

North Dakota

Regulations for Oil and Gas Operations in H₂S Areas

1. Are there any devices/alarms required of operators that have H₂S on location, and if so, at what ppm H₂S are they required to be set?

No specific Oil & Gas Division regulations, 43-02-03-28 Safety regulation covers general safety conditions as well as an “at the Director’s discretion” clause. ANSI and API guidelines apply.

EPA and OSHA federal regulations apply.

2. Are there any postings required of operators that have H₂S on location, and if so, under what circumstances?

No specific Oil & Gas Division regulations, 43-02-03-28 Safety regulation covers general safety conditions as well as an “at the Director’s discretion” clause. ANSI and API guidelines apply.

EPA and OSHA federal regulations apply.

3. How are facilities at which H₂S is present tracked?

Operators are encouraged but not required to submit a sundry when a sweet crude oil well shows signs of hydrogen sulfide development. This is placed in the well file and a note is added to the well summary.

4. What level or levels of H₂S are considered actionable and under what circumstances?

No specific Oil & Gas Division regulations. ANSI and API guidelines apply. EPA and OSHA federal regulations apply.

5. Are any additional standards for rules implemented for H₂S other than the following?

- a. ANSI- American Nation Standards Institute.
- b. API – American Petroleum Institute.
- c. EPA – Environmental Protection Agency.
- d. **OSHA – Occupational Safety and Health Administration**
 - i. **1910.94 Ventilation**
 - ii. **1910.119 Process Safety management of highly hazardous chemicals**
 - iii. **1910.146 Permit-required Confined Spaces**
 - iv. **1910.1000 Air Contaminants**
 - v. **1910.1200 Hazard Communication**
 - vi. **1926.55 Gasses, Vapors, Fumes, Dusts, and Mists**

6. Does your state have any specific H₂S safety regulations? If so, please list them below.

38-11.1-03.1. Inspection of Well Site.

43-02-03-16. Notice of Operations.

43-02-03-28. Safety Regulation.

7. What are the purposes of the H₂S regulations?

a. Public safety

b. Worker safety

c. Operations

Safety Procedures for Field Inspectors

8. What type of training is required for Field Inspectors?

The Oil and Gas Division Annual Safety Training Program covers many industry safety concerns. One element of this program requires field inspectors to successfully complete a Hydrogen Sulfide Awareness Certification course that covers the requirements of ANSI/ASSP Z390.1-2017 (appx 3-4 hrs). In addition, all safety meetings have a period of time to discuss things field inspectors are seeing in the field, near misses, and incidents.

9. Are certifications required for Field Inspectors?

Initial Hydrogen Sulfide Awareness certification followed by annual re-certification. Field Inspectors also complete 24 Hour HAZWOPER training followed by annual refresher training.

10. Do you have an H₂S safety specialist, and if so, what is the specialist's level of expertise?

The Agency Safety Officer is responsible for ensuring compliance with Hydrogen Sulfide standards and communicating hazards.

11. Do state inspectors check H₂S levels, or do they require operators to check?

Field Inspectors are equipped with personal 4 gas monitor for alarm situations only. They do not check, test, or track hydrogen sulfide levels. Operators are responsible for determining hazards on locations, including hazardous and potential hazardous atmospheres. Operators are encouraged by the Oil & Gas Division to submit a sundry for sweet oil wells that shows signs of Hydrogen Sulfide development. This is added to the well file and a note is placed in the summary of the well to alert inspectors of detected Hydrogen Sulfide levels.

12. If state inspectors check H₂S levels, what are the required procedures/protocols for checking to determine H₂S levels?

N/A. Field Inspectors do not check hydrogen sulfide levels. If they receive any alarm on their 4- gas monitor or site alarm system they are required to evacuate site crosswind then upwind to a safe distance and contact their supervisor, the safety officer, and the operator.

13. How often are readings required to be made? By whom? How/who keeps up with those readings?

Operators determine on the frequency of reading based on the specifics of the location and past readings. Some locations are tested on a schedule. Some locations are equipped with systems that continually monitor through automated systems.

14. Where are Field Inspectors most likely to check for H₂S?

- a. Top of stock tanks
- b. Wellheads
- c. Gas streams
- d. Other: _____
- e. **Not applicable**

15. How do Field Inspectors respond to an H₂S complaint? (Please include in the response information on any requirements about when the Field Inspector must be accompanied by another person.)

Upon request of the surface owner or adjacent landowner, the state department of environmental quality inspect and monitor the well site on the surface owner's land for the presence of hydrogen sulfide. If the presence of hydrogen sulfide is indicated, the department of environmental quality shall issue appropriate orders to protect health and safety of the surface owner's health, welfare, property.

16. Are inspectors required to wear H₂S monitors? If so, what type of equipment?

Field staff are assigned and required to wear a 4-gas monitor equipped with a Hydrogen Sulfide, Oxygen, Lower Explosive Limit and Carbon monoxide sensor. In addition to monitors, Field Inspectors are equipped with and trained on Emergency Escape Breathing Device and 30-Min Self Contained Breathing Apparatus. Field Inspectors must contact their supervisor and receive approval from the Field Supervisor and Safety Officer prior to engaging in operations that would require the use of the 30 min SCBA.