



May 21, 2025

DELIVERY VIA EMAIL

CSIPublicComments@governor.ohio.gov & dogrm.rules@dnr.ohio.gov

Ohio Common Sense Initiative
Riffe Building, 30th Floor
77 S. High Street
Columbus OH 43215

Re: Proposed Rule Package: Referenced Industry Standards

Dear Director Baker:

On May 7, 2025, the Ohio Department of Natural Resources, Division of Oil and Gas Resources Management ("Division") filed with the Ohio Common Sense Initiative ("CSI") for review a rule package regarding the rules governing "Referenced Industry Standards" (Referenced Standards) found in OAC 1501:9-12. The Ohio Oil and Gas Association ("OOGA or Association") participated in the public comment process and appreciates the opportunity to submit the attached comments and express our reservations and opposition to the proposed change for the Referenced Standards.

BACKGROUND

The Association is one of the largest and most active state-based oil and natural gas associations in the United States and has been the representative of Ohio's oil and gas producing industry since 1947. Its members range from small business entities—similar to small family farms—to large, multi-national corporations that are involved in all aspects of the exploration, development, production, and marketing of crude oil and natural gas resources in Ohio. Its members often rely on the Association as their primary sources of information on industry trends, activities, tax changes, legislation and regulatory issues. As a consequence, the Association frequently participates in federal and state regulatory actions affecting the oil and gas industry, such as the one here.

SUMMARY

During the stakeholder input process, OOGA recommended the removal of section (A)(8) in 1501:9-12 which references the "RP 65-3 Wellbore Plugging and Abandonment, first edition, dated June 2021" standard. OOGA recommended the removal of 1501:9-1-03 (A)(4)(b) and (A)(5) in the proposed well plugging rules because it is the Association's belief that well plugging regulations must be tailored to Ohio's unique geology and based on practical application of plugging wells in this state. Since 1501:9-1-03 (A)(4)(b) and (A)(5) were not removed from the proposed well plugging rules, OOGA does not support the addition of RP 65-3 as an industry standard until there is agreement on this item.



The American Petroleum Institute has many Recommended Practice documents that are used worldwide. RP-65-3 covers a very broad spectrum of wellbore designs and wellbore geology. Oil and gas regulations that have been established by ODNR since the formation of the division were designed to reflect Ohio wellbore designs to achieve zonal isolation of Ohio geology. Those state regulations should be the standard, recommended practice, not an international guide that may provide guidance on operations not applicable to Ohio.

In item 5 of ODNR's Business Impact Analysis (BIA) for the well plugging rules, the Division states that "Ohio's plugging rules address state-specific conditions, for example, state-specific geology..." The industry agrees with the Division statement and therefore recommends striking all language referring to API Recommended Practice (RP) 65-3 in both the well plugging and referenced industry standards rules.

FINANCIAL IMPACT

API RP 65-3 is 95 pages in length and costs \$200 to purchase. Requiring an operator to follow the entire document creates subjectivity on what recommendations are appropriate for a particular well. For example, API RP 65-3 recommends setting a bridge plug and cement on top of it as a primary plugging option. This practice is not preferred by ODNR and is only used when all other options fail. This inconsistency between API RP 65-3 and Ohio plugging practices creates uncertainty and potential unnecessary costs for operators. It may also lead to scenarios where an operator is following API RP 65-3 but not Ohio's preferred operating standards.

The Association appreciates the opportunity to comment on ODNR's proposed referenced industry standards package through the Common Sense Initiative. We would ask that CSI carefully review our comments and recommend that the rule be amended to ensure that Ohio's rules work as intended. We look forward to continuing to work with the Division and CSI in this rulemaking effort and welcome any questions on the Association's comments.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Kromer".

Stephanie Kromer
Director of Legislative & Regulatory Affairs
Ohio Oil and Gas Association