

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT DEPARTMENT
ENERGY DIVISION**

**123 East Anapamu Street
Santa Barbara, CA 93101-2058
Telephone: (805) 568-2000 FAX: (805) 568-2522
<http://www.countyofsb.org/energy>**

CHANGE OF OPERATOR

This application must be submitted and approved prior to change of operator of any oil or gas facility subject to Chapter 25B of Santa Barbara County Code. This application must be filed jointly by the current facility owner (or managing partner) and the proposed new operator, and the information provided must be certified by official representatives of both companies. Submit this application to the Energy Division well in advance of the intended date of operator change. Attach additional pages as needed to answer questions fully. Note that certain types of change of ownership of an operator, that do not involve substantive changes of operations or personnel, may be processed as changes of owner, using Form 25B-O. (See Sec. 25B-8.1.a.ii and 25B-9.2 of Chapter 25B.)

- 1. Permitted Facility** _____
Current Owner/Managing Partner _____
Proposed Operator _____

- 2. Contact Person:** Give the name, address, telephone number, and email address of a person to contact if necessary to clarify this application.

- 3.** Is a change of ownership also taking place? _____
If yes, you must also apply for change of owner (Form 25B-O).

- 4.** Does the change involve a guarantor for the facility? _____
If yes, you must also apply for change of guarantor (Form 25B-G).

5. Statement of Proposed Change.

- a) Describe the proposed operator change, including any associated changes of owners and guarantors. Identify all companies involved in the proposed change of operator.
- b) Describe the relation, if any, between the proposed operator and the existing (or new) owners and guarantors of the facilities it proposes to operate. Include a suitable chart if organizational connections are complex.

- 6. Facilities operated.** Provide information on facilities in the U.S., of a similar type as the facility you are applying to operate, that your company operates or has operated during the past 5 years under its current name or any previous name. Three categories that each constitute a “similar type” are (1) crude oil operations (production, processing, transportation, refining), (2) sweet gas operations (production, processing, transportation), and (3) sour gas operations (production, processing, transportation).

Note: If proposed operator is a newly established company, formed to operate the facility for which this application is submitted, provide the required information for any facilities of a similar type operated by the following: (1) any affiliated company, including a parent company of the proposed operator, a member of a limited liability company that is the proposed operator, a partner of a proposed operator that is a partnership, or a subsidiary of such company; or (2) any previously existing company that was managed by substantially the same key personnel as the proposed operator, whether or not the name or form of business organization of the previously existing company has changed.

- a) How many such facilities are located in the U.S.?
 None 1-10 11-20 21-50 51-100 over 100
- b) List the name and address of each such facility.
- c) If your answer to 6(a) above is 0 or 1-10, does your company have experience operating other related oil or gas facilities? Please explain.

7. Operator capability (skills, training, and resources needed to operate the facility)

- a) Provide evidence demonstrating that the company has the financial resources needed to operate the facility, including costs of complying with County ordinances, permit requirements, and requirements following from a safety audit (but not including financial assurances required to be provided by the guarantor).
- b) Provide an organizational chart for proposed operation of the facility. Show key positions and proposed staffing levels, indicating staffing for different shifts. Indicate any positions that will be filled by independent contractors.
- c) Describe the background and relevant experience and qualifications of personnel (and contractors, if any) expected to serve in key positions, as it relates to their function and responsibility in the position. Include managers down to (and including) shift supervisors, as well as those who oversee safety, training, incident response, environmental affairs, and compliance.
- d) Provide a listing of any state or federal convictions, judgements or settlements during the previous 5 years for any owner, director, partner, or proposed key personnel for offenses in connection with major incidents (as defined in Chapter 25B) or regulatory non-compliance at oil or gas facilities, or other acts that resulted in natural resource damages. Describe any applicable remedial actions or resolutions.

8. Record of Major Incidents. Answer for each facility listed above in Item 6. For each incident described below in 8(a), also answer parts 8(b-c).

- a) Within the past five years, has there been one or more major incidents, as defined in Sec. 25B-3? If yes, please describe and attach related accident report(s), investigation(s), and documentation of any subsequent proceedings.
- b) For each incident listed, did operator implement corrective action following the incident, as exemplified below? Describe actions taken, and provide documentation.
1. A formal accident investigation that resulted in a set of corrective actions that were implemented and communicated to affected employees in a timely manner.

2. Dismissal, demotion, re-assignment, or satisfactory re-training of the employee(s) or contractor(s) directly and indirectly responsible for the incident.
 3. Formal upgrading of safety procedures to deter recurrence of such incident (including a system of redundant oversight), and adequate communication of those procedures to employees and contractors.
 4. Inspection and, as warranted, remedy of all other operations to ensure that incidents due to similar causes will not occur.
 5. Other.
- c) Have any similar incidents occurred at any facility listed above since the corrective actions were implemented?

9. Record of Regulatory Compliance. Answer for each facility listed above in Item 6. For each item described below in 9(a), also answer parts 9(b-c).

- a) Within the past five years, has the facility been issued a notice of violation, abatement order, license suspension or revocation, injunction, shut-down order, or other similar notice, order, or citation from an agency (local, state or federal) with regulatory oversight over the facility, or any court of law, resulting from acts of non-compliance with applicable laws, regulations, or permit requirements? Examples of such notices and orders include:
- Notice of Incident of Non-compliance, issued by MMS or BLM;
 - Notice of Violation, issued by the Coast Guard or U.S. Fish and Wildlife Service;
 - Notice of Violation and Assessment, issued by National Marine Fisheries Service;
 - Compliance Order or Final Order, issued by DOT Office of Pipeline Safety;
 - Compliance Order, issued by EPA for violation of Clean Water or Clean Air Act.
- If yes, please describe. Was the notice, order, or citation issued for any of the following reasons? If so, please explain.
1. Failure to pay legally required obligations stemming from an incident, including repairs, recovery, cleanup, compensation for damages, and penalties;
 2. Withholding of evidence about an incident from proper authorities, including failure to report an incident, misrepresentation of facts, resisting forthright discovery about the cause of the incident or about the operator's response to an incident;
 3. Failure to properly maintain any required financial assurances (e.g., let insurance coverage lapse without providing another, acceptable form of financial assurance);
 4. Falsification of compliance records.
- b) Did operator take corrective action to remedy the act(s) of non-compliance, as exemplified below? Describe actions taken, and provide documentation.
1. A formal investigation that resulted in a set of corrective actions that were implemented and communicated to affected employees in a timely manner.
 2. Dismissal, demotion, re-assignment, or satisfactory re-training of the employee(s) or contractor(s) directly and indirectly responsible for the non-compliance.
 3. Formal upgrading of compliance procedures to deter recurrence of non-compliance (including a system of redundant oversight), and adequate communication of those procedures to applicable employees and contractors.
 4. Inspection and, as warranted, remedy of all other operations to ensure that similar types of non-compliance will not occur.
 5. Other.
- c) Have further occurrences of non-compliance occurred at any facility listed above since the corrective actions were implemented?

CERTIFICATION OF ACCURACY AND COMPLETENESS BY PROPOSED OPERATOR

I hereby declare under penalty of perjury that the information contained in this application and all attached materials is correct, true and complete. I acknowledge that if it is determined that the information and materials submitted are not true and correct, I may be subject to enforcement actions under Chapters 25B and 24A of the County Code.

Signature

Print Name

Company (proposed operator)

Date