THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF OFFICIAL RECORDS ON FILE AT THE OFFICE OF CONSERVATION, EATON ROUGE, LOUISIANA.

CUSTODIAN OF OFFICIAL RECORDS RUSSELL MCGEE

STATE OF LOUISIANA DEPARTMENT OF CONSERVATION AND ENERGY BATON ROUGE, LOUISIANA

November 6, 2025

CONSERVATION ORDER NO. ENV 2025-02 CFB

Order approving the construction and operation of a commercial exploration and production waste (E and P Waste) fluids injection well disposal facility in Bienville Parish, Site Code 0705, by Brickyard Trucking, LLC (Brickyard) Operator Code B1119, of Shreveport, LA.

Pursuant to the power delegated under the laws of the State of Louisiana, and particularly Title 30 of the Louisiana Revised Statutes of 1950 as amended, and as implemented in rules and regulations promulgated by the Secretary of the Department of Conservation and Energy (C&E), and after a public hearing held under Docket No. ENV 2025-01 in Arcadia, Louisiana on July 31, 2025, following legal publication of notice, the following order is issued and promulgated by the Secretary of C&E as being reasonably necessary to carry out the provision of the laws of this state.

THE SECRETARY OF C&E FINDS AS FOLLOWS THAT:

- 1) Notice of intent to file an application for a permit to operate a commercial exploration and production (E and P) waste fluids injection well disposal facility in Bienville Parish was given by Brickyard Trucklng, LLC of Shreveport, Louisiana in accordance with the provisions of LRS 30:4(I) and LAC 43:XIX.Subpart 1.Chapter 5, by publication in The Advocate, the official journal of the State of Louisiana and The Bienville Democrat, the official journal of Bienville Parish.
- 2) Brickyard, after thirty (30) day notice as required by LRS 30:4(I) and LAC 43:XIX.Subpart 1.Chapter 5, applied to the Louisiana Office of Conservation (now C&E) for approval to construct and operate a commercial E and P Waste fluids injection well disposal facility.
- 3) The Brickyard facility in question is to be located in Section 17, Township 16 North, Range 8 West, in Bienville Parish, Louisiana.
- 4) The application submitted to C&E by Brickyard was administratively complete as required by LAC 43:XIX.Subpart 1.Chapter 5, as amended.
- 5) A public hearing was held in Arcadia, Louisiana on July 31, 2025, after public notice had been given by C&E in <u>The Louisiana Register</u> on June 20, 2025 and in <u>The Advocate</u> on June 23, 2025, and by Brickyard in <u>The Bienville Democrat</u> in accordance with the provisions of LRS 30:4(I) and LAC 43:XIX.Subpart 1.Chapter 5.
 - 6) The facility is to be identified as Site Code 0705.
- 7) The Brickyard E and P Waste fluids injection well disposal facility, as approved, will consist of an E and P Waste truck unloading area and above ground storage tanks, utilized collectively for the receipt and temporary storage of E and P Waste which is to then be disposed utilizing an injection well(s), identified as the Brickyard SWD No. 1 Serial Number 976338 (API 17013880800000), Brickyard SWD No. 2 Serial Number 976339 (API 17013880810000), and Brickyard SWD No. 3 Serial Number 976340 (API 17013880820000). Requests to add additional Class II disposal wells shall be approved administratively in accordance with LAC 43:XIX.519.A.3.
- 8) The Brickyard E and P Waste fluids injection well disposal facility, as proposed and pursuant to the permit application and this Order, will be constructed, completed, equipped, operated and maintained in accordance with the provisions of LAC 43:XIX.Subpart 1, as amended, particularly LAC 43:XIX.Subpart 1.Chapter 5, in a manner that will prevent endangerment of underground sources of drinking water or damage to sources of oil and gas and will confine injected E and P Waste fluids to an approved subsurface injection interval.
- 9) The proposed disposal facility will be a "Type B" facility as defined under LAC 43:XIX.501. The Brickyard facility, as proposed and approved, will dispose of fluid Waste Types 01, 04, 08, 09, 10, 11, 14, 15, 16, and 99.
- 10) Brickyard will keep such records and make such reports as required by LAC 43:XIX.Subpart 1, as amended.
- 11) Brickyard will submit and maintain evidence of financial responsibility in the appropriate amount for any liability for damages which may be caused to any party by the escape or discharge of any material or waste from the disposal facility.

- 12) Brickyard will submit and maintain the appropriate funding in favor of the State of Louislana, providing for the adequate closure of the disposal facility.
- 13) In accordance with the Brickyard permit application, Brickyard will obtain a Louisiana Pollutant Discharge Elimination System Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities prior to receipt of E and P waste.
- 14) Responses to relevant comments received during the comment period are presented in Exhibit "A".
- 15) The response to the "IT Decision" questions was timely submitted by the applicant and filled with the Bienville Parish authorities. C&E has reviewed the responses and found that the responses were acceptable in support of the application and that the application and "IT" responses indicate that the environment, public health and safety will be protected and that potential impacts, if any, will be minimized in that no waste will be disposed of at the surface of the site and that the appropriate safeguards, such as containment areas, will be in place prior to the operation of the facility.

NOW, THEREFORE, IT IS ORDERED THAT:

- 1) The proposal of Brickyard to construct and operate a commercial E and P Waste fluids Injection well disposal facility in Section 17, Township 16 North, Range 8 West, Bienville Parish, Loulsiana, as set forth in the application, is hereby approved.
- 2) Except as to the extent supplemented by these Findings and Order, the provisions of LAC 43:XIX.Subpart 1.Chapter 5, as amended by C&E, shall apply to the construction and operation of the Brickyard E and P Waste fluids injection well disposal facility.
- 3) Brickyard shall not commence construction of the facility and injection well(s) until the provisions for adequate closure have been submitted in accordance with the requirements of LAC 43:XIX.513 and financial responsibility requirements met of LAC 43:XIX.511 and 519.C.13.
- 4) Any modifications to the proposed construction of the facility and injection well(s), and any planned physical and/or operational alterations or additions following completion of facility construction, shall be subject to the provisions of LAC 43:XIX.535.
- 5) Brickyard must notify the Secretary of C&E when construction is complete, and shall not commence receiving E and P Waste until the facility has been inspected for compliance with the conditions of the permit.
- 6) The issuance of this permit does not convey, grant or establish any property rights to any movable or immovable property of any sort, or any exclusive privileges of servitude to or on behalf of Brickyard. This permit further does not authorize any injury to private or public property, or any invasion of personal rights, or any infringement or suspension of Federal, State or local laws or regulations.
 - 7) Findings of Fact Numbers 6-15 are hereby approved and are expressly ordered.
 - 8) This Order shall be effective on and after November 6, 2025.

DUSTIN H. DAVIDSON LOUISIANA DEPARTMENT OF CONSERVATION AND ENERGY

Gavin Broussard, Director

Engineering Division

Office of Permitting and Compliance

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EXHIBIT "A"

RESPONSE TO COMMENTS

CUSTODIAN OF OFFICIAL RECORDS

RUSSELL MCGEE

Received During the Hearing and Public Comment Period
For
Brickyard Trucking, LLC (B1119)
Bienville Parish

DOCKET No. ENV 2025 - 01

Introduction:

Brickyard Trucking, LLC (Brickyard) of Shreveport, Louisiana submitted an application for approval to construct and operate a commercial deep-well injection waste disposal facility for the disposal of exploration and production (E and P) waste fluids located in Section 17, Township 16 North, Range 8 West, Bienville Parish, Louisiana. Said application was scheduled for public hearing on July 31, 2025 at the Bienville Parish Policy Jury building, located at 100 Courthouse Dr. #108, Arcadia, Louisiana. At the hearing, the public was given opportunity to submit oral and / or written comments concerning the application. As explained by the hearing officer during the public hearing, only relevant comments will be considered in reaching a permitting decision. An example of relevant comments were given as "whether or not the application is in full compliance with applicable rules and regulations for this type of project." The public comment period was initially open until 4:30 p.m. August 7, 2025 to receive additional comments after the hearing, but as requested during the hearing, the public comment period was extended until August 14, 2025.

Based on a significant degree of public interest and several requests for an additional extension to the public comment period, the request to receive comments after the hearing was approved until September 15, 2025. In addition to this extension approval, to further accommodate requests pertaining to access of permit application copies, all interested parties were notified that an electronic copy of the application was filed on the Department of Conservation & Energy (C&E) webpage and two (2) hardcopies relocated from the Bienville Parish Library in Arcadia, LA to the Bienville Parish library located in Ringgold, LA at least 30 days prior to the end of the extended public comment period.

The agency received relevant public comments. Provided hereafter are those relevant comments (in **bold** print text) followed by the Secretary's responses.

1) The proposed commercial facility and injection well(s) fails to meet LAC 43:XIX.509 (design criteria) for protection of the environment and groundwater aquifer.

LAC 43:XIX.509 includes requirements for the design and construction of exploration and production (E and P) waste facilities to prevent movement of E and P waste into soil, groundwater aquifers, or underground sources of drinking water (USDW) and to prevent the unpermitted discharge of E and P waste material or E and P waste byproducts. These provisions also require that commercial facilities be designed and constructed in a manner

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which is protective of public health, safety and welfare, and: the environment fill white ECORDS surface water, groundwater aquifers and the USDW.

Accordingly, the Brickyard permit application includes adequate retaining walls around all above-ground storage tanks to provide sufficient capacity to retain the contents of each storage tank. Also included in the permit application are provisions for spill containment and prevention at E and P Waste offloading areas to prevent the escape of any E and P Waste spillage which may occur. All E and P Waste offloading and transfer activities will be performed in containment or/and over seamless concrete slabs or/and utilizing spill containers at hose connections, designed and constructed to collect spillage resulting from these activities.

In accordance with the requirements of LAC 43:XIX.Subpart 1.Chapters 4 and 5, the Brickyard permit application demonstrates that the proposed location of the disposal well(s) and subsurface disposal zones are in a geological environment which is protective of USDWs by having adequate confining and containment zones. Brickyard further indicates in the permit application that the disposal well(s) will be constructed, operated and monitored in accordance with applicable design, operational and monitoring requirements of LAC 43:XIX.Subpart 1.Chapters 4 and 5 for protection of USDWs and surrounding surface areas. Additionally, prior to receiving authorization to inject into the proposed injection well(s), Brickyard will be required to provide the Department with all required technical reports and wireline logs demonstrating that the well(s) were constructed in accordance with the approved application and in a manner protective of USDWs.

As required in LAC 43:XIX.519.C.11, the Brickyard permit application included an E and P Waste Management and Operations Plan (WMOP) which contains a spill contingency plan and a plan for routine inspection and maintenance of monitoring equipment in accordance with LAC 43:XIX.515.F.2 and 3. These plans include provisions for daily monitoring and inspection of facility equipment, and yearly flow line pressure testing.

Section G of the Brickyard permit application includes a Jurisdictional Determination dated June 18, 2024 from the US Army Corps of Engineers, Vicksburg District detailing that an Army Section 10/404 permit will not be required for the proposed work since no regulated activities will occur in any potentially jurisdictional wetlands and/or other waters of the United States.

Section G of the Brickyard permit application includes a determination from the U.S. Fish and Wildlife Service, Louisiana Ecological Services Office dated June 21, 2024 that the proposed work is not likely to adversely affect the federally listed and/or proposed species and their critical habitats.

Section G of the Brickyard permit application includes a Due Diligence Review Request dated June 20, 2024 from the Louisiana Office of Cultural Development which details this project will not impact any known archaeological sites or historic standing structures and that their office has no objection to the implementation of this project.

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Section P of the Brickyard permit application includes an AFFermits Statutory Exemption letter from the Louisiana Department of Environmental Guality, Discharge Roccing Research Records Research Research Records Records Records Records Research Records Research Records Records

Based on review of Brickyard's permit application and the findings above, C&E finds this comment to be sufficiently addressed.

2) Bienville Parish earthquake activity has been observed and linked to energy resource activities, particularly waste water injection. The injection of E and P waste at the proposed location can cause earthquakes because the town of Jamestown is on a fault. In addition, the applicant failed to consider negative impacts from over pressuring formations in the area.

Section F of the Brickyard permit application includes maps, cross sections, and well logs in accordance with LAC 43:XIX.519.C.6, which does not indicate evidence of active or significant faulting within the Area of Review (AOR).

The Department has reviewed the most recent reported seismic activity on the United States Geological Survey (USGS) web site, and was unable to locate reports of seismic activity in the vicinity of the proposed commercial facility. Department records were reevaluated and confirmed that there is no indication of over pressurization of the proposed injection interval near the proposed injection wells.

Prior to receiving authorization to inject into the proposed injection well(s), Brickyard will be required to provide the Department with required wireline logs and updated cross-sections verifying that no significant faulting is present in the confining formation or within the approved injection zone.

Based on review of Brickyard's permit application and the findings above, C&E finds this comment to be sufficiently addressed.

3) The Brickyard permit application failed to consider negative impacts to the roads from increased truck traffic. Concern was expressed that the truck drivers will be inexperienced.

Section K of the Brickyard permit application details that Parish road requirements will be provided to Oil & Gas operators as well as E and P waste haulers for the roads traveled in the parishes Brickyard will serve. All transporters which haul E and P waste to the Brickyard facility will be provided transportation training prior to acceptance and periodically. The training will include acceptable routes, bridge postings, parish road permit requirements, weight limits, school zones, and precautions for sensitive areas.

Section P of the Brickyard permit application details that Louisiana Department of Transportation and Development Access Connection Permit Certificate 04019890 was granted for purposes of providing access to the facility from State Highway 792.

The Brickyard permit application response to IT Questions reported that a detailed evaluation of the roads and bridges along the anticipated routes were conducted using bridge data provided by the Louisiana Department of Transportation and Development

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and the weight of the trucks. The applicant concluded that the proposed routes we concluded the proposed routes we concl

Based on review of Brickyard's permit application and the findings above, C&E finds this comment sufficiently addressed.

4) The Brickyard permit application failed to demonstrate that a notice of intent and permit application public hearing notice was properly published in accordance with LAC 43:XIX.519.B and 529.A. In addition, copies of the Brickyard complete permit application were not made available for public viewing in accordance with LAC 43:XIX.527.E.

Section T of the Brickyard permit application provides proof of publication that notice of intent to file a commercial facility application was properly published in the Advocate and the Bienville Democrat at least 30 days prior to filing an application with C&E.

State Exhibit 4 of the Brickyard permit application provides proof of publication for notice of hearing properly published in the Advocate and the Louisiana Register at least 30 days prior to the scheduled public hearing.

State Exhibit 4 of the Brickyard permit application provides proof of publication for notice of hearing properly published in the Bienville Democrat at least 15 days prior to the scheduled public hearing.

State Exhibit 3 of the Brickyard permit application provides acknowledge of receipt for two (2) copies of the subject application at the Bienville Parish library in Arcadia, Louisiana and six (6) copies at the Bienville Parish Police Jury, in Arcadia, Louisiana at least 30 days prior to the scheduled public hearing.

Based on the findings above, C&E finds this comment sufficiently addressed.

5) The Brickyard permit application failed to demonstrate the previous operations on the property were considered during the site selection process.

The Brickyard application response to IT Questions detail that three (3) sites were evaluated during the site selection process. The site chosen is described as property previously developed by Acme Brick Company. This section further reports that Brickyard is redeveloping an old industrial site used as a brick plant formerly owned by Acme Brick which has been shut down for over 10 years. Research has determined that three (3) underground storage tanks were previously located on the subject property and therefore Brickyard provided documentation from the Louisiana Department of Environmental Quality dated February 21, 1991 approving closure of these tanks.

According to a Department of Environmental Quality (DEQ) letter dated May 15, 2006 located on DEQ's EDMS, the Acme Brick Company Louisiana Pollutant Discharge

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Elimination System permit (LA0091391) expired October 31 340 (15) And the prior plantavasands permanently closed October 1, 2004. C&E did not observe any outstanding compliance issues on the EDMS records after October 1, 2004.

Based on the findings above and lack of any additional documentation demonstrating any outstanding compliance issues exist at the property within the proposed permitted boundary, C&E finds this comment sufficiently addressed.

6) The Brickyard permit application failed to demonstrate the need for an additional commercial facility, provide proposed hours of operation, how many trucks per day are anticipated, and the volume of E and P waste to be received, stored, and disposed in accordance with LAC 43:XIX.515.F.1 and 519.C.11.

The Brickyard application response to IT Questions detailed that Brickyard has reviewed current and historical records at C&E regarding drilling and production and is of the opinion that a commercial facility is necessary to benefit the oil and gas operators in the area. It further reports that Brickyard has numerous contacts in the Oil and Gas industry which has provided them with insider knowledge of relatively new and continuing exploration and production activities in north Louisiana. Considering the information provided, Brickyard expects to receive an average of 18,000 barrels (6 trucks per hour) to a maximum of 24,000 barrels (192 trucks per day) of E and P waste fluids each day.

The Brickyard response to IT Questions, details that this site was chosen because it is very near active drilling, including the Hosston and Cotton Valley Sands, with many producing oil and gas wells from the numerous oil and gas fields in the Haynesville Shale Play.

The Brickyard application response to IT Questions includes truck traffic impact analysis figures establishing a service area boundary detailing the potential customers/current production wells within this boundary area.

Section K of the Brickyard permit application details that an employee trained in the unloading procedures will witness the entry of E and P waste Monday through Sunday 24-hours daily.

Based on the findings above, C&E finds this comment sufficiently addressed.

7) The Brickyard permit application failed to comply with the location criteria in accordance with LAC 43:XIX.507.A.1 because the permit applicant and/or Department of Conservation and Energy required a water well to be plugged and abandoned located across the street from the proposed facility.

Section D of the Brickyard application identifies an unregistered water well next to an abandoned house and located less than 1,000' from the proposed permitted facility boundary. The application details that in an effort to resolve the regulatory issue with the unregistered water well located less than 1,000' from the proposed facility boundary, Brickyard consulted with the Louisiana Department of Health and Hospitals (DHH). The

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application includes a response from DHH in that the unregistered water cannot be used ECORDS as part of a public water system and does not appear to be in a condition allowed for domestic use. If the abandoned home was restored, they would be required to connect to the public water system or install a new properly constructed water well.

A Notice of Violation dated November 12, 2024 was issued to the owner (Roy W. Conly) of the unregistered water well by the Department of Energy and Natural Resources, Office of Conservation, Environmental Division, Groundwater Resources Section as the well was determined to be abandoned in accordance with LAC 56:I.527.A. The water well owner is responsible in accordance with LAC 56:I.527 to have the well properly repaired or plugged and abandoned. Notification was provided that the water well was plugged and abandoned and the Notice of Violation matter therefore resolved on April 28, 2025.

Based on the findings above, regardless if the unregistered water well was repaired or plugged and abandoned, C&E finds the unregistered water well in question unable to legally be used as a private water supply well and therefore has no regulatory infringement upon the location criteria of LAC 43:XIX.507.A.1.

8) The proposed commercial facility will have a negative impact on nearby property values.

The Brickyard application response to IT Questions detail that based on the current usage of the property and the rural location of the proposed facility, it is not expected that the proposed facility will have any adverse impact on local property values. The nearest residence is approximately 1,800' east of the proposed facility boundary.

Review of Sections D and Z within this permit application confirms that the facility location meets the location criteria of LAC 43:XIX.507.A.2, in that no residential structures are located within 500' of the proposed permitted boundaries. After construction but prior to approval to receive E and P waste, an as built survey plat certified by a professional surveyor is required confirming compliance with LAC 43:XIX.507.A.2.

Based on the findings above, C&E finds this comment sufficiently addressed.

9) Brickyard is partnered with other RCRA and RCRA exempt companies and failed to disclose the companies in the permit application.

Review of Section Q of the Brickyard permit application confirms that the application included a list of RCRA/RCRA Exempt waste associated companies currently or formerly owned/or operated by the applicant in accordance with LAC 43:XIX.519.C. 17.

10) The application has failed to include a sufficient bond for coverage of site related remediation activities.

Review of Section M of the Brickyard permit application confirms that documentation of method for proof of financial responsibility was provided by the applicant, as required.

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Prior to beginning construction, final (official) documentations of financial despensibility or or must be submitted to and approved by the Secretary, in accordance with ELAC 43:XIX.519.C.13.

Review of Section N of the Brickyard permit application confirms that a draft irrevocable letter of credit for closure funding in favor of the state of Louisiana was provided in a form acceptable to the Secretary. Considering the application review process is now complete, the Secretary has set the amount of required closure funding, in accordance with LAC 43:XIX.519.C.14.b.

11) The application failed to include a storm water management and dust control plan or provide a storm design.

Section K of the Brickyard application details that the unloading pad is covered to inhibit rainwater collection. The unloading pad will be slightly sloped towards an integrated drain which flows to a sealed seamless concrete sump equipped with a float actuated sump pump to prevent accumulation of fluids. The storage tank containment system is sloped toward a sealed seamless concrete collection sump to contain storm water. Any fluids from the sumps will be transferred to the storage tanks for disposal in one of the three injection wells.

Section P of the Brickyard permit application details that a Louisiana Pollutant Discharge Elimination System Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities will be applied for once construction of the facility is finalized.

Section V of the Brickyard permit application details that the main access road to the facility is paved (LA Highway 792) therefore, not requiring a water truck or other measures to reduce dust emissions related to truck traffic. Trees are located on the North, East, and South side of the proposed facility to limit the amount of dust exposure.

Review of Sections D and Z within this permit application confirms that the facility location meets the location criteria of LAC 43:XIX.507.A.2. After construction but prior to approval to receive E and P waste, an as built survey plat certified by a professional surveyor is required confirming compliance with LAC 43:XIX.507.A.2.

The Brickyard application response to IT Questions detail that weather conditions were taken into account when designing the facility. The facility is designed for 100 mph winds and similar to offshore/onshore production facilities. The tanks used in the facility will be constructed of steel and placed in a sealed seamless concrete containment area. The tanks which are wider than they are tall will be at least half filled with fluid and the tanks that are taller than they are wide will be anchored with guide wires to minimize wind effects during storms. This section also provides for procedures during the event of a significant storm, such as but not limited to, ceasing injection operations, closing all valves, securing all tanks with cables and tie downs, and keeping tanks half fill with saltwater.

Based on the findings above, C&E finds this comment sufficiently addressed.