

October 2011

PROPOSED CITY OF FORT WORTH GAS DRILLING ORDINANCE CHANGES

WITH

**Fort Worth League of Neighborhoods
recommendations in red**

For the COFW ordinance with proposed changes, see:

[http://www.fortworthgov.org/uploadedFiles/City_News/
GasDrillingRev_110922.pdf](http://www.fortworthgov.org/uploadedFiles/City_News/GasDrillingRev_110922.pdf)

1. Protected Uses

Currently, the definition of “protected use” in the Gas Drilling Ordinance includes “a residence, religious institution, hospital building, school and public park.” The new rules would add Lake Arlington and Lake Worth to the list of protected uses.

FWLNA recommendation: Add Trinity Trails as a protected use with a 600 foot protection area to be measured from the center line of the Trails.

The Trinity Trails should not be used for drilling thoroughfares.

2. Multiple Well Pad Sites

Under the proposed rules, any site that would include one or more wells would require a Multiple Well Pad Site Permit before any well is drilled. This generally will require more waivers from surrounding property owners. Additionally, waivers from 100 percent of affected parties – or 75 percent with City Council approval – would be required for any pad site that falls within protective buffers. If there are 10 or fewer waivers required, an operator must have at least 50 percent of the waivers before requesting City Council approval.

FWLNA recommendation: Residential or commercial property renters should have the ability to consent to a drillsite affecting them.

No payment for waivers should be allowed.

3. Saltwater Disposal Wells (Wastewater Disposal Wells)

Currently, there is a moratorium on saltwater disposal wells in Fort Worth. This means that this wastewater must be trucked out of the city, greatly increasing truck traffic on streets. The new rules would allow saltwater disposal wells in the city if the wastewater is injected into the Ellenberger formation – deeper than the Barnett Shale formation. Residents within 1,000 feet of a proposed salt water disposal well, along with neighborhood associations within one-half mile, must be notified.

If a proposed saltwater disposal well falls within 1,000 feet of a protected use, City Council approval would be required. Additionally, access to saltwater disposal wells would be limited to larger industrial roads in order to protect neighborhood streets from heavy truck traffic.

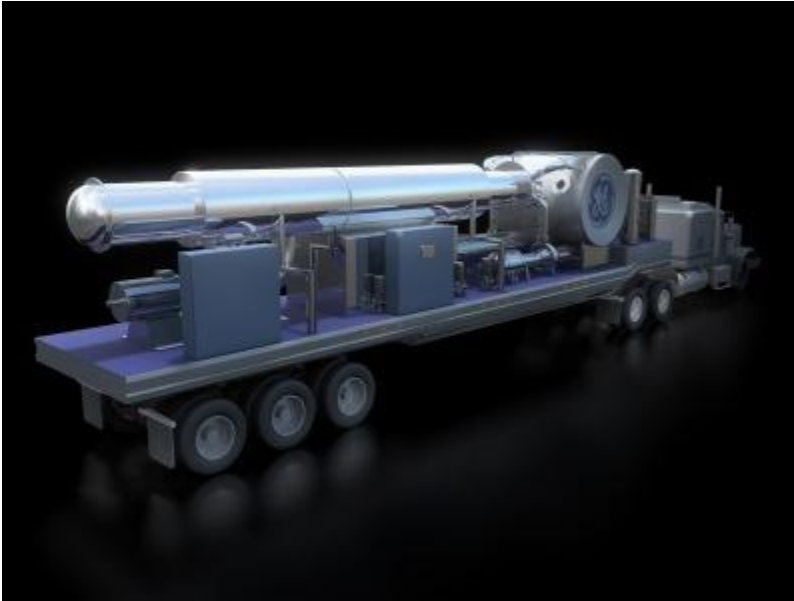
FWLNA recommendation: Don't lift the moratorium. DO NOT ALLOW WASTEWATER DISPOSAL WELLS WITHIN THE FORT WORTH CITY LIMITS. Too many issues exist with wastewater disposal wells: 1) question of contamination of water and water sources; 2) radiation at the well sites; 3) earthquakes caused by disposal wells over and near fault lines – potential damage to property building foundations, masonry, etc., and damage to land, etc., etc.

Environmentally friendly and business friendly PROPOSAL: The City should encourage development of industries which can use technology to treat the wastewater. Encourage a new business sector in Fort Worth. Encourage a different way of dealing with the waste than just putting it in the ground.

We recommend the use of technology such as:

GE's mobile evaporator which is meant to treat the severely impaired waters, such as frac flowback and produced water. The system is also geared to allow the reuse of the water in the industrial process, reduce fresh water volume consumed, and is meant to cut down on the environmental impact from discharge.

The target here is all unconventional gas and frac water applications in regions of the world where shale gas can be found, including North America, Europe, China and Indonesia. . . . The mobile evaporator is “a 50-gallon per minute, horizontal, shell and tube, forced circulation, mechanical vapor recompression system.” Ensure that any emissions released from the unit are monitored for toxics and that they are not released into the atmosphere.



Mobile evaporator unit

4. Pipelines: Notification Zone and more

The recommended ordinance changes also include a Notification Zone that would essentially require more residents be notified when a company plans to drill on a site. Currently, operators must notify all surface property owners within 1,000 feet of a proposed well. The new rules would require operators to notify, not just property owners, but all residents within 1,000 feet. This would mean that people who rent, for instance, would be notified – not just the landlord.

FWLNA recommendation: Change notification time from 30 days in advance to 120 days in advance.

Add the following in ordinance appropriate language to the pipelines section (these are from the League's October 2010 Pipeline Study)::

- 1. Ensure that adequate public discussion of pipeline route selection is included before siting approval is granted. This would include review by the appropriate advisory committees such as the Gas Drilling Review Committee, the Zoning Commission, the Plan Commission, the Parks and Community Services Advisory Board, etc.**

2. **Make all pipeline permit information publicly available online, and ensure that the maximum allowable operating pressure (MAOP), diameter size and potential impact radius graphs of all pipelines are provided in such information before approval is sought from various committees or the City Council.**
3. **Make all permitted pipeline routes available online before approval is provided. To ensure the City is using its approval authority to help develop safe pipeline routes, when approval for crossing of City rights-of-way or other city controlled property is sought the route of the entire pipeline should be provided, (Add comma) not just the location where the pipeline will cross.**

IN addition, require pipeline operators to provide certification of pipeline maintenance records to the City of Fort Worth on an annual basis; the City should make those records available to the public online.

5. Air Quality

A third-party environmental contractor recently completed a comprehensive review of the air quality impacts of gas drilling. Although the study found no immediate health threats from gas well emissions, the City Council suggested that the gas drilling ordinance be amended to include language to ensure the use of best practices in emission controls. Under the proposed rules, before being issued a permit, an operator would be required to certify that the gas well facility will comply with the “Best Management Practices and Best Available Control Technology” to minimize air emissions.

FWLNA recommendation:

Add the following in ordinance appropriate language:

Ensure that the three sets of best practices proposed include the following (from the League’s ordinance recommendations of 2008 and the League’s 2011 recommendations to the FWISD) OR require the following in addition to the “Best Practices” lists:

- 1) Use of electric drill rigs, electric compressor engines and electric motors for driving any other stationary gas field infrastructure should be implemented on new well sites and on any wells which are to be refracked.

For all new wells and wells which are to be refracked, apply Items 2 – 10:

- 2) Condensate/produced water tanks must be independently monitored for control of VOC emissions.
- 3) Vapor recovery units must be used when appropriate.
- 4) No-bleed pneumatic valves and fittings must be used on pipeline networks near protected uses and/or high population facilities such as schools, hospitals, facilities for the elderly, etc.
- 5) Green completions must be used.

- 6) Substitutions for toxic field materials (e.g. proppants, solvents, friction reducers, acid neutralizers, paints, etc.) when non-polluting options are available.
- 7) Testing and monitoring should be carried out for the life of the wells by an independent entity. Operators should not be allowed to provide testing results under any circumstances. All testing should be done without the operators' prior knowledge.
- 8) The City of Fort Worth should use infrared cameras to inspect wellsites regularly.
- 9) Per ERG recommendation, air quality monitoring and testing should be established on a regular basis in Fort Worth neighborhoods.
- 10) No flaring of wells should be allowed.