

15A NCAC 05H .2004 PIT CLOSURE REQUIREMENTS

(a) The permittee shall notify the Department via telephone or email 48 hours prior to commencing pit closure activities so the Department staff may be onsite to inspect pit closure. The permittee shall submit Form 11 – Required Notifications to the Department in accordance with Rule .0201 of this Subchapter by mail, email, or fax within five calendar days of the telephone or email notification and shall include the following information:

- (1) the permittee's name, address, telephone number, fax number, and email address;
- (2) the county and nearest city or town where the oil or gas well is located;
- (3) the property street address, or nearest address to the ingress and egress point leading from a public road to the well pad;
- (4) the API number, the lease name, and the oil or gas well name and number; and
- (5) the scheduled date and approximate time for the pit(s) closure.

(b) Prior to removing the liner, all freestanding liquids and solid waste remaining in the pit shall be disposed of in accordance with applicable laws and regulations. Synthetic liners shall be removed and disposed of in accordance with applicable laws and regulations.

(c) The permittee shall collect a five-point composite sample from the pit sub-base if there are no wet or discolored areas or any other indications of a release of fluids from the pit. The permittee shall collect individual grab samples from any pit base or sidewall slope areas that are wet, discolored or show other evidence of a release along the pit sidewall slopes or base.

(d) The samples collected from the pit sub-base shall be analyzed for benzene, toluene, ethylbenzene, xylene (BTEX), total petroleum hydrocarbons (TPH) and metals. The Department may request the permittee to also analyze for chlorides, bromides, and sulfates depending on the drilling, completion, and stimulation fluids used by the permittee. These soil samples shall be analyzed in accordance with approved the EPA or Department methods in accordance with 15 NCAC 02L .0412, which is incorporated by reference, including subsequent amendments.

(e) If concentrations of BTEX, TPH, or metals exceed the soil to groundwater maximum contaminant concentrations established by the Environmental Management Commission in 15A NCAC 02L .0202, or the background concentration, if established, then the Department shall require additional delineation upon review of the results to ensure compliance with other applicable environmental regulations for soil and water contamination.

(f) All soil that exceeds limits established in Paragraph (e) of this Rule shall be removed from the pit and disposed of at a permitted municipal solid waste landfill, hazardous waste facility, or soil reclamation facility.

(g) The location where the pit(s) were constructed shall be returned to grade, reclaimed, and seeded in accordance with the approved Reclamation Plan. Pit(s) shall be reclaimed no later than 180 calendar days after the drilling rig is removed from the well site, workover operations are complete, or plugging is complete.

(h) The permittee shall submit a signed copy of Form 25 – Pit Closure Report to the Department in accordance with Rule .0201 of this Subchapter within 30 calendar days after the pit closure has been completed, containing the following information:

- (1) the permittee's name, address, telephone number, fax number, and email address;
- (2) the county and nearest city or town where the oil or gas well is located;
- (3) the property street address, or nearest address to the ingress and egress point leading from a public road to the well pad;
- (4) the API number, the lease name, and the oil or gas well name and number;
- (5) the latitude and longitude of the pit reported to five decimal places of accuracy and precision using the North American Datum of 1983 (NAD83);
- (6) the pit type and use;
- (7) the date of pit closure;
- (8) the volume of fluid and solid E & P wastes removed from the pit(s);
- (9) a confirmation that the liner was removed in accordance with Paragraph (b) of this Rule;
- (10) copies of analytical results from the required sampling in Paragraph (c) of this Rule; and
- (11) the name, permit number, and contact information for the receiving facilities.

History Note: Authority 113-391(a)(5)c; 113-391(a)(5)d; 113-391(a)(5)f; 113-391(b); Eff. March 17, 2015.