

CHAPTER 13.6

INJECTION WELLS

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Sec. 13.6-10. Purpose

It is the purpose of this chapter to create regulations to permit, inspect and monitor Class II injection wells in the unincorporated areas of the county in order to protect the quality of the groundwater from contamination of Class II injection fluids. It is the intention of this chapter to complement and not conflict with the requirements of the California Division of Oil and Gas. Testing for injection well potential is not regulated by this chapter.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-20. Definitions

Environmental health division means the environmental health division of the Solano County Environmental Management department.

Injection well means A Class II well which injects fluids which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with wastewater from gas plants which are an integral part of production operations, unless these waters are classified as a hazardous waste at the time of injection.

Person means an individual, trust, firm, joint stock company, corporation, including a government corporation, partnership, or association. "Person" also includes any city, county, district, state, or any department or agency thereof.

Wastewater means waters which are brought to the surface in connection with conventional oil or natural gas production and fluids from natural gas plants which are an integral part of natural gas production. The predominant component is expected to be saltwater.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-30. Conditions

(a) Persons operating existing wastewater injection wells on the date the ordinance codified in this chapter is adopted may continue to operate under the following conditions:

(1) The operator shall file an application within ninety days of the enactment of this chapter with the county environmental health division of environmental management department for an annual permit to operate.

(2) The operator shall provide an approved secured outlet for sampling at the injection well which is accessible to the county environmental health division. A sample of the wastewater may be required by the division. Samples are to be analyzed for heavy metals listed in Section 66699(b) of Title 22 of the California Administrative Code or other constituents which may have been injected into the storage tanks or well. The laboratory shall be state certified by the State Department of Health Services. The cost of the collection and analysis shall be borne by the well operator/permittee.

(3) An accurate list of waste haulers shall be provided by the operator on an annual basis. Amendments shall be made quarterly if changes to the list of waste haulers are made. The list shall provide the following information: company name and address, vehicle license plate number, type of vehicle, and state registration number, if available. No hauler shall be permitted at the well site if not on the list.

(4) The operator/permittee shall make available to the environmental health division all monitoring data supplied by the operator/permittee to the California Division of Oil and Gas (DOG). All reports of analysis of samples taken by or on behalf of DOG including data as to water quality, nature, and amount of material disposed, pressure testing and other tests such as radioactive traces, spinner and static temperature performed to determine the integrity of the injection well casing, shall be provided to the environmental health division by the operator or permittee.

(5) If deemed necessary by the environmental health division, adjacent water wells located within two thousand feet may be required to be sampled and analyzed for chemical constituents who have been found in the injected fluids. The cost of said sampling and analysis shall be borne by the operator/permittee.

(6) Safeguards subject to the approval of the county environmental health division shall be taken at the well site to prevent runoff or seepage from the unloading and/or storage operation. Such safeguards shall include, but not be limited to, a berm around the tank storage with a capacity of at least one hundred ten percent of the largest single tank in the storage battery.

(7) No other material other than produced water and additives used to promote the producing of oil and natural gas wells, which are brought to the surface as a result of the production of oil or natural gas, shall be injected into the well. Should

other than this waste product or approved additives be injected into the well, the operator shall notify the county environmental health division prior to injection.

(8) The operator/permittee shall have a permit from the California Division of Oil and Gas before starting injection into the well.

(b) In order to establish a new injection well through a newly drilled well or conversion of an existing gas or oil well, a use permit is required pursuant to section 28-24(a)(14) of this code.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-40. Permit required

(a) No person shall operate an existing injection well unless by authority of a valid unexpired and unrevoked annual permit to inspect and monitor issued to the operator/permittee by the county environmental health division.

(b) A person shall be deemed to operate an injection well in violation of this section if the person without a required current permit to inspect and monitor owns and/or operates an injection well for which the permit is required. "Operates" shall require a direct benefit from the injection of water.

(c) This section does not obviate the requirements to obtain valid permits or compliance with other applicable ordinances or laws, including but not limited to, the county zoning code or the California Division of Oil and Gas.

(d) An annual fee to inspect and monitor shall be paid at the beginning of each fiscal year. The amount of such fees will be provided by resolution of the board of supervisors.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-50. Inspection

In order to carry out the purpose of this chapter, the county environmental health division has the authority to inspect any place where injection wells are located or to inspect real property under the ownership or control of the operator/permittee which is within two thousand feet of any place where injection wells are located.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-60. Penalties

Any person, as defined herein, whether as principal, agent, employee, or otherwise, failing to comply with the provisions of this chapter shall be guilty of an infraction, and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars for each day of violation. Each day of violation shall be deemed to be a separate offense.

(Ord. No. 1306, §1; Ord. No. 1397, §1)

Sec. 13.6-70. Validity

If any section, subsection, sentence or clause or phrase of this chapter is for any reason held by a court of competent jurisdiction to be invalid, said decision shall not affect the validity of the remaining portions of this chapter. The board of supervisors hereby declares that it would have passed this chapter, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases were declared invalid.

(Ord. No. 1306, §1; Ord. No. 1397, §1.)