

~~produced from, obtained or used in connection with the drilling, development, producing, refining, transporting or processing of oil or gas within the City.~~

**"Gas"** ~~means any natural hydrocarbon gas coming from the earth. (See also Natural Gas) means any natural hydrocarbon gas coming from the earth.~~

**"Gas Plant"** ~~means processing equipment for produced gas to separate, recover, and make useful natural gas liquids (condensate, natural gasoline [e.g., pentenes], and liquefied petroleum gas, etc.), to separate, remove, and dispose of other non-hydrocarbon substances, such as water, sulfur, carbon dioxide, ammonia, etc., and to produce utility-grade gas suitable for delivery and sale.~~

**"Heavier natural gas liquids"** ~~refer to the heavier fractions of natural gas liquids which are extracted as a marketable byproduct during oil and gas processing, and consisting of pentanes and heavier (C<sub>5</sub>+) such as natural gasoline.~~

**"High risk operation"** means an oil or gas production, processing or storage facility which: (a) has been in violation of any applicable section of this ordinance for more than 30 consecutive days and resulted in the issuance of a notice of determination of fines pursuant to Section 9510.3.5 of this ordinance during the preceding twelve months; or (b) has had two separate unauthorized releases of oil, produced water and/or other hazardous materials of a quantity not less than fifteen barrels (six hundred thirty gallons) other than within secondary containment for each incident during the preceding twelve months

**"Hydraulic Fracturing"** ~~means a well stimulation treatment that, in whole or in part, includes the pressurized injection of hydraulic fracturing fluid into an underground geologic formation in order to fracture, or with the intent to fracture, the formation, thereby causing or enhancing, for the purposes of this ordinance, the production of oil or gas from a well. means a well stimulation treatment that, in whole or in part, includes the pressurized injection of hydraulic fracturing fluids into an underground geologic formation in order to fracture or with the intent to fracture the formation, thereby causing or enhancing the production of oil or gas from a well.~~

**"Idle well"** is 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.

**"Natural gas liquids" (NGLs)** ~~means those hydrocarbons in natural gas that are separated from the gas as liquids through the process of absorption, condensation, adsorption, or other~~

methods in gas processing or cycling plants. Natural gas liquids include natural gas plant liquids (primarily ethane, propane, butane, and isobutane) and lease condensate (primarily pentanes produced from natural gas at lease separators and field facilities). ~~refer to these hydrocarbons which are liquefied at the surface in field activities or in gas processing plants, and include propane, butanes, and heavier fractions. Typical transportation of natural gas liquids can involve liquefied petroleum gases, heavier gas liquids, and unfractionated or raw natural gas liquids.~~

**"NFPA"** refers to the National Fire Protection Agency.

**"New Development"** means the placement or erection of any solid material or structure; change in the density or intensity of use of land, including, but not limited to any other division of land, including lot splits, change in the intensity of use of water, or of access thereto; and the construction, reconstruction, demolition, or alteration of the size of any structure. New development does not include workovers or other maintenance, conducted between the hours of 7 a.m. and 7 p.m., except in cases of emergency as approved by the Petroleum Administrator.

**"Active Observation well"** is a well used to monitor the operational integrity and conditions in a gas storage reservoir, the reservoir protective area or strata above or below the gas storage horizon.

**"Oil and Gas"** ~~is a simple or complex liquid mixture of hydrocarbons that can be refined to yield gasoline, kerosene, diesel fuel, and various other products.~~

~~includes petroleum, and "petroleum" includes all oil and petroleum resources that can be artificially extracted or otherwise removed from the ground.~~

**"Oil and Gas facility Site" or "Site"** is a primary oil drilling site and all associated operations and equipment attendant to oil and gas production or injection operations including but not limited to pipelines, storage tanks, exploratory facilities (including exploratory test wells), flowlines, headers, gathering lines, wellheads, heater treaters, pumps, valves, compressors, injection equipment, drilling facilities, and production facilities.

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

**"Operator"** means the person, who by virtue of ownership or under the authority of a lease or any other agreement, has the right to drill, operate, maintain, or control a well or production facility.

~~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~~

**"OSHA"** refers to the California Occupational Safety and Health Administration.

~~"Owner" for purposes of this ordinance, shall refer to the person who owns or controls the mineral rights) to exploit, mine and/or produce any or all of the minerals lying below the surface of the property.~~

**"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. (1) A substance occurring naturally in the earth in a solid, liquid, or gaseous state and composed mainly of mixtures of chemical compounds of carbon and hydrogen, with or without other nonmetallic elements such as sulfur, oxygen, and nitrogen. In some cases, especially in the measurement of oil and gas, "petroleum" refers only to oil, a liquid hydrocarbon, and does not include natural gas or gas liquids such as propane and butane. (2) A general term for all naturally- occurring hydrocarbons, whether gaseous, liquid, or solid.

**"Petroleum Administrator" (PA)** is the City's administrative official, and the Petroleum Administrator's designated assistants, inspectors and deputies having the responsibility for the enforcement of this ordinance.

**"Pipelines,"** for the purposes of this ordinance, shall mean all flow lines for the transportation of ~~petroleum hydrocarbons or petroleum~~ by-products or of materials used in the production of ~~unrefined hydrocarbons~~ petroleum.

~~"Production facility" means any equipment, attendant to oil and gas production or injection operations including, but not limited to, tanks, flowlines, headers, gathering lines, wellheads, heaters, treaters, pumps, valves, compressors, injection equipment, and pipelines that are not under the jurisdiction of the State Fire Marshal pursuant to Section 51010 of the Government Code.~~

**"Produced water"** is a term used to describe the water that is produced along with crude oil and gas. ~~is water produced with oil and gas.~~

**"PSM"** refers to process safety management.

**"Pure Tones"** is noise in which a single frequency stands out contains a "pure tone." A pure

tone shall exist if the one-third octave band sound-pressure level in the band with the tone exceeds the arithmetic average of the sound-pressure levels of the two contiguous one-third octave bands by 5 dB for center frequencies of 500 Hertz and above, and by 8 dB for center frequencies between 160 and 400 Hertz, and by 15 dB for center frequencies less than or equal to 125 Hertz. Sources that produce pure tones are often described as being "tonal" and tend to be more noticeable, and potentially annoying, to humans than sources that do not contain pure tones.

**"Redevelopment"** for the purposes of this ordinance is the development of all of a portion of a current or former oil or gas facility-site to another authorized use other than petroleum operations.

**"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, including plugging of the original bore and casings and~~ the re-drilling of abandoned wells.

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

**"Re-work"** means any operation subsequent to initial drilling that involves deepening, redrilling, plugging, or permanently altering in any manner the casing of a well or its function.

**"Refining"** shall mean any industrial process facility where crude oil is processed and refined into more useful products and sold to others without further treatment or processing.

**"Regional Water Quality Control Board"** shall mean the Los Angeles Regional Water Quality Control Board.

**"RMP"** refers to a Resource Management Plan.

**"Secondary recovery operations"** ~~means 1. the use of water-flooding or gas injection to maintain formation pressure during primary production and to reduce the rate of decline of the original reservoir drive; 2. water-flooding of a depleted reservoir; and- 3. the first improved recovery method of any type applied to a reservoir to produce oil not recoverable by primary recovery methods. is any 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, or gases.~~

**"Secondary containment"** means containment, which is external to and separate from the primary containment, typically constructed of masonry block or poured concrete walls and must incorporate an impervious barrier.

**"Shut down" or "Shut Down Order"** is an order by the Petroleum Administrator, California State Fire Marshall, or DOGGR official, to restrict or prohibit certain (or all) functions or operations at a facility or by an owner or operator pursuant to authority of this ordinance.

**"SPCC"** refers to Spill Prevention, Control, and Countermeasures.

**"Steam Flooding Injection"** is a thermal oil and gas recovery method in which steam is injected into a reservoir through injection wells and driven toward production wells. The steam reduces the viscosity of crude oil, causing it to flow more freely. The heat vaporizes lighter hydrocarbons; as they move ahead of the steam, they cool and condense into liquids that dissolve and displace crude oil. The steam provides additional gas drive. This method is also used to recover viscous oils. The technique is also called Continuous Steam Injection or Steam Drive. Consistent with Section 3157(b) of Public Resources Code Division 3, steam flooding is not considered to be a well stimulation treatment.

is a method of thermal oil recovery in which steam generated at surface is injected into the reservoir through injection or production wells. When steam enters the reservoir, it heats up the crude oil and reduces its viscosity. Cyclic steaming involves the alternating steam injection and subsequent oil production from the same well.

**"Steaming" or "Cyclic Steaming"** shall mean a production method with alternating steam injection flooding and subsequent oil production from the same well. Steaming or cyclic is not considered to be a well stimulation treatment. See Steam Injection.

**"Structure"** is any object that 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.

**"Supervisor"** means the DOGGR Supervisor.

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

**"Toxic Air Contaminants"** means an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. Reference California Public Resources Code Section 93000.

**"USEPA"** refers to the United States Environmental Protection Agency.

**"Regional Water Quality Control Board"** shall mean the Los Angeles Regional Water Quality Control Board.

**"Waterflooding"** is a method of secondary recovery in which water is injected into the reservoir formation to displace residual oil. The water from injection wells physically sweeps the displaced oil to adjacent production wells.

**"Well"** means The hole made by a drilling bit, which can be open, cased, or both. Wells holes may also be called Boreholes, Holes, or Well Bores.

any oil or gas well or well for the discovery of oil or gas; any well on lands producing or reasonably presumed to contain oil or gas; any well drilled for the purpose of injecting fluids or gas for stimulating oil or gas recovery, repressuring or pressure maintenance of oil or gas reservoirs, or disposing of waste fluids from an oil or gas field; any well used to inject or withdraw gas from an underground storage facility; or any well drilled within or adjacent to an oil or gas pool for the purpose of obtaining water to be used in production stimulation or repressuring operations; but excluding any well drilled solely for the production of fresh water.

**"Well stimulation treatment"** means Any treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatments include, but are not limited to, hydraulic fracturing treatments and acid well stimulation treatments. A treatment at pressures exceeding the formation fracture gradient shall be presumed to be a well stimulation treatment. Aor a treatment that involves emplacing acid in a well and that uses a volume of fluid equal to or greater than the Acid Volume Threshold for the operation, shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. - Well stimulation does not include routine well cleanout work; routine well maintenance; routine treatment for the purpose of removal of formation damage due to drilling; bottom hole pressure surveys; routine activities that do not affect the integrity of the well or the formation; the removal of scale or precipitate from the perforations, casing, or tubing; a gravel pack treatment that does not exceed the formation fracture gradient, or a treatment that involves emplacing acid in a well and that uses a volume of fluid that is less than the Acid Volume Threshold for the operation and is below the formation fracture gradient.

Well stimulation treatments do not include steam flooding, water flooding, or cyclic steaming and do not include routine well cleanout work, routine well maintenance, routine removal of formation damage due to drilling, bottom hole pressure surveys, or routine activities that do not affect the integrity of the well or the formation. is any treatment or process of a well designed to enhance oil, gas or other hydrocarbon substance production or recovery by increasing the permeability of the underground geologic formation. Well stimulation treatments include, but are not limited to, hydraulic fracturing, acid fracturing, and acid matrix stimulation. A treatment at pressure

~~exceeding the formation fracture gradient shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. A treatment that involves emplacing acid in a well and that uses a volume of fluid equal to or greater than the Acid Volume Threshold (as defined by DOGGR) for the operation shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatment does not include routine well cleanout work; routine well maintenance; routine treatment for the purpose of removal of formation damage due to drilling; bottom hole pressure surveys; routine activities that do not affect the integrity of the well or the formation; the removal of scale or precipitate from the perforations, casing, or tubing; a gravel pack treatment that does not exceed the formation fracture gradient; or a treatment that involves emplacing acid in a well and that uses a volume of fluid that is less than the Acid Volume Threshold (as defined by DOGGR) for the operation and is below the formation fracture gradient.~~

"Workover" is the process of major maintenance or remedial treatments on an oil or gas well without changing the physical design of the well and regulated by DOGGR without requirements for notices of intent or permits.

#### **9504 Copies of Adopted Codes and Referenced Publications**

This ordinance, insofar as it regulates oil and gas 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. In all cases where there is conflict with state laws or regulations, such state laws or regulations shall prevail over any contradictory provisions, or contradictory prohibitions or requirements, made pursuant to this ordinance. Additionally, the approving body, whether the Petroleum Administrator, Planning Commission or City Council, may grant an exception or modification to the requirements of this ordinance to the minimal extent necessary to prevent a compensable taking. Such exception or modification shall be as consistent with the intent and purpose of this ordinance as possible given the specific factual circumstances of the particular project.

#### **9505 Position of Petroleum Administrator**

A. The Petroleum Administrator is authorized and directed to enforce the provisions of this 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 City Manager and subject to the City Manager's authority under Section 2107 of this Code. 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 the Petroleum Administrator in carrying out 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.

B. The Petroleum Administrator shall have the primary responsibility for enforcing the provisions of this ordinance. In the event the Petroleum Administrator is unable to obtain compliance with any of the terms and provisions of this ordinance, or of any resolution of the City Council adopted pursuant thereto, the Petroleum Administrator may order immediate cessation of operations. If such operations are not stopped within twenty-four (24) hours or if resumed prior to written approval of the Petroleum Administrator, the Petroleum Administrator may request civil action by the City Attorney as authorized by this Code or law, or criminal prosecution by the office of the district attorney, or both.

C. The Petroleum Administrator shall be authorized to appoint such number of officers, inspectors, assistants and other employees for the petroleum unit as shall be authorized by the City Manager subject to Section 2107 of this Code. The Petroleum Administrator may deputize such employees as may be necessary to carry out the functions of the petroleum unit.

#### **9506 Well Drilling Permit**

Prior to any drilling or physical changes of any test or production oil and gas wells the operator must receive a well drilling permit from the Petroleum Administrator, which indicates that the Petroleum Administrator has reviewed and approves of the operator's proposed drilling, or abandonment plans. Well permits shall be integrated within the appropriate Conditional Use Permits (CUP) and Development Agreements (DA).

#### **9507 Required Procedures for Conditional Use Permits**

A. Each drilling, or re-drilling, well project to which this ordinance applies shall be required to receive a Conditional Use Permit (CUP), from the City Planning Commission in order to receive authorization for, and proceed with, the construction and operation of an oil and gas facility site, including but not limited to any site development, or resource extraction. No well permits shall be considered or approved without such permits being consistent with provisions of the CUP.

B. All procedures for CUPs to which this ordinance applies shall be consistent with the Article IX, Chapter 1, Part 7 of the Code as well as with the following additional requirements:



### 9507.1 Conditional Use Permit (CUP) Filing Requirements

In addition to the filing requirements required by Section 9173.1- (Applications) of this Code, for projects within the City to which this ordinance is applicable, the following materials are also required as part of a CUP application for the consideration of the Planning Commission, or the City Council on appeal:

- A. A complete statement of the proposed project including, but not limited to, activities, facilities, and sites.
- B. A new or emergency response plan or updated emergency response plan to deal with potential consequences and actions to be taken in the event of floods, earthquakes, hydrocarbon leaks or fires for the site. The emergency response plan shall be approved by the City's Public Safety and Community Services Manager and the Los Angeles County Fire Department.
- C. A phasing plan for the staging of development that includes the estimated timetable for project construction, operation, and completion, restoration, and as well as, where applicable, the location and amount of land reserved for future expansion.
- D. A site plan showing:
  - 1. Surface pProperty, easement, rights-of-way and pipeline right-of-way boundaries within the site.
  - 2. Proposed access road constructions or modifications and connections with City streets and roads and any existing private roads.
  - 3. Areas to be used for construction.
  - 4. Areas to be used for access and maintenance during pipeline operation within and adjacent to the site.
  - 5. Existing roads, watercourses, and pipelines within the pipeline rights-of-way.
  - 6. Location and type of existing and proposed structures within 50 feet of the pipeline right-of- way.
  - 7. Location of existing and proposed wells and oilpetroleum or gas containing equipment and their measured distance from nearby uses, including the closest residential or school property line.

8. Location of all abandoned or idle wells in the site/field.

9. Proposed alteration of surface drainages within the site.

10. A contour map showing existing and proposed contours.

11. A plan for parking on or off site.

14-12. A map of all known-, historic, or suspected oil and gas wells or wellheads within 1500 feet of the site boundaries.

E. Site operations plan containing process flow diagrams, piping and instrumentation diagrams, expected process flows (rates, pressures, composition, and shut-down/start-up procedures, quarterly/annual production, disposition, injection, and disposal).

E.F. Plans with measures to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, air pollutants, and vibration) and to prevent danger to life, environmental quality, and property.

F.G. If construction is involved in the proposed project, a construction Best Management Practices (BMP) plan.

G.H. Estimates of the amount of cut and fill required by the proposed project.

H.I. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, or if the Petroleum Administrator determines it is necessary, a A plan for a community alert system to automatically notify area residences and businesses in the event of an emergency at an oil or gas facilities/site that would require residents to take shelter or take other protective actions.

I.J. If any grading is proposed that results in the loss of vegetated, sandy, permeable ground areas, which could alter surface runoff at the site a site-specific hydrologic analysis shall be completed by the operator and submitted to the Petroleum Administrator to evaluate anticipated changes in drainage patterns and associated increased runoff at the site.

J.K. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, or if the Petroleum Administrator determines it is necessary, a quiet mode operation plan which includes, but is not limited to, the following noise reduction measures:

1. Using signalers for all backup operations instead of backup alarms and turning off backup alarms;
2. Using radios instead of voice communication;



3. Minimizing crane use and pipe handling operations, pipe offloading from trucks and board loading to the maximum extent feasible and nighttime loading only for safety reasons;
4. Prohibiting material and supply deliveries to the Project Site between the hours of 6 p.m. and 8 a.m. on weekdays and prohibiting deliveries on weekends and holidays, with exceptions only for safety; and
5. Limiting process alarms and communications over the broadcast system to the maximum extent feasible during all operations and use only for safety reasons.

K.L. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, or if the Petroleum Administrator determines it is necessary, aA photometric analysis, which compares the baseline of the existing light measurements with the proposed light spill that will result from the oil and gas facility site.

L.M. An Environmental Quality Assurance Program ("EQAP"). (Ref. Section 9529.1).

M.N. Other information as deemed reasonably necessary by the Petroleum Administrator.

## **9507.2 Processing and Review**

Processing of CUP's shall be consistent with California's Permit Streamlining Act requirements, consistent with Sections 9170 through 9179 of this Code.

A. The applicant may apply for:

1. The drilling operations only;
2. The production facilities only; or
3. Both the drilling and production facilities.

B. The Petroleum Administrator will review the submitted application(s) for completeness in compliance with the filing requirements of Section 9507.1 and any other applicable sections of the Code, and shall refer the filed CUP to appropriate City departments or local and state agencies, as appropriate, for review and comment.



### 9507.3 Findings and Permitting Conditions

A. In addition to the requirements of Section 9172.21D (Commission Findings and Decision), the Planning Commission shall approve a Conditional Use Permit only if it is able to make affirmative findings of the following criteria:

1. The proposed project ~~shall~~will be in conformance with requirements of other local, regional, or State entities;
2. The project ~~shall~~will not be detrimental to the comfort, convenience, health, safety, and general welfare of the community, and will be compatible with the uses in the surrounding area;
3. The project ~~shall~~will be in compliance with the Development Standards contained in Part 2 of this ordinance, commencing with Section 9521; and
4. The project ~~shall~~will not result in an increased level of freshwater pollution or groundwater contamination in the immediate area or cause regulatory water standards at an existing water production well to be violated as defined in the California Code of Regulations, Title 22, Division 4, Chapter 15 and in the Safe Water Drinking Act, as they may be amended.
5. Any existing non-conforming oil and gas facilities ~~sites~~ located on the proposed project site ~~shall~~will already be in conformity, or will be brought into conformity, with all applicable provisions of this ordinance.

B. As a condition of approval of CUP, the Planning Commission ~~may~~shall consider and impose appropriate conditions as deemed reasonable and necessary to find consistency with the findings 1 through 5 above.

### 9507.4 Modifications and Extensions

A. The provisions of Section 9172.21 shall apply for all modifications or extensions requested for ~~petroleum oil and gas operations, sites, facilities, and equipment.~~

B. Any ~~oil and gas petroleum~~ operation in existence and lawfully operating when this ordinance becomes effective, ~~that does not have a CUP or development agreement for the operation shall be required to comply with this ordinance for any new development at the existing oil and gas site that would require a permit, a CUP or a development agreement~~that does not have a CUP or DA for the operation, shall be subject to all of the requirements of this ordinance



for any new development or modification of use at the existing facility that requires the issuance of a permit by the City.

#### **9507.5 Change of Ownership/Operators Criteria**

A. Listing on Permit. Any person who owns or operates an oil or gas site facility that is subject to this ordinance shall be listed as a permittee on the permit(s) issued for that facility. Any guarantor for such facility shall be listed on the applicable permit(s), identifying its responsibilities as guarantor. If any owner, operator, or guarantor is a partnership, all partners shall be listed on the permit and the managing partner shall be identified in this list.

B. Acceptance of Permit. Prior to being listed on a permit, any owner or operator of a oil or gas facility that is subject to this ordinance shall provide the City with a letter from a authorized agent or officer of the owner or operator formally accepting all conditions and requirements of the permit. This provision shall not apply to fractional interest owners that are not managing partners.

C. Permits Not Transferable. Any CUP issued or authorized pursuant to this Code, for a oil or gas site facility that is subject to this ordinance shall not be transferable, whether by operation of law or otherwise, from any existing owner, operator, or guarantor to a new owner, operator, or guarantor, except in accordance with this Code.

D. Ongoing Notification. All owners, operators, and guarantors shall, as an ongoing requirement, notify the Petroleum Administrator in writing of any change in the information required by this Section within thirty days of such change.

E. Change of Owner. Any change of owner, merger of the owner with another company, or change of form of business organization, shall require application and approval as provided in this ordinance. Until a change of owner is approved pursuant to this ordinance, the former owner(s) shall continue to be liable for compliance with all terms and conditions of the permit and any applicable requirements of this Code.

F. Change of Operator. A change of operator shall require an application filed with the City within thirty days prior to a change of operator. An application is not required when the change of operator does not entail a substantive change to operations or personnel of the oil or gas site facility as determined by the Petroleum Administrator, and the same operator is retained by DOGGR.

G. Change of Guarantor. Any change of guarantor, including merger of the guarantor with another company or change of form of business organization, shall require application and approval as provided in this ordinance. Until a change of guarantor is approved pursuant to this

ordinance, the former guarantor(s) listed on the permit shall continue to be liable for compliance with all terms and conditions of the permit and any applicable Section of the Code.

H. Liability for Compliance with Permit Conditions. Any owner, operator or guarantor listed on a permit pursuant to this ordinance shall comply with all conditions of such permit, as applicable, to owners, operators and guarantors. Failure to comply with such permit conditions shall subject the owner, operator or guarantor to the applicable penalty and enforcement provisions of this Code or other applicable ordinance for such permits.

I. Liability for Abandonment. The current owner or operator, as determined by the records of the Petroleum Administrator, of a facility subject to this ordinance shall be responsible for the proper abandonment of the facility. If the Petroleum Administrator determines that the current owner or operator does not have the financial resources to fully cover the cost of abandoning the facility, the immediately preceding owner or operator shall also be responsible for the cost of abandoning the facility.

If the immediately preceding owner or operator also does not have sufficient financial resources, the Petroleum Administrator may continue to look seriatim to previous owners or operators until an owner or operator, or a combination of owners or operators, is found that the Petroleum Administrator determines have the financial resources to cover the cost of abandoning the facility.

## **9508 Procedures for Development Agreements**

Each drilling project to which this ordinance applies that includes 3 or more total wells<sup>1</sup> on an oil and gas facility site will require a development agreement (DA) between either the owner or operator, or both, and the City. Any re-drilling of wells shall be considered a new well for the purposes of calculating total wells subject to the requirements for a DA. The procedures for development agreements will comply with Government Code Division 1, Chapter 4, Article 2.5 and the following additional requirements:

### **9508.1 Filing Requirements**

A. Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person(s) who has the entire legal interest in the real property of the oil or gas facility site, or a person(s) who has the entire equitable interest in the real property for the

<sup>1</sup> For purposes of this Section "total wells" shall mean the cumulative number of existing and proposed wells on an oil and gas facility site.

gas or oil facility site and is joined by the legal interest holder in the application. The qualified applicant shall provide proof of ownership interest, including any oil and gas leases, in any mineral rights associated with the petroleum operation. The applicant shall provide to the Petroleum Administrator proof of interest in the real property in the form of a title report by a California title insurance company and proof of the authority of the agent or representative, to act for the applicant. Said proof of interest and proof of authority shall be subject to review and approval by the City Attorney.

B. The Petroleum Administrator shall prescribe the form for each application, notice and documents provided for or required under these regulations for the preparation and implementation of development agreements. The applicant shall complete and submit such an application form to the Petroleum Administrator, along with a deposit for the estimated direct and indirect costs of processing the development agreement. The applicant shall deposit any additional amounts for all costs and fees to process the development agreement, including all legal fees, within 15 days of request by the Petroleum Administrator. Upon either completion of the application process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the costs of processing.

C. The Petroleum Administrator ~~shall~~ may require an applicant to submit such information and supporting data as the Petroleum Administrator considers necessary to process the application.

D. A community benefit assessment to evaluate the benefits the DA will provide to the community.

## **9508.2 Processing and Review**

A. The Petroleum Administrator shall endorse on the application the date it is received. An application or related document shall not be complete until an estimated deposit for the cost of processing has been paid to the City. If within 30 days of receiving the application the Petroleum Administrator finds that all required information has not been submitted or the application is otherwise incomplete or inaccurate, the processing of the application and the running of any limits shall be suspended upon written notice to the applicant and a new 30 day period shall commence once the required material is received by the Petroleum Administrator. If the Petroleum Administrator finds that the application is complete it shall be accepted for filing and the applicant so notified. The Petroleum Administrator shall review the application and determine the additional requirements necessary to complete processing of the agreement. After receiving the required information and the application is determined to be complete, the Petroleum Administrator shall prepare a staff report and recommendation to the Planning Commission and

City Council stating whether or not the agreement as proposed or in an amended form would be consistent with policies of the City, this ~~ordinance~~ Code and any applicable general or specific plan. The City Attorney shall review the proposed development agreement as to legal form.

B. Notice of a hearing regarding the development agreement ~~shall~~ ~~must~~ be given by the Petroleum Administrator and ~~shall~~ comply with the requirements of Government Code Section 65867, as may be amended, as well as in the manner set forth in Section 9173.22 Article IX, Chapter 1, Part 7 of the Code, except that the Petroleum Administrator, not the Director, shall be responsible for providing notice.

C. The Planning Commission shall review the proposed development agreement and provide a recommendation to the City Council to approve, approve with modifications or deny the proposed development agreement. If the Planning Commission fails to take action within 60 days of opening the hearing on the matter, ~~such failure~~ it shall be deemed to have made a recommendation of denial to the City Council unless the applicant has requested an extension of time, either in writing or on the record, which has been approved by the Planning Commission prior to the running of the 60<sup>th</sup> day.

D. The proposed development agreement shall be set for hearing and consideration before the Council within 60 days of the recommendation of the Planning Commission, unless the applicant agrees in writing to an extension of time with the Petroleum Administrator prior to the matter being heard by the Council.

E. Within 10 calendar days after the City enters into the development agreement, the City Clerk shall have the agreement recorded with the County Recorder. If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in Government Code Section 65868, or if the City terminates or modifies the agreement as provided in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the City Clerk shall have notice of such action recorded with the County Recorder.

### **9508.3 Findings and Development Agreement Conditions**

A. After the City Council completes the public hearing, ~~the Council~~ it may not approve the development agreement unless it finds that the provisions of the agreement:

1. Are consistent with the goals, objectives, and policies of the general plan and any applicable specific plan;



2. Are compatible with the uses authorized in, and the regulations prescribed for the zoned district in which the real property is located;
3. Are in conformity with public convenience, general welfare and good land use practice;
4. Will not be detrimental to the health, safety, environmental quality, and general welfare of the community;
5. Will not adversely affect the orderly development of property or the preservation of property valued; or
6. Provides for a penalty for any violation of the development agreement consistent with the provisions of Section 9514.

#### **9508.4 Modifications and Extensions**

- A. The provisions of Government Code Section 65868 shall apply for all modifications, extensions or other amendments of the terms of a development agreement subject to this ordinance.
- B. Any oil and gas site facility operation in existence and lawfully operating prior to the adoption of this ordinance, that does not have a CUP or development agreement for the operation shall be required to comply with this ordinance for any new development ~~or modification of uses at the existing oil and gas facility site~~ that would require a permit, a CUP or a development agreement.
- C. Either party may propose an amendment or termination of an approved development agreement subject to the following:
  1. The procedure for amending or terminating, the development agreement is the same as the procedure for entering into an agreement in the first instance.
  2. If the City initiates the proposed amendment to or cancellation in whole or in part of the development agreement, the City shall first give notice to the parties to the development agreement of the City's intention to initiate such proceedings at least 30 calendar days in advance of the giving of notice of intention to consider the amendment or cancellation.

## 9509 Periodic Review

The City may choose to conduct a comprehensive review of any oil or gas drilling permit, -CUP or DA every five years from the date of approval to determine if the project and the associated CUP or DA are adequately mitigating significant environmental impacts caused by the drilling and operations, and consider adding reasonable conditions, which incorporate proven technological advances, as deemed appropriate through City review. Nothing in this section shall limit the City's authority to conduct a review at more frequent intervals, engage in mitigation monitoring as required by CEQA, or otherwise act as directed or authorized by law.

A. Within 30 days from the request by the City, the operator shall deposit to the City the funds necessary for the City to retain a third party entity to prepare a periodic review, which includes all operational records, drawings, specifications, permits from state agencies, and analysis of the effectiveness of this ordinance, enforcement activity, and any other issues associated with potentially adverse effects of and complaints about oil and gas facility site operations. A periodic review will be funded by the operator every 5 year period following approval, or before if the City so requests. If the periodic review identifies significant deficiencies in an oil and gas drilling permit, a the-CUP or DA that are resulting in unmitigated adverse impacts then the Petroleum Administrator may identify these deficiencies and bring forward recommendations of corrective actions to the Planning Commission or City Council for consideration and prospective amendments of oil and gas drilling permits, CUP, and/or DA.

B. A well drilling permit, -CUP, or DA may also be reviewed by the Petroleum Administrator at any time, if more than three violations occur within a twelve month period and the Petroleum Administrator determines that resolution of the violations may be addressed by a new drilling permit and/or an amendment to the CUP or DA. The Petroleum Administrator shall make a recommendation of amendments to the Planning Commission for CUPs and the City Council for DAs, as reasonably deemed necessary.

## 9510 Site or Well Abandonment, Well re-abandonment, Restoration and Redevelopment of the Site Procedures

The following provisions and procedures shall be implemented for oil or gas facility site-site, site-or well abandonment, well re-abandonment, restoration and redevelopment of site procedures:

### 9510.1 Purpose and Intent

A. Section 9510 et seq. establishes procedures and provisions to achieve the timely abandonment of applicable oil and gas related activities and land uses, and following the abandonment, the timely and proper removal of applicable oil and gas facilities (including wells,

equipment and gas-related structures), reclamation and remediation of host sites, and final disposition of pipelines, in compliance with applicable laws and permits. This Section also establishes procedures for abandonment and re-abandonment of individual well(s), in compliance with applicable laws and permits, where petroleum oil and gas operations will be continuing at the oil and gas facility site. Finally, this Section establishes redevelopment procedures for non-oil and gas activities.

B. The procedures ensure appropriate due process in differentiating idled from abandoned facilities and protecting the vested rights of permittees while also ensuring that sites facilities with no reasonable expectation of restarting are removed, in compliance with the intent of abandonment permits. These procedures also ensure a process for abandoning or re-abandonment of sites facilities where oil and gas petroleum operations will continue on at the site, as well as procedures for restoration and redevelopment of a site to another uses.

~~C. Timely abandonment, re-abandonment, remediation, reclamation and redevelopment provide a public benefit by avoiding unnecessary delays in the removal of applicable oil and gas facilities and the restoration of any residual contamination that may result during operations, and providing an effective means of mitigating several significant environmental and socioeconomic effects, including aesthetics, compatibility with surrounding land uses, contamination from leaking abandoned wells, public health and safety for future non-petroleum uses at the site, and risk of default on demolition and reclamation obligations by the permittee.~~

### **9510.2 Applicability**

Oil and gas development, sites, and activities subject to this ordinance shall include all permitted uses identified in Section 9502 of this Code, or those sites that at one time handled, natural gas, natural gas liquids, oil, produced water, or waste water that originated from a petroleum reservoir, regardless of whether these uses were permitted in compliance with this ordinance or any preceding ordinance. This includes, all pipeline systems, except for public utility natural gas transmission and distribution systems, that either transport or at one time transported natural gas, oil, produced water, or waste water that originated from a reservoir, regardless of whether these uses were permitted in compliance with this Code or any preceding ordinance.

### **9510.3 Application Process**

The procedures for processing an abandonment, re-abandonment, and site restoration permit shall utilize the notice, hearing and appeal process for a Conditional Use Permit as detailed in Article IX, Chapter 1, Part 7 of the Code. For any item required to be submitted less than 180 days in advance, the Petroleum Administrator has the discretion to process and approve the

application. Any person may submit an appeal to the Petroleum Administrator or the Planning Commission within 15 days of the Petroleum Administrator's notice of decision consistent with Section 9173.4. Mandatory requirements of the Code are not subject to appeal. All procedures shall be consistent with the following requirements:

### 9510.3.1 Requirement to File an Application

- A. **Complete Abandonment of ~~Oil and Gas~~ Petroleum Operations:** The owner or operator shall submit an application to the Petroleum Administrator upon intentional abandonment of the entire ~~oil and gas~~ petroleum operation or ~~facility~~ site. The application for abandonment and site restoration proceedings shall be submitted 180 calendar days prior to the planned shutdown of all the facilities.
- B. **Partial Abandonment of ~~oil and gas~~ Petroleum Operations:** If any portion of the oil or gas ~~site~~ facility is being abandoned, or if a well is being re-abandoned, the owner or operator shall submit an application to the Petroleum Administrator for partial abandonment of ~~oil or gas~~ petroleum operations. Said application shall be submitted not later than 30 calendar days prior to abandonment or re-abandonment of wells involving less than 10% of the total number of wells on site or 10 wells, whichever is more; all other applications shall be submitted not later than 180 calendar days prior to abandonment, re-abandonment or restoration.
- C. **Redevelopment of a Former ~~Gas or Oil~~ Oil and Gas Site:** If redevelopment of a use other than an ~~oil and gas~~ petroleum operation is proposed at a completely or partially abandoned oil or gas ~~facility~~ site, the owner or applicant shall submit an application to be processed as either a ~~Site Plan or a~~ Conditional Use Permit consistent for that use under Chapter 1, Article IX of this Code. Said application shall include the content required by Section 9510.3.2, and the ~~Site Plan or Conditional Use Permit~~ shall comply with the development standards of Section 9537.
- D. **Other Events Requiring an Application:** The owner or operator land use shall submit an application for abandonment, re-abandonment, and site restoration proceedings to the Petroleum Administrator upon any of the following:
  - 1. Any event or condition designated in an existing City permit or entitlement that would require consideration of abandonment. The Application shall be submitted 90 days in advance of the event or condition. If the event or condition cannot be known until after it occurs, the application must be submitted within 15 days of the event or condition.
  - 2. The permitted land use or an independent business function of a permitted land use has become idle in that it has not been used for six consecutive months of

continuous operations during a five year period or longer. The application shall be submitted 180 days prior to the expiration of the five year period.

3. Upon the revocation, expiration, or failure to obtain or maintain in full force and effect permits required by the provisions of this ordinance. The application shall be submitted within 30 days of the revocation, expiration or failure to obtain or maintain such a required permit.
4. Upon order of DOGGR. The application shall be submitted within 30 days of a DOGGR order to abandon, re-abandon, and restore the site.
5. Detection of a leak of an abandoned or re-abandoned well. The application shall be submitted as soon as possible, but not later than 30 days of knowledge of the leak by the owner or operator, regardless whether notice is obtained through a leak test conducted consistent with Section 9537(C) or through other means.

### **9510.3.2 Content of Application**

The application shall be in a form and content specified by the Petroleum Administrator and this Section. The application shall contain the following:

- A. Name, address, and contact information for the permittee.
- B. Name, address, and general description of the permitted land use.
- C. Gross and net acreage and boundaries of the subject property.
- D. Location of all structures, above and underground, proposed to be removed.
- E. Location of all structures, above and underground, proposed to remain in-place.
- F. Locations of all structures, above and underground, proposed for development
- G. Location of all wells, including active, idled, abandoned or re-abandoned wells, including distances from site boundaries, and existing and proposed structures. Each well shall include the DOGGR well name and number, as well as the American Petroleum Institute (API) well number. If available, the location of the wells shall be identified with the name of the operator and well designation. Redevelopment of all or a portion of a former gas or oil site for use other than an oil and gas petroleum operation shall also require a licensed survey of all wells within the area of development and include the North American Datum of 1983 (NAD 83) well location or equivalent.



- H. An American Land Title Association (A.L.T.A) survey of the site, showing all improvements, easements, rights-of-way, and other elements impacting the ownership of land.
- I. Location of all utilities on the subject property.
- J. Location of all easements on or adjacent to the subject property that may be affected by demolition or reclamation.
- K. To the extent known, the type and extent of all contamination and proposed remedial actions to the level of detail that can be assessed through environmental review. This information does not require a new or modified Phase 2 site assessment in advance of any requirement by the Fire Department or State agencies with regulatory oversight of site assessments.
- L. Location of areas of flood, geologic, seismic, and other hazards.
- M. Location of areas of archeological sites, habitat resources, prime scenic quality, water bodies, and significant existing vegetation.
- N. Location and use of all structures within 100 feet of the boundaries of the subject property.
- O. A proposed abandonment, re-abandonment and restoration plan that details the activities for the proposed action, including the following details: hours of operation, estimated number of workers required on site to decommission facilities and structures or to otherwise abandon or re-abandon wells, disposition of equipment and structures proposed for decommissioning, projected method and routes of transporting equipment, structures, and estimated debris from the site to the place of disposition as well as the number of trips required, and an estimated schedule for decommissioning the facilities or completion of the work.
- P. A proposed waste-management plan to maximize recycling and minimize wastes.
- Q. Other permit applications that may be required by the Code to retain any existing structures, roadways, and other improvements to the property that were ancillary to the oil or gas operations and are proposed to be retained to support other existing or proposed uses of the property following abandonment of the oil or gas operations.
- R. A proposed grading and drainage plan.
- S. A proposed plan to convert the site to natural condition or convert to other proposed land use, including a detailed schedule for restoring the site. In the latter case, include other applicable permit applications required, if any, for the proposed land use.



- T. A statement of intent regarding the disposition of utilities that served the oil and gas operations, including fire protection, power, sewage disposal, transportation, and water.
- U. Measures proposed to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, smoke, traffic congestion, vibration) and to prevent danger to life and property.
- V. A copy of DOGGR approval to abandon, re-abandon or remediate well(s).
- W. A leak test report for each abandoned or re-abandoned well(s) on the site that meets the requirements of Section 9537(C) and has been accepted by the Petroleum Administrator within the past 24 months.
- X. For abandonment, re-abandonment or restoration in any circumstances where the permit is approved by the Petroleum Administrator, proof of mailed notice of intent to seek a permit to abandon, re-abandon or restore to the owner of record on the latest assessment roll for neighboring parcels within 500 feet of the oil and gas facility site property boundaries. The notice shall generally describe the scope of the activity being proposed.
- Y. Any other information deemed reasonably necessary by the Petroleum Administrator to address site-specific factors.

### **9510.3.3 Permitting Specifications**

- A. **Application Filing.** The Petroleum Administrator shall process complete applications for permits after determining the applications to be complete in compliance with Section 9510.3.2 of this ordinance Code, and submit applications subject to initial Planning Commission review to the Planning Commission with a recommendation regarding approval if the findings in Section 9510.3.4 are met. An application shall not be complete unless the applicant has made a deposit for the estimated direct and indirect costs of processing the application. The applicant shall deposit any additional amounts for the costs to process the application, including legal review, within 15 days of request by the Petroleum Administrator. Upon either completion of the permitting process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the direct and indirect costs of processing.
- B. **Independent or concurrent processing of applications.** For applications subject to initial Planning Commission review, the Planning Commission shall process complete applications for abandonment and site restoration permits independently of any other permit applications to develop the site in question, unless the Petroleum Administrator makes the determination that the concurrent processing of abandonment and site restoration permits and development permits for

the same site do not unduly hinder timely restoration of abandoned sites or result in long delays in securing approval of development permits.

C. Demolition and restoration permit shall supersede. Upon approval of a demolition and restoration permit subject to initial approval by the Planning Commission, or upon abandonment of operations, whichever occurs later, the demolition and reclamation permit shall supersede any discretionary permit approved for construction and operation of the facilities.

D. Conditions of Permit: In addition to any other requirements of this Code, any permit for abandonment, re-abandonment or restoration shall be subject to the following requirements regardless whether initially approved by the Petroleum Administrator or the Planning Commission:

1. Oil well abandonment shall be performed by oil service company contractors licensed to do business in the city.
2. All equipment and surface installations used in connection with the well which are not necessary, as determined by the Petroleum Administrator or Planning Commission, for the operation or maintenance of other wells of on the drill or operation site shall be removed from the site.
3. The abandoned or re-abandoned well site or portions of the oil and gas facility site shall be restored to its original condition or as nearly as is practical given the nature of the location and continuing uses for an oil and gas facility site.
4. All sumps, cellars, and ditches which are not necessary for the operation or maintenance of other wells of on the oil or gas facility site shall be cleaned out and all oil, oil residue, drilling fluid, and rubbish shall be removed or bio-remediated to reduce hydrocarbons to standards acceptable to federal, state, or local agencies. All sumps, cellars, and ditches shall be leveled or filled. Where such sumps, cellars, and ditches are lined with concrete, the owner or operator shall cause the walls and bottoms to be broken up and all concrete shall be removed.
5. The portions of the site not necessary for continuing oil or gas facility site operations shall be cleaned and graded and left in a clean and neat condition free of oil, rotary mud, oil-soaked earth, asphalt, tar, concrete, litter, and debris.
6. All public streets, alleys, sidewalks, curbs and gutters, and other places constituting public property which may have been disturbed or damaged in connection with any operation, including operations for the abandonment or re-abandonment of the well





shall be cleaned, and, except for ordinary wear and tear, shall be repaired and restored to substantially the same condition thereof as the same existed at the time of issuance of the permit, or at the time operations were first commenced in connection with the drilling, operation, or maintenance of the well.

7. A copy of written approval of DOGGR confirming compliance with all state abandonment proceedings for all abandoned facilities must be furnished to the Petroleum Administrator.
8. Proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property.
9. Prior to issuance of the permit, the owner shall record declaration of a covenant, in a form subject to the review and approval of the City Attorney, putting future owners and occupants on notice of the following: the existence of abandoned oil wells on the site; that the wells within the site have been leak tested and found not to leak; description of any methane mitigation measures employed; disclosure that access to these wells has been provided to address the fact that they may leak in the future causing potential harm; acknowledgment that the state may order the re-abandonment of any well should it leak in the future; acknowledgment that the state does not recommend building over wells; and releasing and indemnifying the City for issuing any project permit or entitlement for the project. The covenant shall run with the land, apply to future owners, and may only be released by the City.

#### **9510.3.4 Findings Required for Approval**

In addition to the findings specified in 9172.21 of the Code, for permits the Petroleum Administrator or Planning Commission shall also make affirmative findings based on the following criteria:

- A. The subject site will be restored and remediated to its pre-project natural conditions unless areas within the site are subject to approved development, in which case restoration and landscaping of these areas will conform to the permitted development. In cases where development is proposed but not yet permitted, restoration of affected areas to natural conditions may be waived by the Planning Commission; provided, the development is permitted within five years and the permittee has posted financial assurances acceptable to the Petroleum Administrator to ensure restoration to natural conditions if the proposed development is not permitted.



B. The proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property

C. The permit conditions comply with Section 9510.3.3 and contain specific enforceable requirements to ensure the timely completion of any abandonment or re-abandonment of wells, restoration activities or cessation of other oil and gas facilitysite operations subject to the permit.

### **9510.3.5 High-risk Operations**

A. Upon determination that any oil and gas~~petroleum~~ production, processing or storage operation meets the definition of high risk operation from Section 9503, the Petroleum Administrator shall give the owner and operator written notice of the Petroleum Administrator's intent to declare the operation a high risk operation under this Section. The intent of this Section shall be to remediate the high-risk operation and bring the oil or gas facilitysite and the operator within normal, safe operating standards and protect the public safety, health and environment. The written notice of the intent to declare the operation a high-risk operation shall include:

1. Facts substantiating the declaration; and
2. An advisory regarding the right to appeal the declaration.

B. Along with the determination of the facilitysite being a high risk operation, the Petroleum Administrator may take either or both of the following actions:

1. An investigation of the causes leading up to the high risk designation;
2. Require a mandatory restoration plan submitted by the operator. Such plan shall include, but is not limited to:
  - i. A mandatory restoration schedule for bringing the facilitysite and operator within normal, safe operating standards. Such schedule does not supersede any timeline for abatement otherwise established for individual outstanding violations.
  - ii. An audit of overall facilitysite operation(s):
    - a. The audit shall be conducted by an independent third party approved by the Petroleum Administrator. Costs associated with the audit shall be borne by the operator;

- b. The audit shall identify and analyze the root causes leading to the high risk designation;
  - c. The audit shall further identify and analyze other potential areas in overall facilitysite operation that could impact the facilitysite's ability to operate within safe and normal standards (e.g. personnel training, operational policies, internal procedures, etc.);
  - d. Provide a plan for remediating all issues identified in the audit, including a mandatory schedule for remediating those issues. Such restoration plans shall be subject to approval by the Petroleum Administrator.
  - e. The audit may be ordered in lieu of, or in addition to the investigation undertaken by the Petroleum Administrator.
- iii. Any other requirements the Petroleum Administrator deems necessary to bring the facilitysite and operation within normal, safe operating standards for the purposes of protecting the public safety, health and environment.
- C. The owner or operator of the high risk operation shall carry out the approved restoration plan and shall be responsible for paying all reasonable costs associated with the implementation of the plan, including:
- 1. City staff time in enforcing these provisions at an hourly rate that provides for full cost recovery of the direct and indirect costs. Staff time shall include, but is not limited to, the ongoing monitoring and verification of compliance with the approved restoration plan;
  - 2. Investigative, research (including legal research) and consulting costs associated with preparation of the restoration plan;
  - 3. Third party costs for investigation, consultation, engineering, clean-up, operator staff training, operations and all other related costs necessary to carry out the restoration plan;
  - 4. Any other costs necessary to remediate the high risk operation as ordered by the Petroleum Administrator.



D. At the sole discretion of the Petroleum Administrator, at any time during which a facilitysite or operator is subject to this Section, the Petroleum Administrator may require a bond be posted to cover the cost of remediating the causative problems of the high risk operation.

E. The designation of high risk operations or high risk operator shall continue to apply until the goals and guidelines of the restoration plan established hereunder is achieved. The high risk operator shall notify the Petroleum Administrator when a milestone in the restoration plan has been satisfied. The Petroleum Administrator may conduct independent verification of the compliance upon such notification. The restoration plan may be amended from time to time as necessary to achieve the purposes of this Section.

F. Failure of the owner or operator of a high risk operation to post a bond required under this Section, prepare the restoration plan within a reasonable timeframe as ordered by the Petroleum Administrator, or to reasonably achieve the goals and guidelines of an approved restoration plan under this Section, may be cause for a shutdown of the high risk operation(s) or any other petroleum operations located in the City that are co-owned or co-operated by the high risk operator, at the discretion of the Petroleum Administrator.

G. The owner or operator of a high risk operation shall compensate the City for any costs associated with the enforcement of this Section within 30 days of written demand by the Petroleum Administrator. Any City costs associated with enforcement of this Section, which are not promptly paid by the owner or operator shall be subject to enforcement by tax bill lien or other collection methods at the discretion of the City.

H. The City may institute legal proceedings to require compliance provisions with this Section.

### **9511 Operational Noticing**

A. Each operator ~~shall~~must submit copies of all notices provided to or received from DOGGR, ~~in writing,~~ to the Petroleum Administrator, within ten business days of transmission or receipt of such notices, as applicable.

B. 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 business 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.
- C. The operator of any well shall notify the Petroleum Administrator, in writing, of the suspension of any welldrilling operations greater than five days. The operator shall notify the Petroleum Administrator in writing upon the resumption of operations giving the date thereof.
- D. The operator shall report any violations of state or federal laws that occur on an oil and gas facility~~site~~ to the Petroleum Administrator within 30 days of their date of documentation by a state or federal agency.

#### **9512 Compliance with City Codes and Ordinances**

All complaints related to activities regulated by this ordinance received by the operator shall be reported within one business day to the Petroleum Administrator. If the complaint is received after normal business hours, it shall be reported to the Petroleum Administrator at the opening of the next business day. In addition, the operator shall maintain a written log of all complaints and provide that log to the Petroleum Administrator on a quarterly basis. Depending upon the nature of the complaint and determination from the Petroleum Administrator, the operator shall report the complaint to the SCAQMD, DOGGR, and any other appropriate agencies with oversight authority regarding the complaint at issue.

#### **9513 Injunctive Relief**

In addition to any administrative remedies or enforcement provided in this Code, the City may seek and obtain temporary, preliminary, and permanent injunctive relief to prohibit violation or mandate compliance with this Code ordinance. All remedies and enforcement procedures set forth herein shall be in addition to any other legal or equitable remedies provided by law.

#### **9514 Notice of Violation and Administrative Fines**

- A. The operator shall also be subject to a fine for violation of any requirement of a CUP or this ordinance as determined by the Petroleum Administrator, subject to the following:

1. Depending on the specific type and degree of the violation, the operator in violation may be penalized at a rate of \$5,000 to \$10,000 per day, per violation, until it is cured, but in no event, in an amount beyond that authorized by state law. The Petroleum Administrator will develop a violation fee schedule for Council for approval to specifically identify the fees associated with oil or gas facilitysite violations. This violation fee schedule may also include nuisance violations.
  2. In the event of a violation of any of the City's permitting actions, a written notice of violation and the associated fine determination will be sent to the operator by the Petroleum Administrator. The operator shall deposit the sum of \$100,000 in an interest-bearing trust fund with the City within thirty days of the date of the second violation notice sent to the operator by the Petroleum Administrator, to establish a draw down account. If the noted violation is not corrected within thirty calendar days to the satisfaction of the Petroleum Administrator, or if steps satisfactory to the Petroleum Administrator have not been initiated during that period to affect a cure or to seek modification of the condition, the fine amount cited in the written notice will be deducted from the account.
- B. Nothing in this Section or ordinance shall limit the City's ability to pursue other enforcement procedures, including CUP revocation proceedings, actions to enforce a DA, or other legal or equitable remedies provided by this Code or available under the law.

### **9515 Nuisance Procedures**

Any violation of this ordinance is hereby declared to be a public nuisance for the purposes of Section 5702, and may be abated pursuant to the procedures set forth in Article V, Chapter 7 (Property Maintenance) of this Code. The procedures for abatement shall not be exclusive, and shall not in any manner limit or restrict the City from otherwise enforcing this ordinance or abating public nuisances in any other manner as provided by law, including the institution of legal action by the City Attorney to abate the public nuisance at the request of the Director in charge of enforcing Chapter 7 of this Code.

### **9516 Compliance Monitoring**

- A. Environmental Compliance Coordinator(s). The City may hire Environmental Compliance Coordinators as needed to oversee the monitoring and condition compliance requirements of the City's permitting actions subject to regulation under this ordinance, the costs of which shall be reimbursed by operator. The number of Environmental Compliance Coordinators shall be determined by the City and shall take into account the level of oil and gas~~petroleum~~ operations



associated with the project site. The Environmental Compliance Coordinator(s) shall be approved by, and shall report to, the Petroleum Administrator consistent with the City Manager's authority under Section 2107 of this Code. The responsibilities of the Environmental Compliance Coordinator(s) shall be determined by the City for the project site and shall generally include:

1. On-site, day-to-day monitoring of construction, drilling ~~and redrilling~~ ~~re-drilling~~, operational or abandonment and site restoration activities as determined by the Petroleum Administrator.
2. Taking steps to ensure that the operator, and all employees, contractors and other persons working in the project site, have knowledge of, and are in compliance with all applicable provisions of the conditional use permit or development agreement.
3. Evaluating the adequacy of drilling, ~~redrilling~~ construction and redevelopment impact mitigations, and proposing improvements to the operator or contractors, and the City.
4. Reporting responsibilities to the various City departments with oversight responsibility at the project site, as well as other agencies such as DOGGR, and SCAQMD.

B. Compliance Deposit Account. An applicant must establish a compliance deposit account with the City within 30 days of receiving authorization for a CUP or DA from the City. The compliance security deposit amounts shall be determined by the Petroleum Administrator, and shall be based on the nature and extent of the compliance actions required.

### **9517 Financial Assurances Applicability**

A. Sections 9518 through 9520 shall apply to any person who owns, operates or guarantees performance for or who seeks to own, operate or guarantee performance for any oil or gas ~~facility~~ site involved in exploration, production, processing, storage or transportation of oil or gas extracted from reserves in the City of Carson:

B. This ordinance shall not apply to the change of owner, operator or guarantor of the following:

1. Sales gas pipelines operated by a public utility and regulated by the California Public Utilities Commission;
2. A change of ownership consisting solely of a change in percentage ownership of a ~~facility~~ site and which does not entail addition or removal of an owner or affect any financial guarantee or bonds for a permit, CUP, and/or DA.



## 9518 Operator's Financial Responsibilities

The applicant shall be fully responsible for all reasonable costs and expenses incurred by the City or any City contractors, consultants, or employees, in reviewing, approving, implementing, inspecting, monitoring, or enforcing this ordinance or any CUP, DA, or permit, including but not limited to, costs for permitting, permit conditions implementation, mitigation monitoring (including well abandonment and re-abandonment), reviewing and verifying information contained in reports, undertaking studies, research and inspections, administrative support, and including the fully burdened cost of time spent by City employees, City Attorney, or third-party consultants and contractors on such matters.

## 9519 Securities and Bond Requirements

A. The oOperator shall file a faithful performance bond with the Petroleum Administrator consistent with the following bonding requirements:

1. The Petroleum Administrator shall determine the amount of the bond based on the total number of wells, proposed operations, size and nature of the property, appropriate environmental studies on the property, including a Phase I, II or Human Health Risk Assessment Reports and other relevant conditions related to the proposed wells or operations at a specific oil or gas facility/site.
2. The amount of the bond shall be sufficient to assure the completion of the abandonment, necessary re-abandonment, site restoration, and remediation of contamination of the oil or gas facility/site if the work had to be performed by the City in the event of forfeiture. The performance bond shall be inflation indexed to ensure the amount of the bond shall be sufficient to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas facility/site. The bond shall be available within a time frame to allow the City to undertake related activities in a timely manner, including at least half a portion for immediate access and use in the event of an emergency as determined by the Petroleum Administrator.
3. Prior to expansion of an oil or gas facility/site, the operator shall apply to the Petroleum Administrator for a determination of the amount of the bond necessary to ensure completion for both the existing and expanded operations. In addition, every bond shall be re-assessed by the Petroleum Administrator every 5 years to ensure the amount is sufficient to ensure the completion of the abandonment, site restoration, and remediation of contamination of the oil or gas facility/site.





4. Upon application by the owner or operator, the ~~P~~petroleum ~~O~~perator Administrator may reduce bonding amounts based upon change of physical circumstances, completion or partial completion of work, or significant reduction in cost to perform the work. In no event shall the amount of the bond be reduced to an amount insufficient to complete any remaining work, nor shall the bond be reduced due to economic hardship or similar considerations.
  5. After completion of all abandonment and site restoration requirements, the bond shall be maintained in a sufficient amount to ensure remediation of contamination at the oil or gas ~~facility~~ site for a period not less than 15 years.
  6. In no event shall the bonding amount be less than \$50,000 per well.
  - 6.7. The bond may be drawn only from a qualified entity without any economic interests or relationship with the owner and/or operator and any related economic entities related thereto. The Petroleum Administrator shall receive all pertinent information related to the bond and bonding entity prior to issuance of a final approved permit, CUP, or DA.
- B. In lieu of these bonding requirements, an operator may also submit any other legally adequate and binding financial mechanism, subject to City Attorney approval, to satisfy the monetary assurance requirements set by the Petroleum administrator to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas ~~facility~~ site.
- C. For any evaluation of bonding amounts by the Petroleum Administrator in this Section, or evaluation of a financial mechanism proposed in lieu of a bond by the City Attorney, the operator shall deposit the estimated costs with the Petroleum Administrator with the application, and shall also make any additional deposit(s) within 30 days of written request by the Petroleum Administrator. The Petroleum Administrator may retain consultants or other experts in the industry to assist in deriving a bond amount.

## **9520 Operator Liability Insurance**

The operator or any contractor of any oil and gas ~~petroleum~~ operation subject to this ordinance shall provide, or cause to be provided, the insurance described below for each well, and shall maintain such insurance until the well is abandoned and the site restored. The operator or contractor must provide to the City sufficient documentation that the insurance complies with the minimum requirements and coverage amounts of this Section before a permit may be issued.

- A. General provisions regarding insurance:



1. The operator or any contractor shall pay for and maintain in full force and effect all policies of insurance described in this Section with an insurance company(ies) either (i) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide, or (ii) authorized the Petroleum Administrator.
2. In the event any policy is due to expire, the operator or any contractor shall provide a new certificate evidencing renewal of such policy not less than 30 calendar days prior to the expiration date of the expiring policy. Upon issuance by the insurer, broker, or agent of a notice of cancellation in coverage, operator or any contractor shall file with the Petroleum Administrator a new certificate and all applicable endorsements for such policy.
3. Liability policies shall name as "additional insured" the City, including its officers, officials, agents, employees and authorized volunteers.
4. All policies shall be endorsed to provide an unrestricted 30 calendar day written notice in favor of City of policy cancellation of coverage, except for the Workers' Compensation policy which shall provide a 10 calendar day written notice of such cancellation of coverage.
5. The operator shall present to the Petroleum Administrator copies of the pertinent portion of the insurance policies evidencing all coverage and endorsements required by this Section before the issuance of any permit subject to this ordinance, and the acceptance by the City of a policy without the required limits or coverage shall not be deemed a waiver of these requirements. The City may, in its sole discretion, accept a certificate of insurance in lieu of a copy of the pertinent portion of the policy pending receipt of such document by the City. After the issuance of the permit, the City may require the operator to provide a copy of the most current insurance coverage and endorsements for review at any time. The operator will be responsible for paying an administration fee to cover the costs of such review as may be established by the City's fee schedule.
6. Claims-made policies shall not be accepted except for excess policies and environmental impairment (or seepage and pollution) policies.
7. Insurance coverage amounts set forth shall be reviewed by the Petroleum Administrator as required by Section 9509 to ensure adequate insurance is maintained.



## B. Required insurance coverage:

## 1. Commercial or comprehensive general liability insurance:

- i. Bodily injury and property damage coverage shall be a minimum combined single limit of \$10,000,000 per occurrence with an annual general aggregate coverage of \$25,000,000. This coverage must include premises, operations, blowout or explosion, products, completed operations, blanket contractual liability, underground property damage, underground reservoir (or resources) damage, broad form property damage, independent contractor's protective liability and personal injury.
- ii. Underground reservoir (or resources) damage coverage shall be on an occurrence basis, shall not be limited to sudden and accidental occurrences, shall not have a discovery or reporting limitation and shall not exclude damage to water tables, formation or strata.
- iii. Environmental impairment (or seepage and pollution) coverage shall be either included in the comprehensive general liability coverage or as separate coverage. Such coverage shall not exclude damage to the lease site. If environmental impairment (or seepage and pollution) coverage is written on a "claims made" basis, the policy must provide that any retroactive date applicable precedes the effective date of the issuance of the permit. Coverage shall apply to sudden and accidental pollution conditions resulting from the escape or release of smoke, vapors, fumes, acids, alkalis, toxic chemicals, liquids, oil and gas, waste material, or other irritants, contaminants or pollutants. Such policy shall provide for minimum combined single limit coverage of \$25,000,000.00 per occurrence. A discovery period for such peril shall not be less than ten years after the occurrence.

2. Commercial automobile liability insurance:- Minimum combined single limit of \$10,000,000.00 per occurrence for bodily injury and property damage. The policy shall be at least as broad as the most current version of Insurance Services Office (ISO) Business Auto Coverage Form CA 00 01 and shall include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Section 1, subsection A.1 entitled "Any Auto")

3. Worker's compensation insurance:- In addition to the minimum statutory requirements, coverage shall include employer's liability limits of at least



\$1,000,000.00 for each accident, \$1,000,000.00 for each employee, and \$1,000,000.00 for occupational disease, and the insurer shall agree to waive rights of subrogation against the City, its officers, officials, agents, employees and authorized volunteers, for any work performed for the City by the operator.

4. Excess (or umbrella) liability insurance: Minimum limit of \$25,000,000.00 providing excess coverage for each of the perils insured by the preceding liability insurance policies.
5. Control of well insurance:
  - i. Minimum limit of \$10,000,000.00 per occurrence, with a maximum deductible of \$250,000.00 per occurrence.
  - ii. Policy shall cover the cost of controlling a well that is out of control, re-drilling or restoration expenses, and seepage and pollution damage. Damage to property in the operator's care, custody and control with a sub-limit of \$500,000.00 may be added.

C. Failure to maintain coverage: Upon failure of the owner, operator, or contractors to provide that proof of insurance as required by this Section when requested, the Petroleum Administrator may order the suspension of any outstanding permits and petroleum operations of the operator until the operator provides proof of the required insurance coverage.

## Part 2. Development Standards for Petroleum Operations

### 9521 Setback Requirements

- A. Oil and gas ~~facility~~ sites and associated operations shall not be located within:
  1. Fifteen hundred feet (1,500 feet) of the property boundaries of any public school, public park, clinic, hospital, long-term health care facility.
  2. Fifteen hundred feet (1,500 feet) of the property boundaries of any residence or residential zone, as established in this Code, except the residence of the owner of the surface land on which a well might be located and except a residence located on the land which, at the time of the drilling of the well, is under lease to the person drilling the well.



3. Five hundred feet (500 feet) of the property boundaries of any commercially designated zone, as established by this Code.
4. Fifty feet (50 feet) of any dedicated public street, highway, public walkway, or nearest rail of a railway being used as such, unless the new well is located on an existing drill site and the new well would not present a safety issue or cause conflicts with a right-of-way.

B. For all new wells associated with oil and gas production, including injection wells, the Applicant shall provide an area of review (AOR) study, consistent with the requirements of Title 14 California Code of Regulations Section 1724.7, to identify any potential conduits that may allow migration of reservoir fluids outside of the intended zone of injection. The AOR study shall define setbacks from abandoned wells or include re-abandonment of abandoned wells to minimize conduits. Leak testing of all abandoned or re-abandoned wells within the AOR or as designated by the Petroleum Administrator, shall be performed consistent with the standards of Section 9534, and any leaking wells shall be re-abandoned consistent with this ordinance. The AOR shall be submitted prior to the Petroleum Administrator's approval of a drilling permit. This requirement shall remain effective for all new wells associated with oil and gas production until DOGGR formally adopts an Area of Review (AOR) requirement, at which time the applicant will only be required to demonstrate to the PA (through submittal of appropriate documentation) that it has complied with DOGGR AOR requirements.

## **9522 Site Access and Operation**

The following measures shall be implemented throughout the operation of any oil and gas site/facility or project subject to this ordinance:

### **9522.1 Deliveries**

Deliveries to the oil or gas sites/facilities shall not be permitted after 6:00 p.m. and before 8:00 a.m., except in cases of emergency. No deliveries shall be permitted on Saturdays, Sundays or legal holidays, except in cases of emergency.

### **9522.2 Construction Time Limits**

Construction of permanent structures shall not be permitted after 7:00 p.m. and before 7:00 a.m., or during Saturdays, Sundays, or legal holidays.

### **9522.3 Oil and Gas Site Facility Parking**

The following measures shall be implemented throughout the operation of any oil and gas site



facility or project subject to this ordinance:

- A. At all times during the construction and operation of the project, parking facilities shall be provided for all vehicles associated with the oil or gas ~~facility site~~. If approved as part of a permit, CUP or a DA, parking for ~~automobiles-vehicles~~ of employees or workers engaged in any oil or gas ~~facility-site~~ activities can also be provided by the operator at off-site parking lots or in parking facilities, other than public streets, at locations other than the oil or gas ~~facility site~~. The operator shall prohibit personal parking on City streets by operator, owner, permittees, contractors, or consultant staff. ~~If the parking lot or parking facilities are not located within a reasonable walking distance of the controlled drill site, the operator shall provide transportation to and from the parking site for employees and workers.~~
- B. At all times vehicular access to a controlled oil and gas drill site shall be provided in accordance with the plans for vehicular access reviewed and approved by the City Engineer.
- C. All entrances to a controlled drill site shall be equipped with sliding gates which shall be kept closed at all times except when authorized vehicles are entering or leaving the oil and gas drill site.
- D. When traffic lanes on any public street are closed or impaired by the operator's operations, flagmen, and safety officers as required by the L.A. County Sheriff's office shall be provided by the operator at all such times to control ~~and~~ traffic and maintain traffic flow.

## **9523 Lighting**

All point lighting sources that may be introduced on a site in support of nighttime operations, at the onset and throughout all operations at an oil and gas site ~~facility~~ shall be screened and ~~directed to prevent light or glare from passing beyond site boundaries~~ ~~offsite spillover lighting effects~~. Outdoor lighting shall be restricted to only those lights that are required by Article VIII of this Code for lighting building exteriors and safety and security needs.

## **9524 Aesthetics**

The following measures shall be implemented for all projects that are subject to this ordinance:

### **9524.1 Landscaping/Visual Resources**

- A. Prior to commencement of operations at an oil or gas ~~facility~~ site, the operator shall implement a landscaping plan prepared by a licensed landscape architect, that has been approved as part of a CUP or a DA, which provides adequate screening and blending of the facilities so that the site shall not appear unsightly or aesthetically deficient compared with the

surrounding character of the area. All tanks shall be depressed so that the top of any tank and other equipment and appurtenances shall not extend more than twenty feet above the surface of any ~~controlled drill~~ site, unless otherwise approved in a CUP or DA.

B. Within six months after the completion of the ~~well related activities~~drilling and the removal of the drilling ~~well mast~~rig, any drill site shall be landscaped with suitable shrubbery and trees in accordance with a plan approved by the Planning Commission, unless the site is to be otherwise developed in such a manner that would preempt re-vegetation requirements.

C. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, or if the Petroleum Administrator determines it is necessary, if any drilling masts are in place on an oil and gas facilitysite for a time period of more than one year and are visible from public viewing points then the operator shall wrap all such masts to reduce their visibility prior to the onset of operations at an oil and gas ~~facility~~site.

## 9524.2 Walls

Prior to commencement of operations at an oil or gas ~~facility~~site the following development standards shall be satisfied:

A. All ~~drilling facilities and oil and gas sites~~ shall be enclosed with a wall not less than six feet (6 feet) high, which shall be of a material and texture that blends in with the surrounding environment and is not visually obtrusive. There shall be no aperture below the fence larger than one foot (1 foot) in height.

B. The wall enclosure around the ~~pump and related facilities~~oil and gas site shall have an interior setback of twenty-five feet from all property lines. The gate or entrance through the wall shall remain locked at all times and constructed in a manner to prevent the public from coming closer than twenty-five feet to the pumping facilities. Pursuant to the approval of the Conditional Use Permit, the location of the wall may be modified subject to compliance with the California Fire Code as approved in a CUP or DA with modifications as applicable.

C. The entire outside facing length of the wall must be coated with anti-graffiti paint or solutions.

## 9524.3 Sanitation

The oil and gas ~~facilities~~site shall be maintained in a clean, sanitary condition, free from accumulations of garbage, refuse, and other wastes.

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**9524.4 Architecture**

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The architectural design of any oil or gas ~~facility~~site buildings, equipment, drilling mechanisms or other associated structures shall be consistent with the character of the surrounding community and shall utilize finishing materials and colors which blend in with the surrounding environment and are not visually obtrusive.

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**9525 Roads**

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The following policies specific to streets or other roads shall apply to all projects for which this ordinance is applicable:

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**9525.1 Construction of Site Access Roads**

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Private roads and other excavations required for the construction of access roads shall be designed, constructed, and maintained to provide stability of fill, minimize disfigurement of the landscape, prevent deterioration of vegetation, maintain natural drainage, and minimize erosion. Prior to construction of any new road, the operator shall prepare and submit to the Petroleum Administrator and the Department of Public Works for review and approval a private road construction plan. The operator shall thereafter comply with all provisions of the approved private road construction plan. All new private access roads leading off any surfaced public street or highway shall be paved with asphalt or concrete not less than three inches thick for the length of said access road from the public street or highway.

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**9525.2 Maintenance and Restoration of Public Roads**

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Throughout operation of an oil or gas ~~facility~~site the operator shall be responsible for the paying for the maintenance of public roads, which are used intensively for any materials transport, construction, or site access related to drilling, ~~re-drilling~~ and related operations. Prior to initiating any construction or operations the operator shall be responsible for conducting a road condition assessment including recording, through video, pictures and/or written documentation the existing public road conditions that will be used for any portion of the proposed project. The road condition assessment must be submitted to the Petroleum Administrator and be accepted by the City Engineer prior to commencement of operations. Upon demand from the City Engineer, the operator shall then pay the City the compensation necessary to maintain, restore or repair any damage related to the operations in order to return the road to its pre-project 'baseline' condition.

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**9526 Signage**

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A. Each well shall be marked with a sign, which lists the name of the company owning the well, the well number, and a telephone number for twenty-four hour emergency notification. The

