

STATE OF VERMONT

DECLARATORY RULING

Re: Humble Oil & Refining Company, Inc.
Houston, Texas

Environmental Board
Montpelier, Vermont

On December 8, 1972 representatives of the Humble Oil & Refining Company appeared before the Environmental Board in the Brooks Memorial Library, Brattleboro, Vermont, to request a Declaratory Ruling regarding the question of whether test drillings being conducted in Orange and Windsor Counties in the State of Vermont constituted a development under Act 250 of the Acts of 1970. Appearing for the Humble Oil & Refining Company were Frederick J. Humphrey, District Geologist, Eastern District of the Humble Oil & Refining Company, and Horace E. Rowold, District Land Man, Eastern District of the Humble Oil & Refining Company.

The facts as presented were:

1. The Humble Oil & Refining Company has flown aerial geophysical surveys over Orange and Windsor Counties in the State of Vermont. These surveys were flown during 1972;
2. These surveys are for the purpose of detecting the presence of copper;
3. Upon completion of the airborne surveys, ground surveys are made. These surveys involve the "brushing out" of survey lines. During this procedure the area is mapped and the soil assayed.
4. If drilling is warranted, skids or truck-mounted drill rigs are taken into the area. These drilling rigs occupy an area of approximately 50 feet in diameter.
5. Access to the drill sites is provided through areas which involve as little cutting of natural growth as possible.
6. One to three holes are drilled at each site. These holes are for the purpose of taking a two-inch core boring.

7. The Humble Oil & Refining Company has under lease approximately 2,000 acres of land in Orange and Windsor Counties.
8. Approximately 600 acres is involved in the present project.
9. The elevation of the land is generally about 1,500 feet above sea level.
10. No cutting beyond that involved in survey lines and in the access roads is contemplated.
11. Less than one cubic yard of residue results from the drilling at each site.
12. There will be no permanent structures or facilities erected.
13. There will be no minerals extracted beyond the core borings.
14. No roads nor rights-of-way will be created.

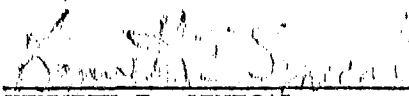
RULING:

The Board, after consideration of the facts, concludes that this is not a development in that it is not an extractive process, no structures are built, no permanent facilities created, and no roads or rights-of-way are created.

Surveying, testing and sampling are necessary solely for the purpose of obtaining data for the possible preparation of an application for a permit under Act 250 of the Acts of 1970.

Dated at Montpelier, Vermont this 11th day of December, 1972.

FOR THE ENVIRONMENTAL BOARD


KENNETH E. SENECAL
Executive Officer