

Environmental Protection Agency

§ 147.2251

(b) *Other laws.* The following statutes and regulations, although not incorporated by reference except for selected sections identified in paragraph (a) of this section, are also part of the approved State-administered program:

(1) Utah Pollution Control Act, Utah Code Annotated, Sections 26-11-1 through -20 (Supp. 1990);

(c)(1) The revised Memorandum of Agreement between EPA, Region VIII and the Utah Department of Health, Division of Environmental Health, signed by the Regional Administrator on October 3, 1990.

(2) Letter from Director, Utah Department of Health, Division of Environmental Health, Bureau of Water Pollution Control, to EPA Region VIII, Re: Underground Injection Control Program—Utah, March 15, 1982;

(3) Letter from the Executive Secretary of the Utah Water Pollution Control Committee to EPA Region VIII, “Re: Utah UIC Class I Well Program Changes,” August 16, 1990;

(d) *Statement of legal authority.* (1) “Underground Injection Control Program—Attorney General’s statement,” signed by Attorney General, State of Utah, January, 1982;

(2) Letter from Assistant Attorney General of Utah to Chief, Drinking Water Branch, EPA Region VIII, June 18, 1982;

(3) Addendum to Underground Injection Control Program, Attorney General’s Statement signed by Attorney General of Utah, August 10, 1990.

(e) The Program Description (revised June 19, 1990) and any other materials submitted as part of the application or supplements thereto.

[56 FR 9419, Mar. 6, 1991]

§ 147.2251 State-administered program—Class II wells. pro-

The UIC program for Class II wells in the State of Utah, except those on Indian lands, is the program administered by the Utah Department of Natural Resources, Division of Oil, Gas, and Mining, approved by EPA pursuant to section 1425 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on October 8, 1982 (47 FR 44561); the effective date of this program is November 7, 1982. 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 reference and made a part of the applicable UIC program under the SDWA for the State of Utah. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) Utah Code Annotated, 1953, section 40-6-1 through 40-6-18, as amended 1988 and Cumm. Supp. 1990;

(2) The Oil and Gas Conservation General Rules, adopted under the authority of the Oil and Gas Conservation Act, 40-6-1 *et seq.*, Utah Code Annotated, as amended 1988 (revised March 1989), rules R615-1 through R615-4, and R615-8 through R615-10.

(b) *Other laws.* [Reserved]

(c)(1) The Memorandum of Agreement between EPA, Region VIII and the Utah Department of Natural Resources, Division of Oil, Gas, and Mining and the Board of Oil, Gas and Mining, signed by the EPA Regional Administrator on July 19, 1983;

(2) Letter from Director, Division of Oil, Gas and Mining, Utah Department of Natural Resources and Energy, to Regional Administrator, EPA Region VIII, “Re: Aquifer Exemption Process,” June 16, 1982;

(3) “Memorandum of Understanding” between Utah Department of Health and Utah Department of Natural Resources, dated March 5, 1981;

(4) “Second Addition to Agreement between the Department of Health and the Department of Natural Resources and Energy,” dated December 15, 1981.

(d) *Statement of legal authority.* (1) Part III of “Primacy Application—Class II Underground Injection Wells,” consisting of “Synopsis of Pertinent Statutes and Regulations,” “Statement of Legal Authority,” and “Certification by the Attorney General,” by Assistant Attorney General, Department of Natural Resources and Energy, dated December 18, 1981;

(2) Letter from Assistant Attorney General, State of Utah, to EPA Region VIII, undated, received in the EPA Office of Regional Counsel June 10, 1982.

§ 147.2253

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

(3) Memorandum to Director, Division of Oil, Gas and Mining from Assistant Attorney General regarding Underground Injection Control Program, January 8, 1985.

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

[49 FR 20197, May 11, 1984, as amended at 53 FR 43091, Oct. 25, 1988; 56 FR 9420, Mar. 6, 1991]

§ 147.2253 EPA-administered program—Indian lands.

(a) Contents. The UIC program for all classes of wells on Indian lands in the State of Utah is administered by EPA. The program for wells on the lands of the Navajo and Ute Mountain Ute consists of the requirements set forth at subpart HHH of this part. The program for all other wells on Indian lands 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 for this program for all other Indian lands in Utah (as well as for the program of the Navajo and Ute Mountain Ute) is November 25, 1988.

[53 FR 40391, Oct. 25, 1988, as amended at 56 FR 9420, Mar. 6, 1991] h

Subpart UU—Vermont

§ 147.2300 State-administered program.

The UIC program for all classes of wells in the State of Vermont, except those wells on Indian lands, is the program administered by the Vermont Department of Environmental Conservation, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the FR on June 22, 1984; the effective date of this program is July 6, 1984. This program consists of the following elements:

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

erence and made a part of the applicable UIC program under the SDWA for the State of Vermont. This incorporation by reference was approved by the Director of the Federal Register July 6, 1984.

(1) Vt. Stat. Ann. tit. 10, sections 1251, 1259, 1263 (1973 and Supp. 1981), Effective date: July 1, 1982.

(2) Vermont Department of Water Resources and Environmental Engineering, Chapter 13 Water Pollution Control Regulations, Subchapter 13.UIC—Underground Injection Control, Discharges to Injection Wells, Effective Date: June 21, 1984.

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

(1) Vt. Stat. Ann. tit. 10, sections 1251 through 1283 (1973 and Supp. 1981).

(2) Vt. Stat. Ann. tit. 10, sections 901 through 911 (1973 and Supp. 1981).

(3) Vt. Stat. Ann. tit. 3, sections 801 through 847 (1973 and Supp. 1981).

(c)(1) The Memorandum of Agreement between EPA Region I and the Vermont Agency of Environmental Conservation signed by the EPA Regional Administrator on January 16, 1984.

(d) Statement of legal authority. (1) “Vermont Attorney General’s Statement for Classes I, II, III, IV and V Injection Wells,” signed by Attorney General John J. Easton, Jr., as submitted with Vermont Application for Primary Enforcement Responsibility to Administer the Underground Water Source Protection Program Pursuant to the Safe Drinking Water Act and 40 CFR 145.21 through 145.24 (December 20, 1983).

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

(42 U.S.C. 300)

[49 FR 25634, June 22, 1984, as amended at 53 FR 43091, Oct. 25, 1988; 56 FR 9420, Mar. 6, 1991]