

RULE 3.26 OIL AND GAS EQUIPMENT REGISTRATION

ADOPTED Month XX, 2019

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100 GENERAL

101 **PURPOSE:** The purpose of this Rule is to provide an administrative mechanism for the registration that satisfies the requirements of and will ensure compliance with California's Oil and Gas Regulation (COGR).

102 **APPLICABILITY:** This Rule is applicable to owners and operators of equipment subject to COGR.

103 **SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this Rule is, for any reason, held invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, that portion shall be deemed as a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of the Rule.

200 **DEFINITIONS:** Except as defined below, the terms used in this Rule are the same as defined in District Rule 1.1.

201 **ACTIVE WELL:** Any well used for natural gas production that is not an idle well or a plugged and abandoned well.

202 **CARB:** The California Air Resources Board.

203 **COGR:** Greenhouse Gas Emission Standards for Crude Oil and Natural Gas Facilities, California Code of Regulations, 17 CCR §§ 95665 - 95677.

204 **FACILITY:** Any building, structure, or installation to which COGR applies and which has the potential to emit natural gas.

205 **IDLE WELL:** A well that has not either produced oil or natural gas, produced water to be used in production stimulation, or been used for enhanced oil recovery, reservoir pressure management, or injection for a period of twenty-four (24) consecutive months.

206 **NATURAL GAS STORAGE FACILITY:** Any facility associated with the temporary psalt dome caverns.

207 **PLUGGED AND ABANDONED WELL:** A well that has been abandoned in accordance with Public Resources Code § 3208.

208 **REGISTRATION:** A certificate issued by the District acknowledging expected compliance with all applicable requirements at the time the certificate is issued.

209 **REGULATED EQUIPMENT:** Equipment having specific requirements under COGR.

300 STANDARDS

301 **REGISTRATION:** The owner or operator of any equipment which is subject to COGR shall obtain and maintain a registration from the District, according to the compliance schedule in Section 402 of this Rule.

302 **STANDARDS FOR GRANTING APPLICATIONS:** Except as provided in this Rule, the Air Pollution Control Officer (APCO) shall deny an application for a registration if the applicant does not show that the equipment subject to this registration requirement is so designed, controlled, equipped, and operated with such air pollution control equipment, that it may be shown to operate in compliance with District Rules and Regulations, or any state or federal statutes or regulations that may be enforceable by the APCO.

303 **COGR STANDARDS:** The owner or operator of any equipment subject to COGR shall operate all subject equipment in accordance with the standards set in COGR.

304 **TRANSFER OF EQUIPMENT:** Registrations shall not be transferable, by operation of law or otherwise, from one facility to another.

305 **RIGHT OF ENTRY:** The "right of entry" as delineated by California Health and Safety Code § 41510 shall apply at all times.

306 **VIOLATIONS:** Failure to comply with any provision of this Rule or any condition of a registration issued under this Rule shall constitute a violation of this Rule. The owner or operator shall be liable for any penalties assessed in accordance with the California Health and Safety Code § 42400.

400 ADMINISTRATIVE REQUIREMENTS

401 APPLICATION REQUIREMENTS:

401.1 **REGISTRATION:** Requests for a registration shall be initiated by an owner or operator filing a District registration application for each facility subject to the Rule according to the compliance schedule in Section 402.

401.2 **REGISTRATION REQUIREMENTS:** Requests for a registration shall include a complete application form and shall include, at least: The owner or operator's name and contact information; The address or location of each

Facility with Regulated Equipment subject to this Rule; The location of each piece of Regulated Equipment (in latitude and longitude or UTM), and The District's Permit to Operate facility identification number(s) most closely associated with the facility.

401.3 EXEMPTION TO EQUIPMENT LOCATION REQUIREMENT: The requirement of equipment location information described in Section 401.2 of this Rule does not apply to natural gas powered pneumatic devices, natural gas powered pumps, or to well casing vents.

401.4 Complete registrations submitted to CARB pursuant to 17 CCR § 95674 (b)(2)(A) by November 30, 2019 satisfy the requirements of Section 401, provided the application includes all information required by Section 401.2 of this Rule. In such cases, owners or operators are not required to submit a separate initial registration.

402 COMPLIANCE SCHEDULE:

402.1 EXISTING FACILITIES: Existing facilities operating as of the effective date of this Rule must submit a registration application by December 31, 2019.

402.2 NEW FACILITIES: New facilities must submit a registration application within thirty (30) days of start of operation.

403 CONDITIONAL APPROVAL: The APCO may include written conditions on any registration to ensure compliance with all applicable District, State, or Federal requirements.

404 REGISTRATION REOPENING: The APCO may reopen and revise a registration under the following circumstances:

404.1 To correct a material mistake or an inaccurate statement.

404.2 To incorporate any new, revised, or additional applicable requirements.

405 TERM OF REGISTRATION: Registrations are valid for up to five (5) years provided that the facility is in compliance with all District requirements.

406 APPLICATION REQUIREMENT - TRANSFER OF OWNERSHIP: An application for the transfer of ownership of a registration shall be submitted prior to operation of the equipment by the new owner. The transferred registration shall have the same expiration date as the original registration.

407 **APPEALS:** Within thirty (30) days after notice by the APCO of denial or approval of an application submitted pursuant to this Rule, the applicant may petition the Hearing Board, in accordance with District Rule 5.1, for a public hearing. The Hearing Board, after notice and a public hearing, may sustain or reverse the action of the APCO; such order may be made subject to specified conditions.

408 **REPORTING:**

408.1 All reporting pursuant to 17 CCR § 95673 shall be submitted to CARB annually.

408.2 The owner or operator of a facility subject to the Leak Detection and Repair requirements of COGR shall submit leak detection and repair inspection reports to the District for review no later than thirty (30) days after the end of the calendar quarter in which the inspection was conducted.

500 **MONITORING AND RECORDS**

501 **RECORD KEEPING:** The owner or operator shall comply with all record keeping requirements listed in 17 CCR § 95672.

502 **RECORD RETENTION:** All records required by this Rule shall be maintained for a period of five (5) years and made available to the APCO upon request, within ten (10) calendar days.

600 **FEES**

601 **REGISTRATION FEES:** Financial support for this Rule is currently provided through CARB. If CARB financial support ceases, proceedings to amend this Rule will commence to add a registration fee structure that will recover the costs of implementing the COGR.