

Environmental Protection Agency

§ 147.1450

the State of Nebraska. This incorporation by reference was approved by the Director of the Federal Register effective June 26, 1984.

(1) Nebraska Environmental Protection Act, Revised Statutes of Nebraska sections 81-1502, 81-1506, 81-1519, and 81-1520 (Reissue 1987);

(2) Nebraska Department of Environmental Control, Title 122—Rules and Regulations for Underground Injection and Mineral Production Wells, Effective Date: February 16, 1982, Amended Dates: November 12, 1983, March 22, 1984; as amended by amendment approved by the Governor on January 2, 1989.

(b) *Other laws.* The following statutes and regulations although not incorporated by reference, also are part of the approved State-administered program:

(1) Nebraska Environmental Protection Act, Nebraska Revised Statutes sections 81-1502, 81-1506, 81-1519, and 81-1520 (Reissue 1987 and Cumm. Supp. 1988);

(c)(1) The Memorandum of Agreement between EPA Region VII and the Nebraska Department of Environmental Control, signed by the EPA Regional Administrator on July 12, 1982.

(2) Addendum to Underground Injection Control Memorandum of Agreement signed by the EPA Regional Administrator on July 12, 1982.

(3) Amendments to the Memorandum of Agreement signed by the EPA Regional Administrator on November 22, 1983.

(d) *Statement of legal authority.* (1) “Nebraska Underground Injection Control Program, Attorney General’s Statement for Class I, III, IV, and V Wells”, signed by Assistant Attorney General for Attorney General of Nebraska, as submitted with “State of Nebraska Request for Administration of UIC Program, January 28, 1982;

(2) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, August 7, 1981;

(3) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Director, (Nebraska) Department of Environmental Control, April 29, 1982;

(4) Letter from Attorney General (of Nebraska), by Assistant Attorney General, to Legal Counsel, (Nebraska) Department of Environmental Control, October 18, 1983.

(e) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

(42 U.S.C. 1422)

[49 FR 24134, June 12, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9417, Mar. 6, 1991]

§ 147.1402 Aquifer exemptions. [Reserved]

§ 147.1403 EPA-administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Nebraska is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective date.* The effective date of the UIC program for Indian Lands in Nebraska is June 25, 1984.

[52 FR 17681, May 11, 1987, as amended at 56 FR 9417, Mar. 6, 1991]

Subpart DD—Nevada

§ 147.1450 State-administered program.

The UIC program for all classes of underground injection wells in the State of Nevada, other than those on Indian lands, is the program administered by the Nevada Division of Environmental Protection approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on February 18, 1988; the effective date of this program is October 5, 1988. This program consists of the following elements, as submitted to EPA in the State’s program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by

§ 147.1451

40 CFR Ch. I (7-1-04 Edition)

reference and made a part of the applicable UIC program under the SDWA for the State of Nevada. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained at the Nevada Department of Conservation and Natural Resources, Division of Environmental Protection, 201 South Fall Street, Carson City, Nevada 89710.

Copies may be inspected at the Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, California 99105, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(1) Nevada Revised Statutes [NRS], Volume 25, Chapters 445.131 through 445.354, Inclusive. 1987.

(2) Nevada Revised Statutes [NRS], Volume 29, Chapters 534A.010 through 534A.090, Inclusive. 1987.

(3) Nevada Revised Statutes [NRS], Volume 28, Chapters 522.010 through 522.190, Inclusive. 1987.

(4) Nevada Administrative Code [NAC], Underground Injection Control Regulations, Sections 1 through 96.1, Inclusive. July 22, 1987, revised September 3, 1987 (amending NAC Chapter 445).

(5) Nevada Administrative Code [NAC], Regulations and Rules of Practice and Procedure adopted Pursuant to NRS 534A, Sections 1 through 69, Inclusive. November 12, 1985 (amending NAC Chapter 534A).

(6) Nevada Administrative Code [NAC], Regulations and Rules of Practice and Procedure adopted Pursuant to NRS 522.010 through 522.625, Inclusive. July 22, 1987 (amending NAC Chapter 522).

(b) The Memorandum of Agreement between EPA Region 9 and the Nevada Department of Conservation and Natural Resources signed by the EPA Regional Administrator on April 6, 1988.

(c) *Statement of Legal Authority.* Statement and Amendment to the Statement from the Attorney General of the State of Nevada, signed on July 22, 1987 and November 6, 1987 respec-

tively, by the Deputy Attorney General.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

[53 FR 39089, Oct. 5, 1988]

§ 147.1451 EPA administered program—Indian lands.

(a) *Contents.* The UIC program for all classes of wells on Indian lands in the State of Nevada is administered by EPA. This program consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and any additional requirements set forth in the remainder of this subpart. Injection well owners and operators, and EPA shall comply with these requirements.

(b) *Effective dates.* The effective date of the UIC program for Indian lands in Nevada is June 25, 1984.

[53 FR 43088, Oct. 25, 1988, as amended at 56 FR 9417, Mar. 6, 1991]

§ 147.1452 Aquifer exemptions. [Reserved]

§ 147.1453 Existing Class I, II (except enhanced recovery and hydrocarbon storage) and III wells authorized by rule.

Maximum injection pressure. The owner or operator shall limit injection pressure to the lesser of:

(a) A value which will not exceed the operating requirements of §144.28(f)(3)(i) or (ii) as applicable; or

(b) A value for well head pressure calculated by using the formula:

$$P_m = (0.733 - 0.433 S_g)d$$

where:

P_m=injection pressure at the wellhead in pounds per square inch

S_g=specific gravity of injected fluid (unitless)

d=injection depth in feet.

§ 147.1454 Existing Class II enhanced recovery and hydrocarbon storage wells authorized by rule.

(a) *Maximum injection pressure.* (1) To meet the operating requirements of §144.28(f)(3)(ii) (A) and (B) of this chapter, the owner or operator:

(i) Shall use an injection pressure no greater than the pressure established by the Regional Administrator for the