



## **NOTICE OF CHANGE TO CITY OF GRAND PRAIRIE CODE OF ORDINANCES, ARTICLE XIX. GAS DRILLING AND PRODUCTION**

On May 6, 2008, the City Council approved changes to the Gas Drilling and Production Ordinance. A copy of the ordinance will be available on-line by May 8, 2008. A summary of major changes are as follows:

### **Section 13-501. Definitions**

Added definitions for ambient noise, daytime, decibel, nighttime, and protected use.

### **Section 13-504. Gas well permit required.**

(b). Added to the end of paragraph (b) – if the permit setback classification changes prior to the initiation of the drilling of a well under a blanket permit, then the applicant shall be required to submit a permit amendment. The well shall be required to meet all of the requirements for the new setback classification.

(e). Added to the end of paragraph (e) – operator must give notice of at least 72 hours prior to fracturing to the inspector.

### **Section 13-505. Gas well permit application and filing fees.**

(b). Added per permitted well under annual fee.

(c) (18). Added that a copy of the agreement with the owner/operator of the water source to be used during drilling and fracturing operations (must be submitted with the application).

(c) (31). Added a site plan (must be submitted with the application).

(c) (32). Added a copy of a contract with the City's authorized solid waste hauler (must be submitted with the application).

(c) (33). Added that any other items required by the City's Environmental Services Director (must be submitted with the application).

### **Section 13-507. High impact gas well permit and 13-508. Urban gas well permit.**

Changed the surface owner notice from 600 feet to 1,000 feet for high impact and urban wells.

Deleted noise restrictions for high impact, urban, and rural well applications.

Noise requirements for special residential adjacency deleted.

**Section 13-507 (k) (1) and Section 13-308 (g) (1) – Special Adjacency Requirements**

Added the use of a dust control stabilization agent on all non-paved surfaces to be reapplied no less frequently than annually.

**Section 13-515. Technical Regulations.**

(c) (4). Added to end of paragraph – City staff may approve amended easement language that permits certain accessory uses and structures, such as recreational, athletic, and agricultural facilities with use restrictions, to be placed inside the well head easement. Such amendments and use restrictions shall be approved as a part of the permit application review process.

(c) (8). Added to front of paragraph – When considering amendments to the 300 foot well head easement requirement, city staff shall review concept plans, plats, long range land use plans and similar document addressing future development proposed around the well head site .....

(e) Noise Restrictions\*

- (1) No well shall be drilled, redrilled, or any equipment operated at any location within the city in such a manner so as to create any noise which causes the exterior noise level when measured at the nearest protected use receiver's/receptor's property line or one hundred (100) feet from the nearest protected use structure (as measured to the closest exterior point of the building), whichever is closer to the receiver/receptor, that exceeds the ambient noise level by more than five (5) decibels during daytime hours and more than three (3) decibels during nighttime hours. Fracing operations may not exceed the ambient noise level by more than ten (10) decibels. Backflow operations may not exceed the ambient noise level by more than five (5) decibels during nighttime hours. When noise contains strong pure tone components or is impulsive, 2dB(A) shall be subtracted from the appropriate limitation.
- (2) The operator shall be responsible for establishing and reporting to the city the pre-drilling ambient noise level prior to the issuance of a gas well permit. A 48-hour noise study shall be utilized to establish ambient noise levels. The timeframe for this study shall be designed to avoid the influence of wind interference on the study. The determination as to whether subsequent studies are needed to reevaluate ambient noise conditions shall be at the sole discretion of the City's Environmental Services Director.
- (3) Adjustments to the noise standards as set forth above in subsection (1) of this section may be permitted in accordance with the following:

Permitted Increase (dBA)	Duration of Increase (minutes)*
5.....	15
10.....	5
15.....	1
20.....	1

\* Cumulative minutes during any one hour

- (4) All noise readings recorded shall be collected in accordance with the requirements contained in the City's Code of Ordinances Chapter 13, Article XIII, Noise Restrictions.
- (5) All workover operations shall be restricted to daytime hours. "Workover operations" shall mean work performed in a well after its completion in an effort to secure production where there has been none, restore production that has ceased or increase production.
- (6) All gas drilling permit applications must include a detailed noise abatement study, conducted by a qualified noise consultant/engineer approved in advance by the City's Environmental Services Director. This study shall include:
  - a. A description of the proposed facility/operation.
  - b. A determination of the ambient noise level utilizing a noise survey of a minimum of 48 hours.
  - c. An analysis of any significant sources of noise, including noise that will be generated during the drilling, fracing, and operational phases of the drill site. This analysis must include a comparison of the potential noise generation with the applicable noise standards.
  - d. An analysis of any abatement measures necessary to bring the proposed facility into compliance with the City's noise standards. If the analysis indicates that abatement measures are required to meet the standards, then the applicant must submit a detailed plan that describes the specific measures that will be utilized. This shall include product information and a location diagram. All soundproofing shall comply with accepted industry standards. The abatement measures shall be installed prior to the commencement of any drilling activities.
  - e. A description of any continuous noise monitoring program if required by (e)(7) of this section.
  - f. A description of any noise abatement measures if required by (e)(7) of this section. This shall include product information and a location diagram.
- (7) If the proposed gas well is within 1,000 feet of any protected use, the operator must comply with these additional noise abatement measures:
  - a. If during nighttime hours, the ambient noise level plus three (3) decibels exceeds 58 decibels, then the limit shall be the ambient noise level.
  - b. Exterior noise levels shall be continuously monitored to ensure compliance. The cost of such monitoring shall be borne by the operator. The noise readings shall be submitted to the inspector on a daily basis in an electronic format or other format specified by the inspector.
  - c. At a minimum, the operator shall install noise reduction blankets on the pad site boundaries facing any protected uses within 1,000 feet. The height of

boundary blankets shall at a minimum be sixteen (16) feet. The height may be increased at the discretion of the Environmental Services Director in response to topographic necessity. In addition to the boundary barriers, the operator must, at a minimum, install additional noise reduction blankets to mitigate noise generated from the rig substructure, the rig floor area, brake drum housings, mud pumps, diesel motors, and generators. The blankets shall be constructed of a fire retardant material approved by the fire department.

Additionally, any exhaust from an internal combustion engine or compressor, stationary or mounted on wheels, must be controlled through the utilization of a “hospital” grade muffler or equivalent control device.

The noise abatement study required in (e)(6) above shall include a site plan showing the location of the boundary noise reduction blankets and a rig layout diagram detailing the location of all other noise reduction blankets, “hospital” grade mufflers, and any other noise reduction equipment.

- d. During nighttime operations, the operation of vehicle audible back-up alarms shall be prohibited or replaced with approved non-auditory signaling systems, such as spotters or flagmen. Deliveries of pipe, casing and heavy loads shall be limited to daytime hours, except for emergency situations. The Derrick Man and Driller shall communicate by walked-talkie or other non-disruptive means only with the Derrick Man is in the derrick. Horns may not be used to signal for connection or to summon crew (except that a horn may be used for emergency purposes only). The operator shall conduct onsite meetings to inform all personnel of nighttime operations noise control requirements.

- (8) The noise requirements contained within this ordinance are hereby declared to be necessary to protect the public health of the community, and are applicable to all current gas drilling permits and any new gas drilling permits.

***\*Noise Restrictions become effective upon passage. For permitted wells in the process of drilling or to be drilled within the next thirty (30) days or by June 6, 2008, the new noise restrictions are waived. However, pad sites with multiple wells that are currently drilling or will be drilled within thirty (30) days must comply once the rig is moved offsite and prior to a rig being returned to the pad site.***