

**§ 147.2752**

**40 CFR Ch. I (7-1-07 Edition)**

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 for the UIC program on non-Indian lands is June 25, 1984. The effective date of the UIC program on Indian lands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

**§ 147.2752 Aquifer exemptions. [Reserved]**

**Subpart EEE—Commonwealth of the Northern Mariana Islands**

**§ 147.2800 State-administered program—Class I, II, III, IV, and V wells.**

The UIC program for Class I, II, III, IV, and V wells in the Commonwealth of the Northern Mariana Islands, other than those on Indian lands, is the program administered by the Commonwealth of the Northern Mariana Islands Division of Environmental Quality approved by EPA pursuant to Section 1422 of the SDWA. Notice of this approval was published in the FEDERAL REGISTER on January 18, 1985; the effective date of this program is August 30, 1985. 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 Commonwealth of the Northern Mariana Islands. This incorporation by reference was approved by the Director of the Federal Register effective July 31, 1985.

(1) CNMI Environmental Protection Act, 2 CMC sections 3101, *et seq.* (1984);

(2) CNMI Coastal Resources Management Act, 2 CMC sections 1501, *et seq.* (1984);

(3) CNMI Drinking Water Regulations, Commonwealth Register, Volume 4, Number 4 (August 15, 1982);

(4) CNMI Underground Injection Control Regulations, Commonwealth Reg-

ister, Volume 6, Number 5 (May 15, 1984, amended November 15, 1984, January 15, 1985);

(5) CNMI Coastal Resources Management Regulations, Commonwealth Register, Volume 6, Number 12, December 17, 1984.

(b)(1) The Memorandum of Agreement between EPA Region IX and the Commonwealth of the Northern Mariana Islands Division of Environmental Quality, signed by the EPA Regional Administrator on May 3, 1985;

(c) *Statement of legal authority.* Statement from Attorney General Commonwealth of the Northern Mariana Islands, "Underground Injection Control Program—Attorney General's Statement," signed on October 10, 1984.

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

[50 FR 28943, July 17, 1985]

**§ 147.2801 EPA-administered program.**

(a) *Contents.* The UIC program for Indian lands in the Commonwealth of the Northern Mariana Islands 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 is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

**§ 147.2802 Aquifer exemptions. [Reserved]**

**Subpart FFF—Trust Territory of the Pacific Islands**

**§ 147.2850 State-administered program. [Reserved]**

**§ 147.2851 EPA-administered program.**

(a) *Contents.* The UIC program for Trust Territory of the Pacific Islands, including all Indian lands, 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 non-Indian lands of the Trust Territory of the Pacific Islands is June 25, 1984. The effective date for the Indian lands is November 25, 1988.

[53 FR 43093, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

**§ 147.2852 Aquifer exemptions. [Reserved]**

**Subpart GGG—Osage Mineral Reserve—Class II Wells**

**AUTHORITY:** Safe Drinking Water Act, 42 U.S.C. 300h.

**SOURCE:** 49 FR 45309, Nov. 15, 1984, unless otherwise noted.

**§ 147.2901 Applicability and scope.**

This subpart sets forth the rules and permitting requirements for the Osage Mineral Reserve, Osage County, Oklahoma, Underground Injection Control Program. The regulations apply to owners and operators of Class II injection wells located on the Reserve, and to EPA.

**§ 147.2902 Definitions.**

Most of the following terms are defined in §144.3, and have simply been reproduced here for the convenience of the reader. This section also includes definitions of some terms unique to the Osage program. Terms used in this subpart are defined as follows:

*Administrator*—the Administrator of the United States Environmental Protection Agency, or an authorized representative.

*Aquifer*—a geologic formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

*BIA*—The “Bureau of Indian Affairs,” United States Department of Interior.

*Casing*—a pipe or tubing of varying diameter and weight, lowered into a borehole during or after drilling in order to support the sides of the hole and, thus, prevent the walls from caving, to prevent loss of drilling mud into porous ground, or to prevent water,

gas, or other fluid from entering the hole.

*Cementing*—the operation whereby a cement slurry is pumped into a drilled hole and/or forced behind the casing.

*Class II Wells*—wells which inject fluids:

(a) Which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters would be classified as a hazardous waste at the time of injection;

(b) For enhanced recovery of oil or natural gas; and

(c) For storage of hydrocarbons which are liquid at standard temperature and pressure.

*Existing Class II Wells*—wells that were authorized by BIA and constructed and completed before the effective date of this program.

*New Class II Wells*—wells constructed or converted after the effective date of this program, or which are under construction on the effective date of this program.

*Confining bed*—a body of impermeable or distinctly less permeable material stratigraphically adjacent to one or more aquifers.

*Confining zone*—a geologic formation, group of formations, or part of a formation that is capable of limiting fluid movement above an injection zone.

*Contaminant*—any physical, chemical, biological, or radiological substance or matter in water.

*Disposal well*—a well used for the disposal of waste into a subsurface stratum.

*EPA*—The United States Environmental Protection Agency.

*Fault*—a surface or zone of rock fracture along which there has been displacement.

*Fluid*—material or substance which moves or flows whether in a semisolid, liquid, sludge, gas or any other form or state.

*Formation*—a body of rock characterized by a degree of lithologic homogeneity which is prevailing, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.