

LEGISLATIVE DRAFT
HBMC CHAPTER 15.32

Chapter 15.32

15.32.090 Abandonment Requirements – Development or Redevelopment

A. No building or grading permit may be issued for a parcel property upon which there are any active or abandoned Wells without the approval of the Fire Code Official. To obtain the approval of the Fire Code Official, the property owner or designee, shall demonstrate compliance with the currently approved City Specification No. 422, must submit an application to the Fire Department for review and approval prior to issuance of any building or grading permit. The Fire Code Official will not approve the application unless:

1. — Each Well on the property is abandoned or reabandoned to current DOGGR standards, except as provided at Subsection (B) below; and
2. — Each Well on the property complies with all Federal, State and City laws, including Fire Department City Specification No. 422, dated June 2017.

B. — If DOGGR determines that the Well cannot be abandoned to its current standards, the Fire Code Official may still authorize issuance of the building and/or grading permit for the property if the Official finds each of the following for each abandoned Well:

1. — The property owner shall obtain, at his sole cost, a report from a California licensed professional engineer or geologist qualified and experienced with oil well abandonment. Prior to obtaining the report, the property owner shall obtain written approval from the Fire Code Official of the engineer or geologist charged with drafting the report. The engineer's or geologist's report shall advise at a minimum that:
 - a. — As abandoned, the Well will not pose any significant risk to the public health, safety or welfare.
 - b. — The Well is a safe distance for any existing or proposed structures or improvements.
 - c. — Any abandonment or mitigation conditions that should be imposed on the Well abandonment as conditions of development of the property.
2. — The Well owner has constructed and installed any venting plan and/or additional measures the engineer or geologist recommends to protect the public health, safety and welfare.
3. — The Well complies with Fire Department City Specification No. 422, dated June 2017.
4. — The Owner has executed and recorded against the property an environmental disclosure, release and indemnity agreement providing that the property owner and his assignees, release, indemnify and hold harmless the City against any and all claims, obligations, and causes of action of any kind or nature whatsoever, known or unknown, for personal injury or death, property damage, economic loss, and fines and penalties. The City Attorney shall approve the form of the disclosure and indemnity agreement.

BC. Existing producing Wells which will remain in service after the completion of the development or redevelopment of the property are exempt from these requirements, but shall continue to meet Huntington Beach Oil Code, Huntington Beach Fire Code, and all other applicable State and Federal requirements.

15.32.100 Abandonment Procedures

The procedures set forth in the current approved Huntington Beach City Specification No. 422, ~~dated June 2017~~ shall be followed throughout the abandonment process. In addition to these requirements, the responsible party must submit an application to the Fire Department for review and approval for each well which is to be abandoned. ~~Such application shall contain the date the abandonment work will commence.~~ Once all necessary permits and approvals have been obtained, abandonment work may commence on or subsequent to the date so stated.