

**From:** [director@fracdallas.org](mailto:director@fracdallas.org)  
**To:** [Oil and Gas Conservation Rulemaking](#)  
**Cc:** [lwasden@cableone.net](mailto:lwasden@cableone.net); [Tom Schultz](#)  
**Subject:** IDL regarding Proposed Rules for Oil and Gas Conservation, Docket No. 20-0702-1601  
**Date:** Wednesday, October 26, 2016 12:08:19 PM

---

Dear Mr. Wilson,

This e-mail pertains to Section 420 - Tank Batteries, as follows:

**420. TANK BATTERIES.**

Tank batteries must meet the following requirements. (4-11-15)

01. Location of Tank Batteries. No tank batteries may be constructed within three hundred (300) feet of existing occupied structures, water wells, canal, ditches, the natural or ordinary high water mark of surface waters, or within fifty (50) feet of highways, as measured from the outermost portion of the tank dike. The owner of a water well or existing occupied structure may provide express written permission to construct a tank battery closer than

three hundred (300) feet, but in no event may a tank battery be constructed within one hundred (100) feet of a water well or existing occupied structure.

The following exceptions may apply: (4-11-15) ( )

a. The owner of a water well or existing occupied structure may provide express written permission to construct a tank battery closer than three hundred (300) feet, but in no event may a tank battery be constructed within one hundred (100) feet of these features. ( )

b. The owner of a canal, ditch, or surface water may provide express written permission to construct a tank battery closer than three hundred (300) feet, and the Department may approve this location upon the operator showing good cause, but in no event may a tank battery be constructed within one hundred (100) feet of these features. ( )

02. Containment Requirements. All tank batteries consisting of tanks containing produced fluids or crude oil storage tanks or containing tanks equipped to receive produced fluids must be surrounded by tank dikes that meet the following requirements: (4-11-15)

a. Tank dikes must be designed to have a capacity of at least one and one-half (1½) times the volume of the largest tank which the dike surrounds. (4-11-15)

b. The material used to construct a tank dike and the material used to line the bottom and sides of the containment reservoir must have a maximum coefficient of permeability of  $10^{-9}$  cm/sec so as to contain fluids and resist erosion. An operator must submit proof of compliance for tank dike liner construction to the Department in the form of a manufacturer's statement of design or a nuclear density test performed by a third party trained to perform the test. (4-11-15)

c. All piping and manmade improvements that perforate the tank dike wall or tank battery floor must be sealed to a minimum radius of twelve (12) inches from the outside edge of the piping or improvement. (4-11-15)

d. Valves and quick-connect couplers on tank batteries must be at least eighteen (18) inches from the inside wall of the tank dike unless adequate catchment guards are installed and maintained to catch incidental spillage. (4-11-15) ( )

e. Vegetation on the top and outside surface of tank dike must be properly maintained so as to not pose a fire hazard. (4-11-15)

f. A ladder or other permanent device must be installed over the tank dike to access the containment reservoir. (4-11-15)

g. The containment reservoir must be kept free of vegetation, stormwater, produced fluids, other oil and gas field related debris, general trash, or any flammable material.

Drain lines installed through the tank dike for the purpose of draining storm water from

the containment reservoir must have a valve installed which must remain closed and capped when not in use. Any fluids collected, spilled or discharged within the containment reservoirs must be removed as soon as practical, characterized, treated if necessary, and disposed in conformance with IDAPA 58.01.16, "Wastewater Rules," and other applicable rules. (4-11-15)

The proposed rules are far too inadequate to protect the public, as well as private and public property, from the inherent dangers of fugitive emissions of toxic, carcinogenic and/or neurotoxic vapor releases, explosions, fires and other hazards to health, safety and property. Between 1983 and 2010, there were a confirmed 26 tank battery explosions resulting in 44 fatalities and 25 injuries. The very real potential for harm to people and property demands a setback distance of AT LEAST 2,000 feet from any occupied structure (other than those on the padsite) or freshwater source, agricultural production area, street, road, highway, bridge or other critical infrastructure.

**NO EXCEPTION** should be allowed by occupied structure residents due to the public cost associated with responding to disasters and caring for those injured, as well as compensating families of those killed. The links below will provide some insight into the very real potential for disasters that take lives, harm people and destroy property. And, in regards to subsection 01.b, no owner of any canal, ditch or other waterway that feeds any public water supply, whether for drinking or agricultural production due to the potential for contamination of vital water resources without which no living thing on this planet can survive. The potential for contamination demands a setback distance of AT LEAST 2,000 feet from any surface water source or conduit.

Further, a requirement mandating the use of lightning arrestors on each tank, shunted at least 12 feet into the earth, **MUST** be included to reduce the likelihood of explosions due to lightning strikes on tank batteries. This is a requirement in all mature oil and gas producing states and it should be the standard in Idaho, as well. Existing tank batteries without lightning arrestors **MUST** be required to retrofit each tank with a properly installed and grounded lightning arrestor. This would not be a problem for any reputable operator, and any such operator would probably use lightning arrestors regardless of a mandate just to protect their own investment. There can be no excuse other than incompetence for failing to require use of lightning arrestors on ALL tanks in a battery.

Supporting links:

[http://www.csb.gov/assets/1/19/Tanks\\_Safety\\_Study\\_FINAL.pdf](http://www.csb.gov/assets/1/19/Tanks_Safety_Study_FINAL.pdf) - U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD INVESTIGATIVE STUDY REPORT NO. 2011-H-1 SEPTEMBER 2011 Final Report PUBLIC SAFETY AT OIL AND GAS STORAGE FACILITIES

<https://www.youtube.com/watch?v=DECyAxDk88U> - tank battery explosion

<http://www.castagra.com/2013/03/5-terrible-storage-tank-explosions-that-will-make-you-review-your-safety-procedures/> - 5 tank battery explosions

Please make sure this e-mailed information is included in the official record of public documents submitted to IDL regarding Proposed Rules for Oil and Gas Conservation, Docket No. 20-0702-1601, as required by federal and state laws.

Most sincerely,

Marc W. McCord, Director  
FracDallas  
<http://fracdallas.org/>  
[director@fracdallas.org](mailto:director@fracdallas.org)

214-998-4922

***"We only have one environment. When we destroy it we will become as extinct as the dinosaurs!"***