



U.S. Army Corps of Engineers  
Omaha District

## STANDARD STIPULATION

### OIL AND GAS PRODUCTION

**Production Facilities**— Prior to the siting of production facilities, the Lessee shall notify USACE and request a pre-work meeting/field review. During that meeting it shall be determined if the Surface Use Plan of Operations (SUPO) adequately covers the production needs. If the SUPO or Plan of Operations (PO) is sufficient the facilities may be installed. A distance of 125 feet must be maintained between all production facilities (i.e. between the well head and closest tank, vessel or other equipment), unless approved by USACE.

If the Lessee intends to add or remove facilities that involve changes in the original SUPO or approved PO, a detailed written Statement of the Work shall be filed and approved in writing prior to the work being started and shall include the following:

1. Statements shall include attached maps, diagrams and/or other supporting documentation.
2. Facility changes on federal leases shall be submitted on a Bureau of Land Management sundry notice (Form 3160-5) and be submitted to the Bureau of Land Management, who will forward it to USACE. The Lessee can also request an electronic sundry form from the Bureau of Land Management or USACE as an option.
3. On private mineral estates, the Lessee can submit a similar form, a State form or submit the request by letter directly to USACE.

For siting production facilities on fill, the following procedures must be followed:

1. Consolidation of wells from a single pad location is required.
2. To the extent practicable, the Lessee shall plan to develop centralized tank batteries away from sensitive resources and habitat. By consolidating tank batteries, the majority of the impacted area around a producing well site can be reclaimed.
3. Production fluids shall be piped into centralized tank battery location.
4. The orientation of permanent facilities at well or battery locations shall be positioned to allow the maximum amount of reclamation. Project structure locations must be approved by USACE.
5. It is undesirable to located production facilities on fill material because of settling. Therefore, siting permanent production facilities on fill will not be allowed, unless approved by USACE in writing.

**Spill Control and Drainage**—The Lessee shall control water runoff in order to control soil erosion and prevent damage to facilities. All runoff is to be diverted to the lined catch trench. During the production phase of the well, the lined catch trench will be monitored by the Lessee. When the trench holding capacity has reached approximately 75% of its capacity, all collected fluids will be removed from the well pad location and disposed of properly off USACE property.



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Drainage ditches will be established and maintained on the pad to divert runoff into a central containment location. Standing water and/or puddles will not be allowed. In addition to the aforementioned drainage control measures, and 18-inch high temporary dirt dike will be constructed around the entire pad perimeter during the exploration phase of the well.

The Lessee shall have a Spill Prevention Control and Countermeasure Plan (SPCC), which must be approved by USACE. This plan shall include listing of secondary containment and/or diversionary structures and/or equipment for all pipelines, oil handling containers, equipment and transfer areas. It should also include a table identifying tanks and containers at the facility with the potential for an oil discharge, the mode of potential failure, the likely flow direction and potential quantity of the discharge, and provide secondary containment methods and containment capacity. The plan must include the physical layout of the facility and a facility diagram, which must mark the location and contents of each container. The facility diagram must also include all transfer stations and connecting pipes.

All spills (any soils saturated from oil, water, or chemical during any operational activity including but not limited to drilling, completion, production, transporting, work-over, etc.) or pipeline breaks shall be promptly contained, reported as specified below, and a treatment plan submitted to USACE. The treatment plan/cleanup operations will be reviewed and approved by USACE prior to clean up with USACE recommendations for action followed. Soils contaminated and/or saturated as a result of a spill will not be buried or reburied as a means of treatment or disposal. Areas that have been subject to previous spills and/or saturation may have to be tested for hydrocarbons and salt concentrations prior to final reclamation, the Lessee shall employ the services of a USACE approved independent testing lab to collect and conduct the testing. It is the Lessee's responsibility to know and comply with the most current USACE spill reporting and containment requirements.

The Lessee is responsible, during all activities including drilling and production periods, for all runoff or cross boundary discharge from their well site or access route, including adjacent properties whether trust, fee, state or federal surface. This includes not only water, but any fluids or mobile elements that could be construed as a contaminant.

Adequate clinker/scoria or gravel will be used on the area of operations to prevent muddy or soft ground conditions causing vehicles to rut or sink. Pad drainage devices such as valves, pipes, etc. will not be allowed.

**Windsock**—A functional Wind Direction Indicator (windsock or compatible) is required on all locations and must be placed on the tank battery so it is visible from everywhere on the location.