at least ninety percent of the original compaction shall be submitted to the Petroleum Administrator prior to drilling or construction of any new petroleum facilities or incidental equipment on fill locations. All fill placed within the County of Santa Barbara shall be compacted to ninety percent as specified in Chapter 14 of the Santa Barbara County Code.

Soil erosion control plans, including provisions for stabilizing filled and excavated areas by planting and other means, installation of drainage ditches and culverts, and construction of dikes, levees and debris dams, will be consistent with methods and techniques recognized by county, state and federal soil conservation authorities. Each operator will notify the Petroleum Administrator as to the responsible individual appointed to represent the operator concerning these problems. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

**Sec. 25-23. Blowout equipment.**

All drilling wells and wells being worked over will be equipped with adequate blowout equipment. The controls of which must be located outside of the sub-base of the drilling rig, or such greater distance as may be specified by the administrator for special circumstances, and must be capable of closing off the well with pipe in or out of the hole. ~~State Division of Oil and Gas~~ **DOGGR Publication MO7 or as amended specifications will be a minimum guideline.** (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

**Sec. 25-24. Cementing operations.**

~~All mechanical devices, methods, types and amounts of cement slurries used in cementing wells, for the purpose of protecting the fresh water bearing strata throughout the unincorporated territory of the county, shall be subject to approval by the petroleum administrator.~~

~~(a) The petroleum administrator shall be furnished with sufficient information to approve cementing operations opposite fresh water formations, including but not limited to, hole and pipe sizes, amounts and types of cement slurries, casing "jewelry" and well logs.~~

~~(b) Before commencing the cementing of a casing, as provided herein, the petroleum administrator shall be notified a reasonable time in advance by the operator of the time the cementing is to commence. The operator shall not commence the cementing until notified by the petroleum administrator to proceed.~~

~~(c) If the cement does not "surface," the operator shall demonstrate to the satisfaction of the petroleum administrator that the cement has reached the areas required to be cemented, by means of a temperature survey, cement bond log or other means approved by the petroleum administrator in accordance with good oil field practice. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

**Cementing operations shall be in accordance with current DOGGR requirements.**

**Sec. 25-25. Emission control.**

(a) All petroleum facilities shall be operated and maintained so as to prevent excessive or unusual noise, the escape of hazardous or noxious vapors and any other hazardous emissions.

(b) Petroleum operations associated with hydrogen sulfide, organic sulfides, any combination thereof, or any other hazardous gas, conducted in the vicinity of any residence or place of public gathering, which could affect the safety or well being of others, shall be declared by the petroleum administrator, for good cause shown, to be within a potentially hazardous

emission area. Potentially hazardous emission areas shall be defined as, but not limited to, areas containing oil and gas facilities handling produced gases containing more than 825 ppm of hydrogen sulfide, organic sulfides, or a combination thereof where, in the judgment of the petroleum administrator, there is a reasonable potential of risk or odor nuisance to residents or persons at public gatherings from releases of hydrogen sulfide, organic sulfides or other hazardous gases. Any oil and gas facility within a potentially hazardous emission area, but producing gas containing less than 825 ppm of hydrogen sulfide, organic sulfides or a combination thereof, and not constituting a potential risk or odor nuisance to the public, may be exempted from the provisions of section 25-25(b), in writing, by the petroleum administrator.

Petroleum operations in designated potentially hazardous emission areas shall be subject to the following regulations:

(1) Within sixty days of notification by the petroleum administrator, operators of petroleum facilities within potentially hazardous emission areas shall submit to the petroleum administrator a plan for detecting and monitoring emissions of hydrogen sulfide, organic sulfides or a combination thereof.

(2) Said detection and monitoring plan shall include:

- (A) An appropriate number of sensing points;
- (B) Recording tape instrumentation with a demonstrated capability to detect and record in the range 5-500 ppm hydrogen sulfide, and to activate visible and audible alarms;
- (C) Provisions for registering an alert at 10 ppm and an emergency at 50 ppm, with appropriate health and safety response steps for each stage as approved by the petroleum administrator;
- (D) An implementation schedule for said plan. Approval of the plan shall not be unreasonably withheld by the petroleum administrator.

(3) Operations shall be conducted so that ambient gas concentrations shall not exceed any of the following hydrogen sulfide concentrations for the corresponding time intervals:

- 10 ppm for more than eight hours.
- ~~50~~ 30 for more than one hour.
- 100 ppm for more than ten minutes.
- 200 ppm for more than five minutes.
- 300 ppm for more than one minute.
- 500 ppm for instantaneous.

Operations of petroleum facilities where ambient concentrations exceed 10 ppm at any sensing point designated in the approved monitoring plan shall

immediately take steps to reduce such ambient concentrations to below 10 ppm for the above specified time period, with facility shutdown required if necessary. Facilities at which concentrations exceed the above specified limits more than twice in one month or four times in one year, except for acts of God, riots and vandalism, shall require shutdown until the facility can be operated within the required regulations.

(c) Personnel safety and protection shall comply with the requirements of the state division of industrial safety and/or the regulations of the state occupational safety and health act, whichever is the more restrictive. Any violation coming to the attention of the petroleum administrator shall be referred to the appropriate agency.

(d) Odor nuisances may be referred by the petroleum administrator to the APCD for enforcement. (~~Ord. No. 2795, § 1; Ord. No. 2832, § 1; Ord. No. 3136, § 3~~)

#### Sec. 25-26. Drilling and Well Servicing Structures.

~~All erected drilling and well servicing structures shall be portable, be of proper design, and be maintained to sufficiently perform the intended job. The Petroleum Administrator may require proof, if in his opinion, reasonable doubt exists as to the capacity of any equipment.~~

~~Tanks shall be constructed and maintained so as to prevent leakage. Impervious dikes or walls shall be constructed so as to prevent the escape of fluids from the immediate storage area and be of sufficient size to contain at least one and one-half times the capacity of the largest tank. Any new crude petroleum storage facilities shall not exceed two thousand barrels per well unless approved by the board of supervisors. Petroleum storage tanks shall be designed, constructed, installed, and maintained in accordance with the applicable provisions of the Uniform Fire Code, Article 15, Division II. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

#### Sec. 25-27. ~~Emission control.~~ Storage

Containment facilities including walls and berms shall be designed and constructed so as to prevent the escape of fluids from the immediate storage area and be of sufficient size to contain one and one half times the capacity of the largest tank.

(a) Petroleum storage tanks shall be designed, constructed, installed, and maintained in accordance with all applicable laws and regulations.

(b) New storage facility tank locations shall install an impervious, not less than 40 ml liner, or equivalent, to prevent seepage. This requirement may be modified at the discretion of the Petroleum Administrator.

(B)

Sec. 25-28. Piping.

~~All piping systems, to be operated at a pressure in excess of twenty percent of the minimum yield strength of the material with which the pipe is fabricated, shall be designed, constructed, operated and maintained in accordance with the provisions of the California Administrative Code, title 8, subchapters 14 and 15, and any amendments or successors thereto. all applicable laws and regulations.~~

~~Where the petroleum administrator has reason to believe pipeline systems, not specifically under state or federal surveillance and control, (including testing, treating, and storage facilities) are not reliable, either because of previous leaks, visual deterioration or other valid reasons, he may require such tests or inspections as he deems necessary to establish the reliability of such systems and require repair or replacement as he reasonably deems necessary. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

If the pipeline systems are found to be unreliable the Petroleum Administrator may order the repair or replacement of the pipeline section or system.

The Petroleum Administrator may require tests and inspections to establish the reliability of pipeline systems including those not specifically regulated by state or federal authority (including testing, treating, and storage facilities).

Sec. 25-29. ~~Fire prevention.~~ Sec. 25-29. Fire Prevention and Control Equipment

A minimum of two fire extinguishers shall be maintained at each tank battery and at all well locations where drilling, servicing or repair work is being conducted. Each such extinguisher shall have a minimum classification of 10 ABC as set forth in N.F.P.A. No. 10, "Standard for the Installation for Portable Fire Extinguishers," and any amendments or successors thereto.

The Uniform California Fire Code, Article 79.15, divisions I, II and X, are applicable hereto. Specifically, no smoking will be permitted within fifty feet of any well, tank or area where hydrocarbons are present, and no waste gas venting will be permitted. The Petroleum Administrator shall inform the County Fire chief Department when an oil well drilling permit has been filed. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

Sec. 25-30. ~~Fire control equipment.~~ Secondary and Enhanced Operations

~~A minimum of two fire extinguishers shall be maintained at all well locations where drilling, servicing or repair work is being conducted. Each such extinguisher shall have a minimum classification of 10 ABV as set forth in N.F.P.A. No. 10, "Standard for the Installation for Portable Fire Extinguishers," and any amendments or successors thereto. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

Primary recovery projects include any such operation where naturally occurring hydrocarbons are produced by natural flow. Secondary and enhanced recovery projects (collectively known as secondary operations) include any such operation where the flow of hydrocarbons into a well is aided or induced with the use of injected substances including but not limited to the injection of water, natural gas, steam, air, CO<sub>2</sub>, nitrogen, chemical substances and any other approved substance or combination thereof.

~~(a) Surface equipment including, but not limited to, steam generators, air and gas compressors, and pumps, shall comply with all the state safety regulations including the necessary electrical and mechanical safety devices for maximum pressure and temperature ratings and settings. These ratings and settings may be made more stringent when in the judgment of the petroleum administrator there is not adequate protection of the fresh water strata.~~ associated with all secondary and enhanced recovery operations that occur within 100 feet of a school, residence, public building or facility, public thoroughfare, highway, navigable waterway, or park shall be subject to periodic inspections by the Petroleum Administrator as appropriately specified by applicable regulations and standards.

~~(b) Casing, cementing and subsurface equipment in secondary recovery projects, are subject to the approval of the petroleum administrator, prior to commencement of operations, and from time to time thereafter, as may be necessary, to determine the maximum temperature and pressure or combination thereof allowable on any system. After the installation of secondary recovery equipment and injection begins, every well shall be inspected and certified by tests approved by the petroleum administrator to assure the integrity of the casing, cementing and equipment~~ The Petroleum Administrator may impose reasonable conditions upon review of the notification of intent to engage in secondary and enhanced operations (Section 25-7(B), when operations involve the use and handling of hazardous materials that could endanger surface waterways or subsurface fresh water strata.

(c) Surface equipment used in secondary recovery projects ~~will~~ shall be adequately ~~designated and~~ posted with warning signs. ~~approved by the petroleum administrator.~~

(d) With the notice of intention to engage in secondary recovery, the operator, shall also submit to the Petroleum Administrator, such information as may be required to reasonably satisfy the Petroleum Administrator that the necessary safety requirements of this chapter have been met. The operator shall not commence such secondary recovery operations until ~~five days after submission of the foregoing required documents requirements~~ have been met.

(e) The Petroleum Administrator may ~~reasonably~~ require proof that the secondary recovery operations will not constitute a nuisance or damage the surface or subsurface fresh water strata. ~~such surveys and other data and may impose such special conditions during the course of operations as he deems necessary or appropriate to determine that secondary recovery operations are not becoming a nuisance or damaging the surface or subsurface fresh water strata. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

**Sec. 25-31. ~~Secondary operations~~ Well Abandonment and Lease Restoration Procedure.**

~~Secondary recovery projects include, but are not limited to: Subsurface injection of steam, water, air, Co<sub>2</sub>, or natural gas for any reason, or any combination of the above.~~

**a. Well Abandonment:**

Prior to starting the plugging and abandonment of any well, the operator shall furnish the Petroleum Administrator with copies of the DOGGR notices required in Section 25-7, a copy of the DOGGR Permit to Conduct Abandonment Operations and the anticipated date the plugging and abandonment operations are to commence. Any substantial changes in procedure or schedule shall likewise be furnished to the Petroleum Administrator by the operator.

1) The subsurface plugging and abandonment of the well shall be done in accordance with current DOGGR regulations. The operator shall furnish the Petroleum Administrator with the DOGGR notice required in section 25-7(G) to verify compliance with all DOGGR requirements.

2) All drilling, production and appurtenant equipment, including pipelines, designated for the exclusive use of the subject well shall be removed. Existing pipelines and equipment designated for current operations may be left in place. The operator may petition the Petroleum Administrator to leave equipment and pipelines, designated for future use, in place.

3) The well casing shall be cut off at least five feet below the ground level. Nothing shall be placed in the excavation above the point of cutoff until the cutoff has been inspected by the Petroleum Administrator.



4) The surface cement plug depth shall conform to the requirements of the DOGGR.

5) A steel cap of not less than the same thickness as the well casing shall be welded to the casing. The steel cap shall be located via GPS and the well number and API number shall be welded on the top of the casing.

6) An investigation shall be conducted to determine if a sump or pit is present. If a sump or pit is found to be present it will be remediated per an approved plan.

7) All cellars and surface concrete structures shall be removed. Tie downs shall be removed to a minimum of 6' below ground surface. Soil below the cellars shall be tested for hydrocarbon contamination. If contamination is found to be present the area shall be remediated. All excavations and depressions shall be filled with clean soil. All oil, waste oil, refuse and waste material shall be removed from the drill site pursuant to all applicable laws and regulations.

b. Lease Restoration:

1) The Petroleum Section will be the coordinating agency. The Petroleum Section will coordinate with Grading, Planning & Development, the Fire Department and other agencies, as required, to ensure all lease restoration requirements have been addressed.

2) Schedule. Prior to the abandonment of the last well on a lease, the operator shall file with the Petroleum Administrator a plan, for approval, to restore the lease to a condition in conformance with State, County, and local ordinances.

A) Partial lease restoration/remediation activities may be conducted at any time as detailed in this Chapter. The record of any partial lease restoration shall be kept on file by the Petroleum Administrator as part of the final restoration package.

B) Facilities idle for over fifteen years that have no reasonable potential of future use and:

1) are a potential threat to public health or

2) are a potential threat to the environment or

3) at the request of the surface owner

shall be removed in a timely manner. For the purposes of this paragraph, a lack of reasonable potential of future use may be indicated by the cancellation of APCD permits, a continuous lack of maintenance around the facility, or similar indications as determined by the Petroleum Administrator of *de facto* abandonment. Upon request, the operator shall submit to the petroleum administrator a list of all facilities that have been idle for over ten years. To retain such facilities after the fifteen year limitation, the operator shall submit to the Petroleum Administrator for approval a letter justifying why said facility is of value and should not be removed.

3) Equipment Removal:

a) Tank batteries, production islands, gas treating/compression areas, all appurtenant equipment areas, pipelines and foundations shall be removed. An investigation shall be conducted to determine if soil contamination is

present. If soil contamination is found, the area will be remediated per the approved plan.

b) Flow lines and utilities. All flow lines, gathering lines and other lease pipelines shall be flushed with water and removed, unless due to location the removal will cause more environmental damage than the potential benefit by its removal. The soil shall be sampled along the lines at a rate specified in the approved plan. Power and telephone lines shall be removed. Transformer locations that existed prior to 1970 shall be tested for PCBs.

c) All buildings shall be removed from the lease. Buildings and areas used for storage and /or testing shall have an investigation to determine if soil contamination exists. If soil contamination is found the impacted area will be remediated per an approved plan.

4) Sumps, pits and areas of soil contamination. An investigation shall be conducted in locations of historic sumps, pits and known soil contamination. If soil impacts are identified, the areas shall be remediated per the approved plan. The original soil contamination locations shall be determined by GPS coordinates and shall be permanently kept on file by the Petroleum Administrator.

5) Roads and well site: Roads and well sites shall be removed and the areas re-contoured to as close to natural slope as reasonable.

6) Completion: Upon completion of full site restoration the Petroleum Administrator will furnish a closure letter to the operator.

7) Modification of Conditions of lease restoration: Any of the above conditions may be waived by the Petroleum Administrator for appropriate purposes such as, but not limited to, requests to leave in place:

a) Roads and well site pads

b) Power and telephone lines

c) Pipelines

d) Concrete pads

e) Buildings

The operator shall furnish the Petroleum Administrator with sufficient evidence to verify compliance with all state requirements.

c. Exception:

The Petroleum Administrator may modify any of the above conditions upon demonstration of good cause by the applicant that the intent of the above conditions has been met.

Sec. 25-32. ~~Abandonment procedure.~~ Removal of Drilling and Service Equipment

~~Prior to abandonment, the operator shall furnish the petroleum administrator with a notice of intention to abandon and the anticipated date the abandonment is to commence. Any substantive changes in procedure or schedule shall likewise be furnished to the petroleum administrator by the operator. Abandonment work as required below may be commenced on or subsequent to the date so stated.~~

~~(a) All drilling and production equipment and all appurtenant equipment thereto, shall be removed from the drillsite.~~

~~(b) The well casing shall be cut off at least six feet below the groundlevel. Nothing shall be placed in the excavation above the point of cutoff until the cutoff has been inspected by the petroleum administrator.~~

~~(c) Zonal plugs shall be satisfactory to the State D.O.G. and shall contain at least a one hundred foot cement plug at the base of the fresh water, plus across any fresh water-salt water transition interval.~~

~~If no zonal plugs are required by the D.O.G., (i.e., dry hole), waiver must also be received by the petroleum administrator.~~

~~(d) The top fifty feet of the remaining casing shall be filled with a cement plug.~~

~~(e) A steel cap of not less than the same thickness as the well casing shall be welded to the casing.~~

~~(f) All cellars, rig corners, etc., shall be removed and all excavations and depressions shall be filled and packed with native earth. All oil, waste oil, refuse and waste material shall be removed from the drillsite.~~

~~The operator shall furnish the petroleum administrator with sufficient evidence to verify compliance with all state requirements.~~

~~Any of the above conditions may be waived by the petroleum administrator for appropriate purposes such as conversion to a water source well. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

~~Drilling operations in any well shall be diligently prosecuted until the well is completed or abandoned. All drilling equipment and the derrick shall be removed from the drillsite and leased premises within sixty days following the completion or abandonment of any well, unless permitted to be temporarily stored on the drillsite by written authority of the petroleum administrator after the derrick has been lowered. Service equipment for existing wells will likewise be removed within sixty days of completion of the rework, unless otherwise permitted by the petroleum administrator.~~

~~Idle lease equipment shall be cleaned up and either placed in service or removed within sixty days of notice given by the petroleum administrator, except for valid reasons and good cause shown, the petroleum administrator may grant a one year extension. Such extension must be in writing and state the reasons for the extension, together with conditions to be imposed during~~

~~the extension and be signed by the petroleum administrator. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

Drilling operations in any well shall be diligently prosecuted until the well is completed or abandoned. All drilling equipment and the derrick shall be removed from the drill site and leased premises within sixty days following the completion or abandonment of any well, unless permitted to be temporarily stored on the drill site by written authority of the Petroleum Administrator after the derrick has been lowered. Service equipment for existing wells will likewise be removed within sixty days of completion of the rework, unless otherwise permitted by the Petroleum Administrator. Idle equipment shall be stored and maintained in an orderly fashion on well sites or moved to a designated storage area on the lease.

Sec. 25-3433. Right of entry.

The Petroleum Administrator, or his assistants and deputies, in the performance of the duties herein prescribed, has authority to enter upon and into any and all premises under his jurisdiction at all reasonable hours for the purpose of inspecting the same to determine whether or not the provisions of this ~~chapter~~ code and of all other applicable laws or ordinances are observed therein; provided that a reasonable effort to locate the operator or other person having charge or control of the property will be made to request entry and explain the reason for entering. ~~The operator shall permit such entry and hold harmless and indemnify the petroleum administrator and the county from any liability in connection with lawful entry hereunder.~~

Notwithstanding the foregoing, if the Petroleum Administrator has reasonable cause to believe that there exists any condition on the property unsafe or dangerous which may require immediate inspection to safeguard the public safety, ~~he~~ the Petroleum Administrator shall have the right to immediately enter and inspect such property and may use any reasonable means required to effect such entry and make such inspection. The operator shall permit such entry and hold harmless and indemnify the Petroleum Administrator and the county from any liability in connection with the lawful entry hereunder. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

There shall be at least one gate that is of sufficient width to give access. The gate shall be locked at all times when the property is unattended and a key or combination shall be made available to the Petroleum Administrator for emergency purposes. Such key or combination is for this specific purpose only, and to give either to anyone other than members of his staff shall be a misdemeanor.

Sec. 25-~~35~~34. Surface inspections.

Inspections will be performed as discussed by other sections of this ordinance. Any noncompliance items noted during an inspection will be brought to the attention of the operator, agent, or their representative for corrective action. by the administrator ~~during drilling, cementing, abandoning operations and as required under section 25-30, for which the operator will have given adequate notice, to insure compliance with the provisions of this chapter. In addition, routine inspections will be performed as discussed under "Fees."~~ Any noncompliance items noted during the inspection will be brought to the attention of the representative of the operator, drilling contractor, or their agents for corrective action. Failure to correct noncompliance items is a violation of the provisions of this chapter ~~code~~, and thereby constitutes grounds for an order from the administrator to cease noncompliance noncompliant operations until correction is accomplished. (Ord. No. 2795, § 1; Ord. No. 3136, § 3) and/or other penalties as specified in sections 25-7 and 25-15.

Sec. 25-~~36~~35. Hazardous conditions. Hazardous Conditions or Nuisances.

(a) In the event the Petroleum Administrator determines at any time that any well heretofore or hereafter drilled or other operations covered by under this chapter, ~~within the unincorporated area of the county, is endangering any fresh water body, zone or strata in the county or that any oil field construction, improvement or operation constitutes a safety hazard or a substantial nuisance to the public, the petroleum administrator shall have the right to compel the operator to make such modifications as may be required to correct such condition. The action of the petroleum administrator in requiring the performance of such remedial work shall be final, subject to appeal to the board of supervisors as provided hereinafter.~~ constitute an imminent threat to public health, safety or the environment, he/she shall have the right to compel the operator to take appropriate action, within a time frame identified by the Petroleum Administrator, to mitigate the situation. In the event that the operator cannot be located, the Petroleum Administrator may take the necessary steps to mitigate the immediate threat and stabilize the situation, until such time as the operator can respond. The operator shall be responsible for reimbursement of all reasonable costs to the County associated with the mitigation activities.

(b) ~~In the event the operator, the surety on his faithful performance bond, or the property owner (individually or collectively) do not commence the performance of such remedial work within thirty days after the date of delivery, at his (their) respective address(es), of notice by certified or~~

~~registered mail from the petroleum administrator requiring the performance of such work (or if an application for review is filed, then within thirty days from delivery of notice by certified or registered mail of the final adjudication by the board of supervisors), and diligently and effectively prosecute such work, the county shall have the right to perform such remedial work, using funds available in the petroleum department fund, and shall charge the cost thereof to the owner or to the surety or property owner, who shall be liable for the payment thereof. In addition, the liability will not relieve said operator, surety or property owner from possible prosecution. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

(b) In the event that substantial damage to the environment and/or public health results from the activity listed above, the operator shall be responsible for remediating such damage within a reasonable period of time. If, in the judgment of the Petroleum Administrator, such remediation activities are not initiated within a reasonable period of time, the Petroleum Administrator may issue a notice of intent to initiate remediation and that the operator shall be responsible for funding the remediation. The County shall issue said notice at least 30 days prior to commencement of remedial activities. The operator may respond by 1) initiating remedial activities within the 30-day period or 2) filing an appeal. In the absence of one of these actions the County may order the remediation at the cost of the operator.

Sec. 25-3736. Hazardous equipment.

Equipment and appurtenances hazardous to life or limb shall ~~either be~~ attended twenty-four hours a day, or enclosed, in all inhabited, urban or common places or public use areas where there is reasonable likelihood of potential danger to persons life and limb. Such enclosure, where such danger to humans exists, shall provide adequate fencing protection.

~~Perimeter enclosure of a number of well sites shall conform with enclosure requirements satisfactory to the petroleum administrator. There shall be at least one gate which is of sufficient width to give access to fire trucks. The gate shall be locked at all times when the property is unattended and a key or combination shall be made available to the petroleum administrator for emergency purposes. Such key or combination is for this specific purpose only, and to give either to anyone other than members of his staff shall be a misdemeanor punishable as such. Existing petroleum facilities are required to comply with the requirements of this section within three months after having received written notice from the petroleum administrator. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

**Sec. 25-38~~37~~: Pollution.**

~~(a) No pollution of air, surface or subsurface waters or land, by oil field wastes, shall be permitted. Oil spills or wastes shall be kept to a minimum and shall be prevented from entering stream courses or adjacent property by the construction of dams, levees, ditches or other structures consistent with requirements of county, state and federal authorities.~~

~~(b) All petroleum liquid or semi-solid products transported across county boundary lines at the mean high tide level shall be tagged or "fingerprinted" using some method of identification recommended by an authorized, approved and qualified laboratory, and the petroleum administrator, to insure that the identity of a potential source of pollution can be ascertained; and as the state of the art is improved, this chapter shall be amended so as to improve the ability to ascertain the identity of the source of pollution. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

**Any discharge of oil or wastes to surface or subsurface waters or land, by oil field operations, shall not be allowed except when authorized by permit, ordinance or law. Oil spills or wastes shall be kept to a minimum and shall be prevented from entering stream courses or adjacent property by the construction of dams, levees, ditches or other structures consistent with requirements of county, state and federal authorities.**

**Sec. 25-38. Salt water.**

~~It shall be unlawful for any person to deposit, place, throw, divert or in any manner dispose of or cause or permit to be deposited, placed, thrown, diverted or in any manner disposed of, within the unincorporated portion of the county, any water produced or arising from drilling operations and containing more than one hundred grains of salt content per gallon or any other mineral or material which may substantially injure or damage the soil, plant life or surface or subsurface water supply, into, along or upon any land, premises or place within the corporate limits of the county in such a manner that any portion thereof may contact any fresh water pond, stream, river or tributary thereto or percolate or penetrate to any subsurface strata containing water that might be suitable for irrigation or domestic purposes. (Ord. No. 2795, § 1)~~

**Sec. 25-39~~38~~. Sumps.**

~~Rotary mud, drill cuttings, petroleum and all oil field wastes derived or resulting from, or connected with, the drilling or producing of any well, shall be discharged into a sump impervious to fluids. Such discharges shall be removed from the drill site to authorized locations upon completion of~~

~~drilling, testing or workover operations or within thirty days, whichever occurs first,~~ within a reasonable period of time to authorized locations upon completion period of time to authorized locations upon completion of drilling, testing or work over operations. Tanks used as sumps shall be removed and unlined sumps shall be pumped out, their fluids disposed in a properly designated area and properly backfilled within ~~thirty days after completion of drilling operations~~ a reasonable period of time. No unlined or unscreened skimming ponds, separation basins or storage reservoir for salt water, oil field wastes or oil field products will be permitted. ~~Appropriate state agencies requirements shall constitute minimum requirements, but these may be reasonably made more stringent by the petroleum administrator as he deems necessary. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

Sec. 25-4139. Oil field waste transporters.

~~The drilling contractor and operator shall be jointly and severally responsible for directing the transporter of oil field wastes to a disposal location approved by the state. The transporter shall be responsible for delivery of such wastes to such location. If oil field by-products, such as uncontaminated drilling mud, are permitted to be deposited at other than an approved dump, the land owner will be responsible for insuring such by-product is in fact not contaminated, as outlined by the State Water Quality Control Board. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

a. Oil field wastes determined to be hazardous materials as defined by the State of California and that are to be transported offsite shall be handled and disposed of by the operator at an approved hazardous materials disposal location or remediated to a non-hazardous level with the appropriate approvals. Such hazardous waste materials transported offsite shall have manifests documenting the disposition of the material. The transporter of the hazardous waste material shall have all state, county, and local licenses and approvals to haul the material and shall be responsible for delivery of the wastes to the disposal location.

b. Non-hazardous oilfield wastes at the time of their disposal shall be disposed of in an appropriate method for the material as determined by the operator with the appropriate approvals for the safe handling and the transportation.

c. Materials transported between locations on the same lease shall be transported in a manner that minimizes spills of oil, produced water and hazardous materials.



Sec. 25-42~~40~~40. Cellars.

Each cellar shall be constructed in accordance with generally accepted safe oil field practice. Except as may be occasionally necessary, during drilling and servicing operations, such cellars shall be kept free from water, petroleum, drilling fluids or other substances which might constitute a hazard not exceed a liquid depth of 50 percent of the depth of the cellar. The oil/petroleum depth may not exceed 2 inches and be kept free from water, petroleum, drilling fluids or other substances which might constitute a hazard. Cellars will be covered any time they are unattended, sufficiently to prevent people, animals or items from falling inside. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

Sec.25-43~~41~~41. Signs.

Each formal point of public entry shall have signage indicating operator name, contact information and site address or lease name. Each well and each tank setting will have a sign or other designation, clearly legible from a distance of twenty-five feet, which contains the current operator's name, the lease name and well number. In the event there are more than two wells on one drill site, it shall be sufficient if the entrance to said drill site is posted with a sign bearing the name of the operator and the name of the lease, together with a plainly visible sign on each producing well designating the particular number thereof, all clearly legible from a distance of twenty-five feet. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)

Sec. 25-44. Idle wells.

~~(a) For the purpose of this chapter, a well is considered idle if it produces less than twenty barrels of crude oil or other hydrocarbon substances or less than one hundred thousand cubic feet of gas for sale, lease, use or storage within any ninety consecutive day period commencing on or after the effective date of this chapter.\* Active injection or disposal wells shall not be deemed idle wells, so long as they inject more than one thousand barrels of fluid within any ninety day period, as outlined above.~~

~~(b) All idle wells shall be abandoned within ninety days of said determination of idle status unless as hereinafter provided for by this section.~~

~~(c) When a well is determined to be an idle well, pursuant to paragraph (a) of this section, the surface area of said well site shall be cleaned pursuant to the following:~~

~~(1) Notice shall be sent by the petroleum administrator by registered or certified mail, to (A) the owner of the surface rights, (B) the owner of the mineral rights (on which such well is situated as shown on the last equalized assessment roll), (C) the operator of such well as indicated on the petroleum~~

department records, and (D) the state division of oil and gas, department of conservation.

~~(2) Content of said notice shall indicate the name and location of the well in question and a statement by the petroleum administrator of the reasons why such well is deemed to be an idle well.~~

~~(3) Within ninety days after said notice has been given, the parties having an interest in the well shall clean and restore the well and surface in conformity with the following requirements:~~

~~(A) All equipment thereto existing above the surface of the ground level (except the production head and safety devices) shall be removed from the drillsite.~~

~~(B) All oil, waste oil, refuse or waste material including debris, junk, unkept and accumulated piles of miscellaneous material shall be removed from the drillsite.~~

~~(C) All holes, depressions and sumps shall be cleaned out of all foreign material regardless of depth and filled and packed with clean native earth.~~

~~(4) The time period provided for compliance herein, except as to hazardous conditions, shall be suspended from the date an appeal is filed pursuant to this chapter 25 until final decision is rendered on said appeal.~~

~~(5) For valid reasons and good cause shown, the petroleum administrator may permit idle wells to be maintained as such idle wells for a period of one year. Upon application therefor, such one year period may be renewed for successive one year periods, or as provided in California Administrative Code. No such permit will be granted where a well would constitute a nuisance or a hazard as defined in this chapter 25. Permits to so maintain such idle wells may be granted upon conditions to be imposed by the petroleum administrator that may be necessary or reasonable to prevent such idle wells from becoming a nuisance or hazard. Application for such permit to so maintain an idle well shall be made in writing within ten days from the date the "notice to abate a public nuisance" is given, as herein provided. Failure of the petroleum administrator to deny or grant such permit within ten days after receipt of such application therefor shall be deemed the granting of such one-year permit or extensions thereof. The operator shall notify the petroleum administrator in writing of any proposed change of status of such idle well, in advance, giving the anticipated date of such proposed change.~~

~~(d) Idle wells may be reactivated, provided there is no default or violation of this Code, by written notice to the petroleum administrator. (Ord. No. 2795, § 1; Ord. No. 3136, § 3)~~

• ~~Ordinance No. 2795, from which this chapter was derived, became effective January 14, 1976.~~

**Sec. 25-42. Severability**

**a. If any section, subsection, sentence, clause, or phrase of this Code or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Code or the application of such provisions to other persons or circumstances. The Board of Supervisors hereby declares that it would have approved this Code or any section, subsection, sentence, clause, or phrase hereto, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases should be declared to be unconstitutional.**