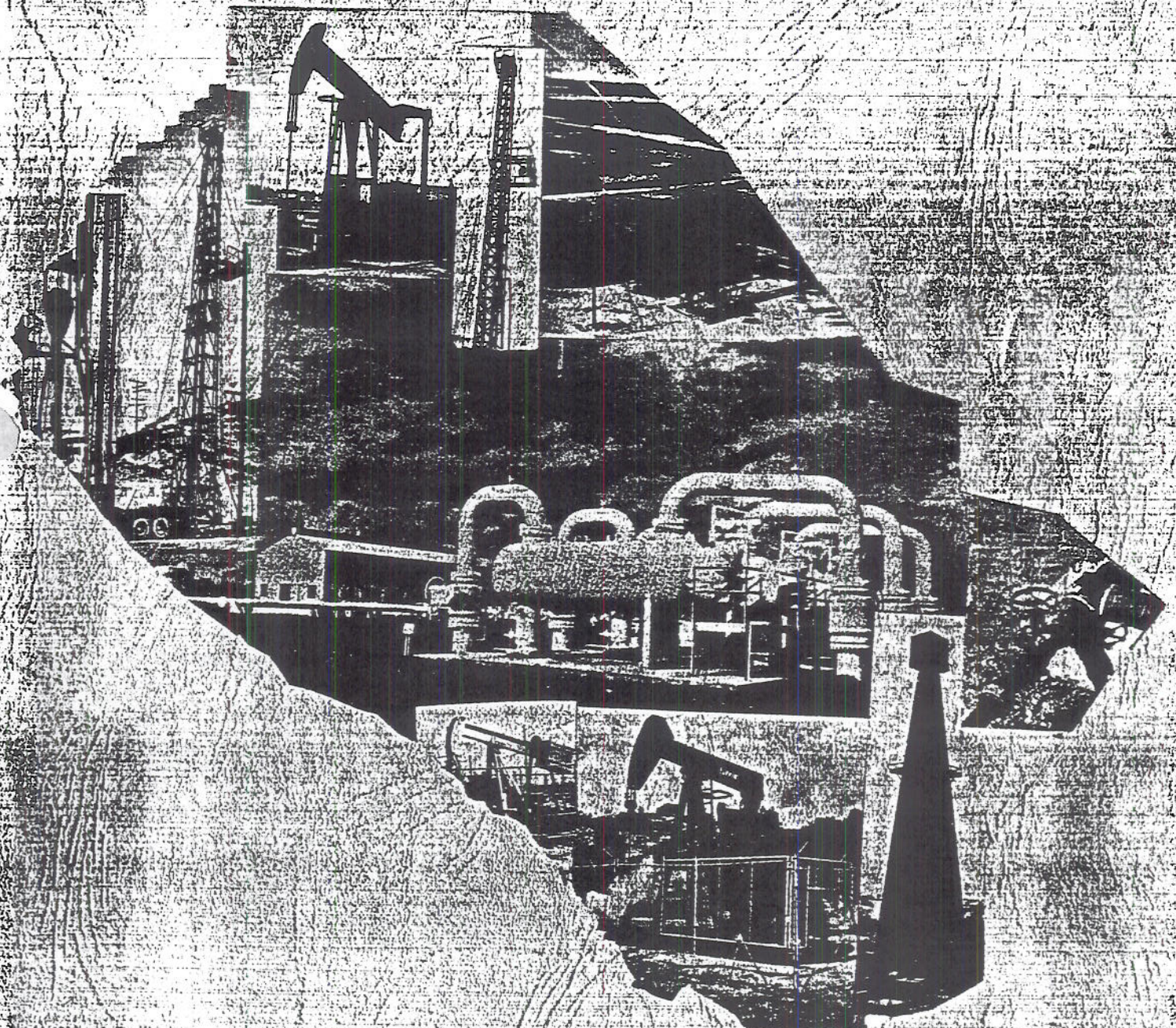


# OIL DRILLING AND PRODUCTION REGULATIONS



COUNTY OF ORANGE  CALIFORNIA



1 RESOLUTION OF THE BOARD OF SUPERVISORS OF  
2 ORANGE COUNTY, CALIFORNIA

3 May 17, 1983

4 On motion of Supervisor Riley, duly seconded and carried, the following  
5 Resolution was adopted:

6 WHEREAS, departments/agencies are directed by Resolution No. 79-1451 to include  
7 provisions for full-cost recovery for services delivered whenever possible; and

8 WHEREAS, Section 7-8-33 of the Codified Ordinances of the County of Orange  
9 provides that the drilling or redrilling permit fees, plan-checking fees and annual  
10 inspection fees shall be established by Resolution;

11 NOW, THEREFORE, BE IT RESOLVED, that the following fee schedule applicable to  
12 the Orange County Oil Code is hereby established:

13 1. The fee for drilling or redrilling any oil well shall be two hundred  
14 dollars (\$200.00) of which, no part shall be refundable.

15 2. The fee for annual inspections of each existing, suspended, or producing  
16 oil well shall be twenty dollars (\$20.00). <33.50>

17 BE IT FURTHER RESOLVED that this Resolution shall take effect thirty (30) days  
18 from and after its passage.

19 BE IT FURTHER RESOLVED that in accordance with Government Code Section  
20 21080(b)(8) of the California Environmental Quality Act, this Board finds that the  
21 fees imposed herein are only for the purpose of meeting operating expenses and are  
22 therefore exempt from compliance with CEQA.

23 BE IT FURTHER RESOLVED that all fees established herein, except copy fees,  
24 shall be adjusted by a single construction cost index factor applied to Building and  
25 Safety fees reflecting inflationary or deflationary cost changes from valuation base  
26 in effect on January 1, 1980.

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Resolution No. 83-756  
Oil Well Permit Fees

1 BE IT FURTHER RESOLVED that this resolution shall take effect thirty (30) days  
2 from and after its passage.

3 BE IT FURTHER RESOLVED that in accordance with Government Code Section  
4 21080(b) (8) of the California Environmental Quality Act, this Board finds that the  
5 fees imposed herein are only for the purpose of meeting operating expenses and are  
6 therefore exempt from compliance with CEQA.

7 AYES: SUPERVISORS THOMAS F. RILEY, ROGER R. STANTON, BRUCE NESTANDE, and  
RALPH B. CLARK --

8 NOES: SUPERVISORS NONE

9 ABSENT: SUPERVISOR HARRIETT M. WIEDER

10 STATE OF CALIFORNIA )  
 ) ss.  
11 COUNTY OF ORANGE )

12 I, JUNE ALEXANDER, Clerk of the Board of Supervisors of Orange County,  
13 California, hereby certify that the above and foregoing Resolution was duly and  
regularly adopted by the said Board at a regular meeting thereof held on the 17th  
14 day of May, 1983, and passed by a unanimous vote of said Board members present.

15 IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of May,  
1983.

16  
17 JUNE ALEXANDER  
18 Clerk of the Board of Supervisors of  
Orange County

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DIVISION 8

OIL DRILLING AND PRODUCTION REGULATIONS

Article 1. The Orange County Oil Code, 7-8-1 - 7-8-53.

Article 1

THE ORANGE COUNTY OIL CODE

Section 7-8-1	Title - reference to Code.
Section 7-8-2	Purpose.
Section 7-8-3 thru 7-8-26	Definitions
Section 7-8-30	Permits.
Section 7-8-31	Permit procedure.
Section 7-8-32	Bonds.
Section 7-8-33	Permit fees.
Section 7-8-34	Drilling and operating.
Section 7-8-40	Abandonment procedure.
Section 7-8-41	Called inspections.
Section 7-8-42	Notices required.
Section 7-8-43	Storage facilities.
Section 7-8-44	High pressure pipe systems.
Section 7-8-50	Fire prevention; sources of ignition.
Section 7-8-51	Enforcement.
Section 7-8-52	Appeals.
Section 7-8-53	Penalty.

DIVISION 9

. PLANNING

Article 2. The Comprehensive Zoning Code, 7-9-19 - 7-9-502

Article 2

THE COMPREHENSIVE ZONING CODE

Section 7-9-21	Definitions.
Section 7-9-52	Oil Production.



Division 8

OIL DRILLING AND PRODUCTION REGULATIONS

Article 1. The Orange County Oil Code, §§ 7-8-1--7-8-53

ARTICLE 1. THE ORANGE COUNTY OIL CODE

**Sec. 7-8-1. Title--Reference to code.**

This division shall be known and may be cited as "The Orange County Oil Code." Code as referred to in this division, unless the context clearly indicates otherwise, shall mean the Orange County Oil Code. (Code 1961, § 77.011)

**Sec. 7-8-2. Purpose**

(a) It is the intent of this code to regulate the exploration and drilling for and the production of petroleum so that this activity may be conducted in harmony with other uses of land within this County, thus protecting the people of the County of Orange in the enjoyment and use of their property and providing for their comfort, health, safety and general welfare.

(b) It is further the intent of the County Board of Supervisors that petroleum operations shall be permitted in all districts within this County subject to the application of this code, the requirements of which have been carefully designed for the fulfillment of the intent expressed in (a) above. (Code 1961, § 77.012; Ord. No. 2613, § 1, 8-2-72)

**Sec. 7-8-3. Definitions.**

The following terms as used in this code shall, unless the context clearly indicates otherwise, have the respective meanings herein set forth in sections 7-8-4 through 7-8-26. (Code 1961, § 77.013; Ord. No. 2613, § 1, 8-2-72)

**Sec. 7-8-4. Definitions (A).**

**Abandonment** is the restoration of the drill site as required by these regulations.

**A.N.S.I.** is the American National Standards Institute.

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

**Approved:** Approved by the Director. "Approved type" or "approved design" is and includes improvements, equipment or facilities of a type or design approved by the Director.

**A.S.M.E.** is the American Society of Mechanical Engineers. (Ord. No. 2613, § 2, 8-2-72)



**Sec. 7-8-5. Definitions (B).**

**Blowout** is the uncontrolled discharge of gas, liquid or solids or a mixture thereof from a well into the atmosphere.

**Blowout preventer** is a mechanical, hydraulic or pneumatic or other device or a combination of such devices secured to the top of a well casing, including valves, fittings and control mechanisms connected therewith designed and capable of preventing a blowout. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-6. Definitions (C).**

**Cellar** is an excavation around or above the top joint of the casing in a well.

**Completion of drilling:** A well is completed, for the purpose of these regulations, thirty (30) days after the drilling crew has been released, unless drilling or remedial operations are resumed before the end of the thirty (30) days. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-7. Definitions (D).**

**Derrick** is any framework, tower or mast together with all parts of an appurtenance to such structure, including any foundations, pump house, pipe racks, and each and every part thereof, which is or are required, or used or useful for the drilling for and the production of oil, gas or other hydrocarbons from the earth except tanks used for storage purposes.

**Desertion** is the cessation of operations at a drill site without compliance with the provisions of the code relating to suspended operations or abandonment.

**Diligence**, as used in these regulations, shall mean that the drilling derrick is in its operating position over the well, properly anchored and supported and that an operating crew is on duty at the drill site at all reasonable times.

**Director** shall mean and include the Director of the Environmental Management Agency of the County of Orange, his assistants, deputies, inspectors and officers of the Environmental Management Agency of the County of Orange.

**Division of Oil and Gas** shall mean the Division of Oil and Gas of the Department of Natural Resources of the State of California or any other state agency that may in the future be charged with its responsibilities.

**Drilling** means digging a hole in earth formation with a power-driven drill bit for the purpose of exploring for or developing of oil or gas. "Drilling" includes those operations that are concerned with the completion of a well. "Drilling" does not include "shot hole."

**Drill site** is the premises used during the drilling and subsequent life of a well or wells, which is necessary for the safe operations thereof. (Ord. No. 2613, § 2, 8-2-72)



**Secs. 7-8-8, 7-8-9. Reserved.**

**Sec. 7-8-10. Definitions (G).**

**Gas** means the gaseous components or vapors occurring in or derived from petroleum or natural gas. (Ord. No. 2613, § 2, 8-2-72)

**Secs. 7-8-11--7-8-14. Reserved.**

**Sec. 7-8-15. Definitions. (L).**

**Lessee** is the possessor of the right to exploit the premises for minerals.

**Lessor** is the mineral right owner. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-16. Definitions (M).**

**Maintenance** means and includes the repair and replacement of parts of a structure where same does not alter or lessen the strength or stability of the structure. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-17. Definitions (N).**

**Natural gasoline plant or absorption plant** is a plant for the processing of natural gas from the production wells and processed into its various components. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-18. Definitions (O).**

**Oil** includes petroleum, and **petroleum** includes oil.

**Operator** is the person, whether proprietor, lessee or independent contractor, actually in charge and in control of the drilling, maintenance, operation or pumping of a well or lease.

**Outer boundary line:** Where several contiguous parcels of land in one or different ownerships are operated as a single oil or gas lease or operating unit, the term "outer boundary line" means the exterior limits of the land included in the lease or unit. In determining the contiguity of any such parcels of land, no street, road or alley lying within the lease or unit shall be deemed to interrupt such contiguity.

**Owner** is a person who owns a legal or equitable title in and to the surfaces of the drill site. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-19. Definitions (P).**

**Person** includes any individual, firm, associations, corporation, joint venture or any other group or combination acting as a unit. (Ord. No. 2613, § 2, 8-2-72)



**Sec. 7-8-20. Reserved.**

**Sec. 7-8-21. Definitions (R).**

Redrilling shall mean the deepening of an existing oil well or otherwise drilling beyond the extremities of the existing well casing. The provisions of this code relating to drilling shall be equally applicable to redrilling. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-22. Definitions (S).**

**Seismic petroleum prospecting:** Prospecting for oil by means of drilling holes into the ground, placing an explosive charge therein and detonating such charge, thereby exciting an energy or sound wave through the earth, the results of which are recorded and read by seismograph equipment placed at various locations on the surface of the earth. Seismic petroleum prospecting is prohibited in the following areas:

- (a) The area within one-quarter mile of the boundary of O'Neill Park and of Irvine Park.
- (b) The area within one mile landward of the line of Upper Newport Bay as established and adjudicated by Superior Court Case No. 20436.
- (c) The area within one mile landward of the coastline measured from mean lower low water datum as established by the U. S. Coast and Geodetic Survey from the easterly jetty of the harbor entrance at Newport Beach to the San Diego County line.

**Shot hole:** The hole drilled in seismic petroleum prospecting.

**Source of ignition** means any flame, arc, spark or heated object or surface capable of igniting flammable liquids, gases or vapors.

**Structure** is that which is built or constructed; a tank, edifice or building of any kind.

**Suspended operations** is the approved, temporary suspension of drilling or redrilling operations pending a resumption of operations or abandonment. (Ord. No. 2613, § 2, 8-2-72)

**Sec. 7-8-23. Definitions (T).**

**Tank** is a container, covered or uncovered, used in conjunction with the drilling or production of an oil well, for holding or storing liquids at or near atmospheric pressure. (Ord. No. 2613, § 2, 8-2-72)

**Secs. 7-8-24, 7-8-25. Reserved.**

**Sec. 7-8-26. Definitions (W).**

**Well or oil well** is a well or hole drilled into the earth for the purpose of exploring for or extracting from the earth oil, gas or other hydrocarbon



substances, or a well or hole in the earth by means of and through which oil, gas and other hydrocarbon substances are extracted, produced or capable of being produced from the earth, or a well or hole for the purpose of secondary recovery or disposal thereof. "Well" does not include "shot hole."

Well servicing is remedial or maintenance work performed within any existing well which does not involve drilling or redrilling. (Ord. No. 2613, § 2, 8-2-72)

Secs. 7-8-27--7-8-29. Reserved.

Sec. 7-8-30. Permits.

(a) A permit from the Director shall be obtained:

- (1) For drilling or redrilling operations in connection with the exploration for or for the purpose of secondary recovery.
- (2) To erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any structure.  
*only for foundation under structures and electrical*

(b) No permit shall be required for well servicing or maintenance of or for any structure for which a building permit is not required. (Code 1961, § 77.014)

Sec. 7-8-31. Permit procedure

The applicant shall file an application in writing for a permit on a form furnished for that purpose by the Environmental Management Agency. The application shall be accompanied by:

- (a) A complete legal description of the property.
- (b) A fully informative plot plan showing the location of the well, the location of which has been staked on the ground, appurtenant structures and their relation to any existing hospital, sanitarium, church, rest home, airport, school and dwelling within the radius required by this code.
- (c) Plans and engineering specifications of structures, drilling derricks, drilling masts, tanks and high pressure systems regulated by this code. Applicant need not file plans and engineering specifications of standard derricks, masts and tanks when such plans and specifications are already on file in the office of the Director.
- (d) A corporate surety bond in conformity with provisions of section 7-8-32.
- (e) A verified statement signed by the applicant certifying that he is duly authorized by operator to make and file the application and that he has read the application and the same is true and correct.



- (f) An acknowledged statement in writing subscribed by the owner of the surface rights of the drill site and by the owner of any private land over which access is had to the drill site granting to the County of Orange the right to enter upon the drill site and such private land for the purpose of inspection and restoring the premises in the event the applicant should fail to do so.
- (g) A statement as to the means by which liquid spills will be removed from diked area or catchment basins.
- (h) Such other pertinent information as may be required by the Director.
- (i) A drilling permit may be amended insofar as it relates to the drill site area and a drill site may be modified as to size and shape by filing with the Director of a modified plot plan if the modified drill site conforms to the applicable provisions of this code and of section 7-9-52 of this title but not otherwise. (Code 1961, § 77.015)

**Sec. 7-8-32. Bonds.**

(a) **Existing wells.** A bond in the form required by this section shall be filed for each existing well within thirty (30) days following the effective date of this code.

(b) **New wells.** A bond in the form required by this section shall accompany every application for the drilling or redrilling of any oil well for which a bond is not on file.

(c) **Bond forms.** Bonds shall be on a form approved by the County Counsel and shall be filed with the Environmental Management Agency.

- (1) **Single bonds:** Corporate surety bonds in the penal sum of five thousand dollars (\$5,000.00). The bond shall be executed by the operator as principal and by the authorized surety company as surety and conditions that the principal named in the bond shall faithfully comply with all the provisions of this code in drilling or redrilling and maintaining all production facilities as required by this code until properly abandoned in conformity with the provisions hereof. The bond shall secure the County of Orange against all costs, charges and expenses incurred by it by reason of the failure of the principal to fully comply with the provisions of this code. The bond shall include the correct name or number of the well and such other information as may be necessary to readily identify the oil well.
- (2) **Blanket bonds:** Any operator may, in lieu of filing a single bond for each well as required by the foregoing subsections (a) and (b) of this section, file a bond in the amount of twenty-five thousand dollars (\$25,000.00) to cover all of his said operations conducted within the County of Orange. A rider to said bond shall be filed with the Director showing the correct name or number of the well and such other information as may be necessary to readily identify the oil well for each well covered by the bond.

(d) **Default in performance of conditions; notice to be given.**

- (1) Whenever the Director finds that a default has occurred in the performance of any requirement or condition of these regulations, written notice thereof shall be given to the principal and to the surety on the bond.
- (2) Such notice shall specify the work to be done, the estimated cost thereof, and the period of time deemed by the Director to be reasonably necessary for the completion of such work.
- (3) After receipt of such notice, the surety shall within the time therein specified either cause or require work to be performed, or failing therein, shall pay over to the Director the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to twenty-five (25) per cent of said estimated cost. Upon receipt of such moneys, the Director shall proceed by such mode as he deems convenient to cause the required work to be performed and completed, but no liability shall be incurred therein other than for the expenditure of said sum in hand. In the event that the well has not been properly abandoned under the regulations of the Division of Oil and Gas, such additional moneys may be demanded from the surety as is necessary to restore the drill site in conformity with the regulations of this code.

(e) **Exoneration.** Any bond issued in compliance with these regulations shall be terminated and canceled and the surety be relieved of all obligations thereunder when the well has been properly abandoned in conformity with all regulations of this code and of the Division of Oil and Gas and notice to that effect has been received by the Environmental Management Agency.

(f) **Substitution.** A substitute bond may be filed in lieu of any bond on file hereunder and the Director shall accept and file the same if it is qualified and in proper form and substance and the bond for which it is substituted shall be exonerated but only if the Director finds that all of the conditions of last mentioned bond have been satisfied and that no default exists as to the performance upon which the bond is conditioned. (Code 1961, p. 77.016)

**Sec. 7-8-33. Permit fees.**

(a) **Drilling or redrilling permit fees.** A fee for each drilling permit or redrilling permit shall be paid to the Director as established by Resolution of the Board of Supervisors.

Where drilling, redrilling, construction or other work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees hereunder specified shall be doubled, but the payment of such double fee shall not relieve any persons, firms, corporations or employees from fully complying with the requirements of this code or the execution of the work, nor from any other penalties prescribed herein.

(b) **Plan-checking fees.** A plan-checking fee shall not be charged for the derrick or its appurtenances. A plan-checking fee shall be charged for all



permanent buildings, production tanks, washing tanks, skim ponds and such other structures not directly connected with the derrick itself. A plan-checking fee shall be charged for oil well cellars designed to accommodate more than one oil well. Said plan-checking fee shall be established by Resolution of the Board of Supervisors.

(c) **Annual inspection fees.** The Director shall inspect annually and at such other times as he deems necessary, each producing oil well and suspended oil well regulated by this code for the purpose of ascertaining whether the well is being operated or maintained in conformity with the minimum standards of this code. To meet the expense of such inspection, the operator shall pay to the Environmental Management Agency an annual inspection fee as established by Resolution of the Board of Supervisors. The year for which each fee is applicable runs from July first to June thirtieth. The fees shall be based upon the total number of wells existing (whether producing or not) on July first. The fees shall be due prior to July first of the year to which they pertain. No additional fee shall be charged for additional inspections which may be required during the year. The Director shall keep a permanent, accurate account of all annual inspection fees collected and received under this code, the name of the operator for whose account the same were paid, the date and amount thereof, together with the well name and designation and the general location of the well. A report of the Director's annual inspection findings shall be furnished the operator.

(d) **Building permit fees.** A building permit fee, as established by resolution of the Board of Supervisors of this county, shall be charged for the erection or construction or relocation of any permanent building, tank or other structures hereinabove included and such fee shall be based on the total valuation of the structure when completed.

(e) **Permit and inspection fees.** No permit issued hereunder shall be valid unless utilization of the privileges granted thereby be commenced within one hundred eighty (180) days from and after the date of issuance of the permit diligently and progressively prosecuted thereafter.

- (1) The sum of two hundred dollars (~~\$200.00~~) shall be charged for the drilling or redrilling of any oil well, no part of which shall be refundable.
- (2) Annual inspection fees: The sum of twenty dollars (20.00) per well shall be charged for the annual inspection of each existing, suspended or producing oil well. No additional fee shall be charged for additional inspections which may be required during the year. (Code 1961, p. 77.017)

#### **Sec. 7-8-34. Drilling and operating.**

(a) **Location of oil wells.**

- (1) No oil well shall be drilled within the following distances measured from the center line of any local street, or any highway shown on the Master Plan of Arterial Highways, as amended:

Major highways	210 feet
Primary highways	200 feet
Secondary highways	190 feet
Local streets	180 feet, except that in the case of a local street, the right-of-way of which is more than sixty (60) feet in width, the distance shall be one hundred fifty (150) feet plus one-half of the existing right-of-way. In the case of a local street, the right-of-way of which is more than sixty (60) feet in width, the Director may determine that because of the degree of slope or other feature of the topography, a lesser distance than one-half of the right-of-way in addition to the one hundred fifty (150) feet is reasonable to insure the safety of the traveling public in conformity with the purpose and intent of this provision, in which case the distance thus set by the Director shall prevail.

No oil well shall be drilled within one hundred fifty (150) feet of the nearest rail of a railway which carries passengers for hire.

- (2) No oil well shall be drilled within one hundred fifty (150) feet of any building used for human occupancy, nor shall any such buildings be erected within one hundred fifty (150) feet of any oil well not abandoned, except buildings incidental to the operation of the well. No oil well shall be drilled within one hundred fifty (150) feet from the outer boundary line.
- (3) No oil well shall be drilled within three hundred (300) feet of any building used as a place of public assemblage, institution or school; nor shall any such building be erected within three hundred (300) feet of any oil well not abandoned.
- (4) The Director may suspend any provision of subsection (a) in whole or in part, or impose less restrictive requirements if such provisions or requirements are rendered unnecessary or unreasonable by the then existing special features, such as: Topography, nature of the use and occupancy of and the proximity to buildings on adjoining property, the height, character and structure of such buildings, the type and character of oil field development and may impose additional safety requirements rendered necessary because of such special features.

(b) **Private roads and drill sites.** Prior to commencement of any drilling operations, all private roads used for access to the drill site and the drill site itself shall be surfaced by clean, crushed rock, gravel or decomposed granite or oiled and maintained to prevent dust and mud. In particular cases these requirements governing surfacing of private roads and drill sites may be altered at the discretion of the Director after consideration of all the circumstances including but not limited to distances from public streets and highways, distances from adjoining and nearby property owners whose surface rights are not leased by the operator and the purposes for which the property of such owners are or may be used, topographical features, nature of the soil and exposure to wind.



(c) **Derricks.** All derricks and masts hereafter erected for drilling or redrilling shall be at least equivalent to the current American Petroleum Institute Standards.

(d) **Signs.** A sign having a surface area of not less than two (2) square feet and no more than six (6) square feet bearing the current name and number of the well and the name and/or insignia of the operator shall be displayed at all times from the commencement of drilling operations until the well is abandoned. In the event there are more than two (2) producing wells on one (1) leasehold, it shall be sufficient if the entrances to said leasehold are posted with a sign not less than eighteen (18) inches by twenty-four (24) inches bearing the name of the operator together with the name or designation of the lease, together with an openly visible sign on each producing well designating the particular number thereof.

(e) **Blowout prevention.** Protection shall be provided to prevent the blowout of an oil well during drilling and redrilling operations and shall conform to the requirements of the California Administrative Code, title 8, Petroleum Safety Orders--Drilling and Production, article 55, Blow-Out Prevention, section 6691, 6691.1 and 6691.2.

(f) **Blowout prevention for wells other than drilling wells.**

(1) Protection shall be provided to prevent the blowout of an oil well, conforming to the requirements of the California Administrative Code, title 8, Petroleum Safety Orders--Drilling and Production, article 55, Blow-Out Prevention, section 6692, in the following cases:

a. During perforating, shooting or cutting off of string of casing.

b. During well servicing operations on a well that is known to have sufficient gas pressure to cause the well to flow, or where the gas pressure is unknown.

(2) The operator shall notify the Director in writing, at least one (1) day before any of the operations described in this subsection are commenced. In the event that the day following the day on which notice be given falls on a Saturday, Sunday or holiday, then such additional days' notice must be given as may be required so that there shall be one (1) day, Saturday, Sunday and holidays excepted, between the date notice be given and any of the said operations commenced.

(g) **Waiver of blowout prevention requirements.** The blowout preventive requirements of the foregoing subsections (e) and (f) may be waived by the Director upon such conditions and for such operations as he may determine, upon written application by the operator and upon a showing by him of sufficient cause therefor based upon information regarding depth of hole, probably gas pressures to be encountered, the proposed drilling, completion or abandonment program or whatever further information the Director may require.

(h) **Drilling and production waste control.** Rotary mud, drill cuttings, oil field waste, oil or liquid hydrocarbons and all other oil field wastes

derived or resulting from or connected with the drilling of any well shall be discharged into a sump hole or steel tank. Such drill cuttings, rotary mud and drilling waste materials shall be removed from the drill site upon completion of drilling operations. Tanks used as and for sump purposes shall be removed from the drill site and sump holes shall be drained and backfilled within thirty (30) days from and after completion of drilling.

Furthermore, all waste water and all other waste materials resulting from production operations shall be disposed of into an appropriate waste facility such as, but not limited to, an existing sump, a waste water disposal system or a sewer, subject to the approval of the agency governing the facility involved.

Excepting temporary sumps for the disposal or storage of materials used for or produced by drilling operations, no new sumps or ponds shall be created without the written approval of the Director of Environmental Management Agency.

(i) **Fencing.** All sumps or sump holes and all oil well production equipment having external, moving parts hazardous to life or limb shall be attended twentyfour (24) hours per day or be enclosed by a steel chain link type fence not less than six (6) feet in height and in addition having not less than three (3) strands of barbed wire sloping outward at approximately a forty-five-degree angle and for eighteen (18) inches from the top of the fence. There shall be no aperture below such fence greater than four (4) inches. Fence gates shall be placed at nonhazardous locations and shall be locked at all times when unattended by a watchman or serviceman.

(j) **Cellars.** The following regulations shall apply to cellars:

- (1) Every cellar shall be constructed in accordance with the current Uniform Building Code, as amended and adopted by the Board of Supervisors of the County of Orange.
- (2) Such cellars shall be kept free from water, oil drilling fluids or other substances which might constitute a hazard, except during drilling and servicing operations.
- (3) The depth of such cellars shall be the vertical measurement between the lowest point of the floor area in the bottom of such cellar and the lowest point of ground or any surface adjacent to the top of the cellar wall.
- (4) All multi-well cellars exceeding three (3) feet in depth and twenty-five (25) feet in length shall have two (2) separate means of exit or entrance. If the cellar exceeds fifty (50) feet in length, one of the means of entrance or exit shall be a stairway. If the cellar exceeds two hundred (200) feet in length, a third means of entrance or exit shall be provided.



- (5) Multi-well cellars shall have a steel grate covering with no unobstructed openings in excess of three (3) inches. Materials, equipment or other appurtenances shall not be stored or placed on the grating so as to interfere with the escape of gases and vapors.

(k) **Removal of equipment.** All drilling equipment and the derrick shall be removed from the premises within sixty (60) days following the completion, abandonment or desertion of any well. Once the well is a producing well, it shall be serviced with a portable derrick when required. Drilling operations shall be diligently prosecuted until the well is completed or abandoned.

(l) **Soundproofing.** Soundproofing shall comply with the following specifications when required by the provisions of section 7-9-52 of this title. Soundproofing acoustical blankets for the drilling derrick and accessory structures shall be: Fibrous glass insulation one and one-half (1 1/2) inches thick, 0.50 pounds per cubic foot, density, 0.063 pounds per square foot, weight, 0.00010 to 0.00015 fiber diameter (inches) with a phenolic binder having a temperature limit of four hundred fifty (450) degrees Fahrenheit sewed between layers of fire retardant, vinyl fiber glass cloth, fifteen (15) to seventeen (17) ounces per square yard sewed with dacron thread D-92 with stitches not more than six (6) to the inch. The lacing cord shall be flat vinyl coated tape composed of fibrous glass yarn braided, heat set and bonded. The tape shall have a ninety-pound tensile strength. Grommets shall be #4 brass. All doors and similar openings shall be kept closed, during drilling operations, except for ingress and egress.

(m) **Alternate materials and methods of construction.** The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any such alternate has been approved.

The Director may approve any such alternate provided he finds that the proposed design is satisfactory and complies with the intent of this code, and that the material or method offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

The Director shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. Whenever there is insufficient evidence of compliance with the intent of this code or evidence that any material or any construction does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods of construction, the Director may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved agency.

Test methods shall be as specified by this code, for the material in question. If there are no appropriate test methods specified in this code, the Director shall determine the test procedure.

Copies of the results of all such tests shall be retained for a period of not less than two (2) years after the acceptance of the materials or methods.

(n) **Sanitary facilities.** Sanitary facilities shall be provided at the drill site during all drilling or redrilling operations and shall be in accordance with the Standards of the Orange County Health Department. (Code 1961, § 77.-018; Ord. No. 2613, § 1, 8-2-7-72)

**Secs. 7-8-35—7-8-39. Reserved.**

**Sec. 7-8-40. Abandonment procedure.**

It shall be the responsibility of the Director to determine that the drill site and all facilities pertinent thereto have been restored to their original condition as nearly as practicable in conformity with the regulations of this code including the following requirements:

(a) **Standard.**

- (1) It shall be the responsibility of the operator to comply with the abandonment provision of this code and he shall furnish the Director the approval of the Division of Oil and Gas, Department of Natural Resources, confirming compliance with all abandonment proceedings under the State laws.

It shall be the responsibility of the operator to comply with the abandonment provision of this code and he shall furnish the Director with a) a copy of the approval of Division of Oil and Gas, Department of Natural Resources, confirming compliance with all abandonment proceedings under the State law, and b) a notice of intention to abandon under the provisions of this section and stating the date such work will be commenced. Abandonment may then be commenced on or subsequent to the date so stated.

Abandonment shall be approved by the Director after restoration of the drill site and the subsurface thereof has been accomplished in conformity with the following requirements:

- a. The derrick and all appurtenant equipment thereto shall be removed from the drill site.
- b. All tanks, towers and other surface installations shall be removed from the drill site.
- c. All concrete, pipe, wood and other foreign materials shall be removed from the drill site to a depth of six (6) feet below grade, unless part of a multi-well cellar then being used in connection with any other well for which a permit has been issued.
- d. The oil well casing shall be cut off at a point six (6) feet below the drill site grade at the cellar, but in no case below sea level. Nothing shall be placed in the hole above the point of cutoff until the cutoff has been inspected by the Director and by him found to be in compliance with all applicable provisions of law.



- e. The top twenty-five (25) feet of the remaining casing shall be filled with a cement plug to prevent gas fumes from escaping.
  - f. A steel cap of not less than the same thickness as the well casing shall be tack welded to the casing in a minimum of four (4) places.
  - g. All holes and depressions shall be filled and packed with native earth. All oil, waste oil, refuse or waste material shall be removed from the drill site.
- (b) **Conversion to water well.** A well may be converted to a domestic or agricultural water well upon the approval of the Director after:
- (1) A request in writing by the landowner has been made to the Director.
  - (2) An original or certified copy of the approved conversion permit from the Division of Oil and Gas has been furnished the Director.
  - (3) All the provisions of abandonment in the preceding subsection have been complied with except that those appurtenances necessary in the opinion of the Director for the operation of a water well may be retained. (Code 1961, § 77.019; Ord. No. 2613, § 1, 8-2-72)

**Sec. 7-8-41. Called inspections.**

Except as provided in subsection (b) hereof no drilling, redrilling, work or construction shall be done beyond the point indicated in each successive inspection without first obtaining the written approval of the Director.

(a) **Site preparation.**

- (1) The well location shall be clearly marked by a stake or other suitable means and identified as the "well location."
- (2) The drill site shall be prepared as required in these regulations and shall be of such size so as to provide for the safe erection of the mast or derrick and all appurtenant structures thereto as indicated on the approved plot plan.
- (3) Any private road used for ingress and egress of equipment to the drill site shall be prepared as required by these regulations.
- (4) The proposed well shall be located in conformity with these regulations as to the distances from streets, outer boundaries, public buildings and dwellings.

- (b) **Commencement of drilling.** The Director shall be called and notified when the drilling derrick or mast has been erected in conformity with these regulations and all necessary equipment pertinent to the drilling operations thereof has been installed and is on the site. Drilling may proceed prior to inspection of the derrick or mast, provided that its design has been previously approved by the Director. It will be the

obligation of the Director to inspect such facilities as to their conformity with these regulations as soon as reasonably practicable.

- (c) **Release of drilling crew.** The Director shall be notified immediately in writing, when the drilling crew is released and it shall then be his duty to inspect.
- (d) **Completion of drilling.** Upon completion of drilling operations, an inspection request shall be called for.
- (e) **Abandonment.** An inspection shall be made subsequent to the approval of the abandonment notice and the Director shall certify that the well has been abandoned in conformity with all regulations to a depth of six (6) feet below grade. (Code 1961, § 77.0110)

**Sec. 7-8-42. Notices required.**

(a) **Service of notice.** Every operator of any oil well shall designate an agent who is a resident of the State of California, upon whom all orders and notices provided in this code may be served in person, or by registered or certified mail. Every operator so designating such agent shall within ten (10) days notify the Director, in writing, of any change in such agent or such mailing address unless operations within the County are discontinued. Service by registered or certified mail, or in person on the agent so designated, shall constitute service for all purposes of this code.

(b) **Transfer of operator.** The operator shall notify the Director in writing of the sale, assignment, transfer, conveyance or exchange by said operator of wells, property and equipment within ten (10) days after such sale, assignment, transfer, conveyance or exchange. The notice shall contain the following:

- (1) The name and address of the person to whom such well and property was sold, assigned, transferred, conveyed or exchanged.
- (2) The name and location of the well.
- (3) The date of sale, assignment, transfer, conveyance or exchange.
- (4) The date when possession was relinquished by the former operator.
- (5) A description of the properties and equipment transferred. Every person who acquires any well, property or equipment, whether by purchase, transfer, assignment, conveyance, exchange or otherwise shall within ten (10) days after acquiring such well, property or equipment notify the Director, in writing, of his ownership. The notice shall contain the following:
  - a. The name and address of the person from whom such well and property was acquired.
  - b. The name and location of the well.



- c. The date of acquisition.
- d. The date possession was acquired.
- e. A description of the properties and equipment transferred.
- f. The person designated for service of notice and his address.

(c) **Suspension of drilling and redrilling operations.** The operator of any well shall notify the Director, in writing, of any temporary suspension of operations, pending a resumption of operations or abandonment. The Director, for good cause, may approve temporary suspension of operations. Such notice shall be filed with the Director within thirty (30) days from and after release of drilling crew. Failure of the Director to act within ten (10) days shall constitute approval thereof. The operator shall notify the Director, in writing, upon resumption of operations giving the date thereof.

(d) **Change in drilling contractor.** The operator, before changing drilling or redrilling contractors, shall file with the Director a written notice of the change, giving the name of the original contractor and the name of the proposed contractor, and such information as was originally required to meet the design and structural requirements of this code. Such notice shall be attached to and become a part of the original oil drilling or redrilling permit. (Code 1961, § 77.0111)

#### **Sec. 7-8-43. Storage facilities.**

(a) **Storage capacity.** Maximum tank capacity for each producing oil well: If oil or other liquid storage facilities are established incidental to a producing well on a drill site, such storage facilities shall not exceed a total of two thousand (2,000) barrels per well.

(b) **Design and construction of tanks.** All tanks shall be constructed in detailed conformity with the current A.P.I. Standards applicable thereto.

(c) **Foundations and supports.** Tanks shall rest directly on the ground or on foundations, supports or pilings of concrete, masonry, steel, crushed rock or wood. Exposed pilings or steel supports shall be protected by fire-resistive materials to provide a fire-resistance rating of not less than two (2) hours. Stairs, platforms and walkways shall be of metal, concrete or wood.

(d) **Spacing between tanks.**

- (1) No tank for the storage of any flammable liquid shall be located closer than three (3) feet of any other such tank.
- (2) For tanks above fifty thousand (50,000) gallons individual capacity for the storage of any flammable liquid, except crude petroleum, the distance between such tanks shall not be less than one-half the diameter of the smaller tank.

- (3) Tanks for the storage of crude petroleum having capacities not exceeding one hundred twenty-six thousand (126,000) gallons (3,000 barrels) shall not be less than three (3) feet apart. Tanks having a capacity in excess of one hundred twenty-six thousand (126,000) gallons (3,000 barrels) shall not be less than the diameter of the smaller tank apart.
- (4) The minimum separation between a liquefied petroleum gas container and any other tanks for the storage of any flammable liquids shall be twenty (20) feet. Suitable means shall be taken to prevent the accumulations of flammable liquids under adjacent liquefied petroleum gas containers such as by diking, diversion curbs or grading. When flammable liquid storage tanks are diked, the liquefied petroleum gas containers shall be outside the diked area and at least ten (10) feet away from the center line of the dikes. The foregoing provision shall not apply when liquefied petroleum gas containers of one hundred twenty-five (125) gallons or less capacity are installed adjacent to Class III flammable liquid storage tanks of two hundred seventy-five (275) gallons or less capacity.

(e) **Location of tanks.** Minimum distance between any outside aboveground tanks to the nearest building or line of adjoining property which may be built upon:

- (1) Flammable liquids other than those having boil-over characteristics similar to liquid petroleum:

Capacity of Tanks	Class of Flammable Liquid	Minimum Distance
0 to 275 gals	III	0 Feet
276 to 750 gals	III	5 Feet
0 to 750 gals	I and II	10 Feet
721 to 12,000 gals	III	10 Feet
751 to 12,000 gals	I and II	15 Feet
12,001 to 24,000 gals	I, II and III	15 Feet
24,001 to 30,000 gals	I, II and III	20 Feet
30,001 to 50,000 gals	I, II and III	25 Feet

- (2) Crude petroleum and other liquids having boil-over characteristics similar to crude petroleum and flammable liquid tanks with capacity in excess of fifty thousand (50,000) gallons:

**Crude Petroleum and Tanks with Capacities in Excess of 50,000 Gallons**

Tanks with capacities in excess of fifty thousand (50,000) gallons and all tanks for the storage of crude petroleum shall be located in accordance with the following provisions (applicable to gas-tight tanks including conservation type tanks constructed in compliance with these or equivalent standards):



# Storage Facilities

Product Stored	Tank Protection	Distance From Line of Adjoining Property Which May Be Built Upon Shall Be Not Less Than
Refined petroleum products or other flammable liquids not subject to boilover	Group 1) An approved permanently attached extinguishing system or	Greatest dimension of diameter or height of tank, except that such distance need not exceed 120 feet
	2) An approved floating roof	
	Group B Not equipped with either of the above tanks	1½ times the greatest dimension of diameter or height of tank except that such distance need not exceed 175 feet
Crude petroleum*	Group 1) An approved permanently attached extinguishing system or	2 times the greatest dimension of diameter or height of tank except that such distance shall not be less than 20 feet and need not exceed 175 feet
	2) an approved floating roof	
	Group D Not equipped with either of the above tanks	3 times the greatest dimension of diameter or height of tank except that such distance shall not be less than 20 feet and need not exceed 350 feet

- a. **Group A tanks.** Any gas-tight tank\* constructed in compliance with these or equivalent standards and equipped either with:
  - 1. An approved permanently attached extinguishing system; or
  - 2. An approved floating roof, which is to be used only for the storage of refined petroleum products or other flammable liquids not subject to boil-over, shall be so located that the distance from the line of adjoining property which may be built upon shall be not less than the greatest dimension of diameter or height of the tank, except that such distance need not exceed one hundred twenty (120) feet.
- b. **Group B tanks.** Any gas-tight tank\* constructed in compliance with these or equivalent standards but not equipped either with:
  - 1. An approved permanently attached extinguishing system; or
  - 2. An approved floating roof, which is to be used only for the storage of, refined petroleum products or other flammable liquids not subject to boil-over, shall be so located that the distance from the line of adjoining property which may be built upon shall be not less than one and one-half (1 1/2) times the greatest dimension of diameter or height of the tank, except that such distance need not exceed one hundred seventy-five (175) feet.
- c. **Group C tanks.** Any gas-tight tank\* constructed in compliance with these or equivalent standards and equipped either with:
  - 1. An approved permanently attached extinguishing system; or
  - 2. An approved floating roof, which is to be used for the storage of crude petroleum, shall be so located that the distance from the line of adjoining property which may be built upon shall be not less than twice the greatest dimension of diameter or height of the tank except that such distance shall be not less than twenty (20) feet and need not exceed one hundred seventy-five (175) feet.
- d. **Group D tanks.** Any gas-tight tank\* constructed in compliance with these or equivalent standards and not equipped either with:
  - 1. An approved permanently attached extinguishing system; or
  - 2. An approved floating roof, which is to be used for the storage of crude petroleum, shall be so located that the distance from the line of adjoining property which may be built upon shall not be less than three (3) times the greatest dimension of diameter or height of the tank except that such distance shall not be less than twenty (20) feet and need not exceed three hundred fifty (350) feet.

NOTE: The term "approved attached extinguishing system" as used in the foregoing description may be interpreted to apply to:

\*The term gas-tight tank includes so-called conservation type tanks.



1. A fixed foam or other recognized extinguishing system embodying a supply of the extinguishing medium; or
2. A system employing a pipeline for conveying foam from a point outside the dike to the tank; or
3. Portable overshot devices for applying foam over the rim of the tank. Where reliance is placed on a pipeline for conveying foam, the pipeline shall be so installed and attached as to be an integral part of the tank. Where reliance is placed on a portable overshot device, the practicability of its use shall be demonstrated before approval. Approved foam-generating equipment of sufficient capacity should be available on the property, by response of a municipal or other public fire department, or otherwise readily available, and there should be on hand or otherwise readily available a sufficient supply of foam producing materials as specified in the National Fire Protection Association Standards for Foam Extinguishing Systems, No. 11.
4. Buildings essential to the operation of the storage facilities (building location): No building used for human occupancy, except buildings essential to the operation of the storage facilities shall be erected within the distances set out in the tables above, from such storage tanks.

(f) **Diverse ownership.** Where tank locations of diverse ownership have a common boundary the Director may, with the written consent of the owners, waive the required distances from the common property line and substitute the space between tanks as provided in this section.

(g) **Dikes, diversion walls and catchment basins.**

- (1) **Required:** Tanks used for the storage of crude petroleum and other flammable liquids having similar boil-over characteristics shall be diked, or provided with approved diversion walls and catchment basins, or combinations thereof.
- (2) **Location:** No catchment basin or diked impounding area shall be located closer to the outer boundary line, or to any building designed for human occupancy than the diameter or height (whichever is greater) of the largest tank served by such basin or area, nor shall any building designed for human occupancy be erected or placed closer than such distance to any catchment basin or diked impounding area.
- (3) **Capacity:** The net capacity of a catchment basin, diked impounding basin or any combination thereof shall be equal to the capacity of the largest tank, plus ten (10) per cent of the aggregate capacity of all other tanks served. In computing the required capacity of a catchment basin, diked impounding basin or combination thereof;

- a. The volume of the largest tank up to the height of the dike shall be considered as part of the available capacity of a diked impounding basin.
  - b. No part of the volume of tanks other than the largest tank shall be considered as part of the available capacity.
  - c. The capacity of a separate catchment basin may be used to reduce the required capacity of a diked impounding basin provided drainage sufficient to prevent overflow of the dike and effective control of flow are provided.
  - d. The capacity of a single separate catchment basin may be applied to reduce the required capacity of each of the diked impounding basins draining into it.
- (4) Construction: Dikes shall be of earth, concrete or solid masonry designed to be liquid tight and shall be maintained. Where piping passes through dikes, provision shall be made for movement without damage to the dike and to minimize leaks under emergency conditions. Earthen dikes shall be built and maintained at a minimum height of two (2) feet, having sloping sides consistent with the angle of repose of the material used and be not less than two (2) feet wide at the top. The distance between the inside toe of any dike and the shell of the tank shall be not less than five (5) feet for tanks not more than thirty (30) feet in diameter and ten (10) feet for tanks in excess of thirty (30) feet in diameter.
- a. Spill dikes: Where tanks within a common diked impounding basin may cause mutual exposure from spills, spill dikes shall be provided between tanks of ten thousand (10,000) barrels or greater individual capacity. Groups of tanks of less than ten thousand (10,000) barrels individual capacity and not in excess of fifteen thousand (15,000) barrels aggregate capacity may be enclosed within a single spill dike. The height of such spill dike shall not exceed fifty (50) per cent of the height of the main or perimeter dikes.
  - b. Drainage: Drainage shall be provided at a consistent slope of not less than one per cent away from tanks and fittings to a sump, drain box or other safe means of disposal located within the diked impounding area and at the greatest possible distance from the shell of the tank. Traps with not less than six (6) inches of liquid seal shall be provided between the sumps, drain boxes or sewer openings within any impounding area and the sewers or drains intended for the disposal of spills. A valve, operable from outside the dike, shall be provided in the dike drain system and shall normally be kept closed.
  - c. Disposal: Approved provisions shall be made for disposing of water and of oil retained by dikes, impounding or catchment basins.
- (h) **Suspension of requirements.** In particular installations, some or all of the requirements of subsections (d), (e) and (g) of this section governing



storage facilities may be suspended, in whole or in part, or less restrictive requirements may be imposed pending further order of the Director, where such requirements are rendered unnecessary or unreasonable by reason of the then existing special features such as: Topography, nature of occupancy and proximity to buildings on adjoining property, the height and character of construction of such buildings, capacity and construction of the proposed tanks and the character of liquids to be stored, the degree of private fire protection to be provided and the facilities of the Fire Department to cope with flammable liquid fires.

(i) **Skim ponds.** Any open, accessible, surface or subsurface installation used for the disposal of permitted waste liquids shall be fenced in accordance with the preceding fencing provision.

(j) **Loading by truck from production tank sites.** Location: Tank vehicle loading racks, loading platforms or movable loading spouts or arms dispensing flammable liquids shall be separated from tanks, warehouses, other buildings, public streets and nearest line of property that may be built upon by a clear distance of not less than twenty-five (25) feet, measured from the nearest position of any fill stem. Buildings for pumps or for shelter of loading personnel may be part of the loading rack or platform. No person shall load or unload, or permit the loading or unloading of a tank vehicle unless such vehicle is located outside of any public street right of way.

Loading and unloading operations: During the loading or unloading of a tank vehicle a qualified person shall be at the loading or unloading controls. Provisions shall be made for the safe disposal of the oils released by overflow and from loading spouts or lines.

(k) **Maintenance of tanks.** All tank tops which are accessible by means of a ladder, stairs or otherwise shall be maintained in a safe manner. Such tops unless constructed and maintained in compliance with the applicable A.P.I. Standards shall be made of a substantial material with no openings in excess of four (4) inches in any dimension except for gauging hatches and similar openings which can be secured. (Code 1961, § 77.0112; Ord. No. 2613, § 1, 8-2-72)

#### **Sec. 7-8-44. High pressure pipe systems.**

All piping systems to be operated at a pressure in excess of twenty (20) per cent of the minimum yield strength of the material with which the pipe is fabricated shall be designed, constructed, operated and maintained in accordance with the provisions of A.N.S.I. Standards B 31. (Code 1961, § 77.0113; Ord. No. 2613, § 1, 8-2-72).

#### **Secs. 7-8-45—7-8-49. Reserved.**

#### **Sec. 7-8-50. Fire prevention; sources of ignition.**

(a) **Electrical equipment.** All electrical equipment shall be installed and maintained in accordance with the requirements of the National Electrical Code as amended and adopted by the County of Orange.



(b) **Internal Combustion engines, storage tanks, fired equipment and open flames.** No internal-combustion engine, storage tanks, boiler fired equipment or open flames except welding supervised by the production foreman, drilling foreman, drilling engineer, drilling supervisors or safety supervisors shall be located closer than twenty-five (25) feet to a producing well nor closer than one hundred (100) feet to a drilling well. Internal combustion engines (and their fuel tanks) used in the drilling, production and servicing of oil wells are exempt from the above provisions. During drilling operations on a drill site of two (2) acres or less in area where two (2) or more wells are drilled and drilling and production equipment are located on such sites, the provisions in this subsection relating to distances of storage tanks may be altered at the discretion of the Director after consideration of the special features such as: Topographical conditions; nature of occupancy and proximity to buildings on adjoining property and height and character of construction of such buildings; capacity and construction of proposed tanks and character of liquids to be stored; degree of private fire protection to be provided, and facilities of the fire department to cope with flammable liquid fires.

(c) **Muffling exhaust.** The engines used in connection with the drilling of any oil well or in any production equipment of any oil well shall be equipped with an exhaust muffler to prevent excessive or unusual noise. Means shall be provided on all engines used during drilling operations to prevent the escape of flames, sparks, ignited carbon and soot.

(d) **Flammable waste gases and vapors.** Flammable waste gases or vapors escaping from a production drill site shall be burned or controlled to prevent hazardous concentrations reaching sources of ignition or otherwise endangering the area.

(1) **Flares:** Approved means of ignition shall be provided whenever hydrocarbon gases are released to the air through flares.

(2) **Venting:** Gases or vapors not burned may be discharged to the atmosphere at not less than twenty (20) feet vertically above grade and not less than twenty-five (25) feet horizontally from any source of ignition and at locations that do not create a hazard to the general area.

(e) **Waste control of drill site.**

(1) No person shall permit or cause to be permitted the discharge of any liquid containing crude petroleum or its products into or upon any street, public highway, drainage canal or ditch storm drain or flood-control channel.

(2) No person shall permit or cause to be permitted any oil, waste oil, refuse or waste material to be on the surface of the ground, under around or near any oil well, pump boiler, oil storage tank or building except within an oil sump, tank catchment basin or skimming pond. No new sumps or ponds shall be created without the written approval of the Director of the Environmental Management Agency.

(3) All land within twenty-five (25) feet of any oil well, flammable liquid tank or other appurtenance to any such well shall be at all times kept



free and clear of dry weeds, grass, rubbish or other combustible debris. When this distance is not sufficient to provide reasonable fire safety, a greater distance may be required which shall not exceed the height of the derrick or greatest dimension of the tank.

(f) **Smoking.** No person shall smoke nor cause, permit or allow another person to smoke within fifty (50) feet of any well, tank location or any area contaminated by oil or waste gas.

(g) **Fire control equipment.** A minimum of two (2) fire extinguishers shall be maintained at all oil well locations where drilling, servicing or repair work is being conducted. Each such extinguisher shall have a minimum classification of 20B as set forth in National Fire Protection Association No. 10, "Standard for the Installation of Portable Fire Extinguishers." Code 1961, § 77.0114; Ord. No. 2613, § 1, 8-2-72).

#### **Sec. 7-8-51. Enforcement.**

It shall be the duty of the Director to enforce the provisions of the code. If at any time the Director finds any operator is violating any of the provisions of this code, he may order immediate compliance. If immediate compliance is not obtained, the Director shall order immediate cessation of operations. The operator shall immediately comply with the order of the Director to cease and shall not resume any operations until written approval of the Director is had (Code 1961, § 77.0115)

#### **Sec. 7-8-52. Appeals.**

(a) The Board of Supervisors shall have and exercise the power to hear and determine appeals where it is alleged there is error or abuse of discretion in any order, requirement decisions or determination made by the Director in the administration or enforcement of any of the provisions of this Code.

(b) An appeal shall be in writing and shall be filed in triplicate in the office of the Director. An appeal from any order, requirement decision or determination by the Director must set forth specifically wherein it is claimed there was an error or abuse of discretion by his action or where the decision is not supported by the evidence in the matter.

(c) Any appeal not filed within ten (10) days from and after the date of the order, requirement, decision or determination complained of shall be dismissed by the Board of Supervisors.

(d) Within five (5) days from and after the filing of the appeal, the Director shall transmit to the Board of Supervisors all papers involved in the proceedings and two (2) copies of the appeal. In addition, he may make and transmit to the Board of Supervisors such supplementary report as he may deem necessary to present clearly the facts and circumstances of the case.

(e) Upon receipt of the record, the Board of Supervisors shall set the matter for hearing and give notice by mail of the time, place and purpose

thereof to appellant and to the Director and any other party at interest who has requested in writing to be so notified and no other notice need be given.

(f) Upon the date for the hearing, the Board of Supervisors shall hear the appeal, unless for cause the Board of Supervisors shall on that date continue the matter. No notice of continuance need be given if the order therefor be announced at the time for which the hearing was set.

(g) Upon the hearing of such appeal the Board of Supervisors may affirm, change or modify the ruling, decision or determination appealed from or in lieu thereof may make such other or additional determination as it shall deem proper in the premises subject to the same limitations as are placed upon the Director by this code and by other provisions of law. (Code 1961, § 77.0116)

#### **Sec. 7-8-53. Violations and Penalties.**

Any person, firm, corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than six (6) months or by such fine and imprisonment."

#### **Sec. 7-9-117. Oil production.**

In addition to the definitions set forth by the Comprehensive Zoning Code in section 7-9-21, the definitions set forth by the Orange County Oil Code in section 7-8-3, shall also apply to the following provisions of this section:

- (a) **Permitted.** In any district where the district symbol is followed by, as a part of such symbol, parenthetically enclosed letter "O" thus (O), oil drilling and production of oil, gas and other hydrocarbon substances is permitted.
- (b) **Prohibited.** The following areas are hereby declared scenic and recreational areas:
  - (1) The area within one-quarter mile of the boundary of O'Neill Park and of Irvine Park;
  - (2) The area within one mile landward of the line of Upper Newport Bay as established and adjudicated by Superior Court Case No. 20436;
  - (3) The area within one mile landward of the coastline measured from mean lower low water datum as established by the U.S. Coast and Geodetic Survey from the easterly jetty of the harbor entrance at Newport Beach to the San Diego County line.



(c) Permitted, subject to conditions.

- (1) Within any district not designated with (O) and not above described as a scenic and recreational area, the use of land for the drilling and production of oil, gas and other hydrocarbon substances, is permitted upon the hereinafter described "primary conditions," if at the time of the application for a permit to drill there exists either:
  - a. Twenty-five (25) or more dwellings within one thousand three hundred twenty (1,320) feet of the proposed location of the well; or
  - b. Six (6) or more dwellings within six hundred sixty (660) feet of the proposed location of the well; or
  - c. Any legally established structure used for housing of mentally or physically ill or aged persons having five (5) or more beds, is within six hundred sixty (660) feet of the proposed location of the well; or
  - d. In the determination of conditions applicable outside of the O Districts, improvements and oil wells located within O Districts shall not be considered.
- (2) Within any district not designated with (O) and not above described as a scenic and recreational area, the use of land for the drilling and production of oil, gas and other hydrocarbon substances is permitted upon the hereinafter described "secondary conditions," if at the time of the application for a permit to drill neither a. nor b. nor c. as described in subsection (1) above exists. In the determination of conditions applicable outside of the O Districts, improvements and oil wells located within O Districts shall not be considered.
- (3) The word "dwelling" as used in this section means any building or structure which has for its primary purpose human residence.
- (4) Primary conditions.
  - a. For site selection and preparation.
    1. Drill site location: No drill site shall be located closer than one thousand three hundred twenty (1,320) feet from any drill site other than a drill site located in an O District. For the purpose of this article, the drill site for an oil well existing on May 28, 1958, shall be deemed to be all of the area within one hundred (100) feet from the center of the oil well.
    2. Drill site area: No drill site shall contain more than two and one half (2 1/2) acres or be of such size or shape that it cannot be contained within a square three hundred thirty (330) feet by three hundred thirty (330) feet.

3. Number of wells: The number of wells which may be drilled shall not exceed one (1) well to each five (5) acres in the leased area.
4. Distance from dwelling: No oil well shall be drilled within one hundred seventy-five (175) feet of any dwelling.
5. Hours of operation: All work in preparation of the site for drilling shall be conducted only between the hours of 7:00 a.m. and 7:00 p.m.
6. Roads and excavations: Roads and other excavations shall be planned, constructed and maintained so as to provide stability of fill, minimize disfigurement of the landscape, maintain natural drainage and minimize erosion.
7. Cut and fill slopes: No slope of cut or fill shall have a gradient steeper than one foot rise in one foot horizontal measurement. Where by reason of the soil condition, the condition of the terrain or size or length of the cut required it is impractical to provide such gradient, the Director may grant an exception to such requirement provided he first finds that compliance with said requirement is impractical and that the integrity of the neighborhood will be maintained if such exception is granted.
8. Slope planting: All excavation slopes, both cut and fill, shall be planted and maintained with grasses, plants or shrubs during drilling and production operations, but only to an extent reasonably comparable with the general status of undisturbed surfaces in the vicinity.
9. Fencing.
  - aa. Drilling. Prior to the commencement of drilling operations, the drill site shall be enclosed by an eight-foot-high solid fence to reduce sound.
  - bb. Production. Upon completion of the drilling operation, the drill site shall be enclosed by a solid redwood fence or a solid masonry wall eight (8) feet high on all sides, except those sides on which exists a natural or artificial barrier of equal or greater solidity and height. Solid redwood board gates shall be installed and be equipped with keyed locks and shall be kept locked at all times when unattended. Any and all supporting members of the fence shall be on the interior of said fence. Such fence or wall shall be in lieu of any other fencing requirements.
10. Pipelines: All off-site pipelines serving the drill site shall be buried underground.



11. Parking: Parking for all vehicles including those of employees shall be provided on the drill site. Such parking areas shall be surfaced and maintained to prevent dust and mud.
  12. Sanitary facilities: Sanitary facilities shall be provided at the drill site and shall be in accordance with Standards of the Orange County Health Department.
- b. For drilling. Drilling operations shall be subject to the following limitations:
1. Soundproofing:
    - aa. When drilling operations are limited to the hours of 7:00 a.m. to 7:00 p.m., with no operation on Sunday, only minimum soundproofing, as determined by the Director of the Environmental Management Agency, shall be required.
    - bb. When drilling operations are to be conducted continuously, the derrick and all machinery shall be enclosed in soundproofing material or otherwise made soundproof to the satisfaction of the Director of Environmental Management Agency.
  2. Lights: All lights shall be directed or shielded so as to confine direct rays to the drill site.
  3. Delivery of equipment: The delivery or removal of equipment or material from the drill site shall be limited to the hours between 7:00 a.m. and 7:00 p.m., except in case of emergency.
  4. Drill pipe storage: No drill pipe shall be racked and made up except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except within the derrick when soundproofed as specified in bb. above.
  5. Power sources: All power sources shall be electric motors or muffled internal-combustion engines.
  6. Maintenance: The drill site and all facilities shall be maintained in a neat, clean and orderly condition.
- c. For production operation.
1. Underground installation: All wellhead equipment shall be installed in cellars and no portion of such equipment shall be or project above the surface of the surrounding ground.
  2. Motive power soundproofing: Motive power for production operations shall be completely enclosed in a building or buildings insulated with sound-deadening materials. Such

buildings shall be of residential appearance and no portion thereof shall exceed sixteen (16) feet in height.

3. Motive power location: Motive power for production operations shall be located on a drill site.
4. Height of installation: Except as otherwise herein specifically permitted, no permanent installation at the drill site shall be or project more than eight (8) feet above the surface of the surrounding ground.
5. Storage of equipment: There shall be no storage of material, equipment, machinery or vehicle which is not for immediate use or servicing of an installation on the drill site.
6. Maintenance: The drill site and all permanent installations shall be maintained in a neat, clean and orderly condition.
7. Storage tank location: Storage tanks shall be located on a drill site.
8. Storage tank capacity: Storage tank capacity at the drill site shall not exceed a total aggregate of two thousand (2,000) barrels exclusive of processing equipment.
9. All surfaces of permanent installations within the drill site shall be painted flat dark green or flat brown.
10. Removal of oil: Oil produced at the drill site shall be removed therefrom by an underground pipeline or pipelines at all times more than one hundred eighty (180) days from and after the date the first well in the drill site is completed.
11. Refineries: No refinery, dehydrating or absorption plant of any kind shall be constructed, established or maintained on the drill site or within the outer boundary line.
12. Gas burning: Natural gas shall not be vented to the atmosphere nor burned by open flare.
13. Well servicing: No well servicing shall be done except between the hours of 7:00 a.m. to 7:00 p.m. except in case of emergency.
14. Signs: No sign which is visible from outside of the drill site shall be caused, permitted or allowed to be or remain any place on the drill site except: (a) Such signs as are required by law, (b) warning signs, (c) no-trespassing signs.



15. Landscaping: Shrubs shall be planted and maintained along the exterior of the fence or wall enclosing the drill site to relieve its monotonous appearance. This requirement shall not be construed to limit or prohibit additional site beautification by landscaping or other planting.
16. Off-site pipelines: Within thirty (30) days from and after completion of the drilling of the first well on a drill site, the work of burying all off-site pipelines shall be commenced and completed within a reasonable time thereafter.

(5) Secondary conditions:

a. For site selection and preparation.

1. Drill site location: No drill site shall be located closer than one thousand three hundred twenty (1,320) feet from any other drill site. For the purpose of this article the drill site, for an oil well existing on the effective date of Ordinance No. 1096 shall be deemed to be all of the area within one hundred (100) feet from the center of the oil well.
2. Drill site area: No drill site shall contain more than two and onehalf (2 1/2) acres or be of such size or shape that it cannot be contained within a square three hundred and thirty (330) feet by three hundred thirty (330) feet.
3. Roads and excavations: Roads and other excavations shall be planned, constructed and maintained so as to provide stability of fill, minimize disfigurement of the landscape, maintain natural drainage and minimize erosion.
4. Cut and fill slopes: No slope of cut and fill shall have a gradient steeper than one foot rise in one foot horizontal measurement. Where by reason of the soil condition of the terrain or size or length of the cut required, it is impractical to provide such gradient, the Director of Environmental Management Agency may grant an exception to such requirement provided he first finds that compliance with said requirement is impractical and that the integrity of the neighborhood will be maintained if such exception is granted.
5. Slope planting: All excavation slopes, both cut and fill, shall be planted and maintained with grasses, plants or shrubs during drilling and production operations, but only to an extent reasonably comparable with the general status of undisturbed surfaces in the vicinity.
6. Off-street parking: An off-street parking area containing not less than five (5) parking spaces, each of which shall be at least ten (10) feet by twenty (20) feet, shall be

provided for each well being drilled and shall be surfaced and maintained in accordance with the requirements of the Orange County Oil Code.

7. Sanitary facilities: Sanitary facilities shall be provided at the drill site and shall be in accordance with standards of the Orange County Health Department.

b. For drilling.

1. Lights. All lights shall be directed or shielded so as to confine direct rays to the drill site.
2. Power sources: All power sources shall be electric motors or muffled internal-combustion engines.

c. For production operations.

1. Motive power locations: Motive power for production operations shall be located on a drill site.
2. Height of pumping equipment: No walking beam type pumping equipment shall project more than ten (10) feet at its highest point of rise above the surrounding ground levels.
3. Storage tank location: Storage tanks shall be located on the drill site.
4. Height of storage tanks: No oil storage tank shall exceed eighteen (18) feet in height above the ground level.
5. Height of wash tanks: No wash tank shall exceed twenty-four (24) feet in height nor exceed eight (8) feet in diameter.
6. Fencing: Within thirty (30) days from completion of the first well on a drill site, such site shall be enclosed by a solid redwood fence or solid masonry wall eight (8) feet high on all sides, except those sides on which exists a natural or artificial barrier of equal or greater solidity and height. Solid redwood board gates shall be installed and be equipped with keyed locks and shall be kept locked at all times when unattended. Such fence or wall shall be in lieu of any other fencing requirements.

- (d) **Basic safety regulations.** All drilling and production of oil, gas and other hydrocarbon substances, whether permitted pursuant to this section or section 7-9-124, are subject to the regulations of the Orange County Oil Code. (Code 1961, § 78.024; Ord. No. 2612, § 1, 8-2-72)



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