

**PROPOSED RULE: Part 12(D)
(Fencing)**

D. Fencing.

(1) The operator shall fence or enclose a recycling containment in a manner that deters unauthorized wildlife and human access and shall maintain the fences in good repair. The operator shall ensure that all gates associated with the fence are closed and locked when responsible personnel are not onsite.

(2) Recycling containments shall be fenced with a four foot fence that has at least four strands of barbed wire evenly spaced in the interval between one foot and four feet above ground level.

**RULE 17: 19.15.17.11.D
(Fencing)**

D. Fencing.

(1) The operator shall fence or enclose a ~~pit or below-grade tank~~ in a manner that deters unauthorized access and shall maintain the fences in good repair. ~~Fences are not required if there is an adequate surrounding perimeter fence that prevents unauthorized access to the well site or facility, including the pit or below-grade tank. During drilling or workover operations, the operator is not required to fence the edge of the pit adjacent to the drilling or workover rig.~~

(2) ~~The operator shall fence or enclose a pit located within 1000 feet of an occupied permanent residence, school, hospital, institution or church with a chain link security fence, at least six feet in height with at least two strands of barbed wire at the top. The operator shall ensure that all gates associated with the fence are closed and locked when responsible personnel are not onsite. During drilling or workover operations, the operator is not required to fence the edge of the temporary pit adjacent to the drilling or workover rig.~~

(3) ~~The operator shall fence any other pit or below-grade tank to exclude livestock~~ with a four foot fence that has at least four strands of barbed wire evenly spaced in the interval between one foot and four feet above ground level.