

§ 147.3011

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

§ 147.3011 Plugging and abandonment of Class III wells.

To meet the requirements of §146.10(d) of this chapter, owners and operators of Class III uranium projects underlying or in aquifers containing up to 5,000 mg/l TDS which have been exempted under §146.4 of this chapter shall:

(a) Include in the required plugging and abandonment plan a plan for aquifer clean-up and monitoring which demonstrates adequate protection of surrounding USDWs.

(1) The Director shall include in each such permit for a Class III uranium project the concentrations of contaminants to which aquifers must be cleaned up in order to protect surrounding USDWs.

(2) The concentrations will be set as close as is feasible to the original conditions.

(b) When requesting permission to plug a well, owners and operators shall submit for the Director's approval a schedule for the proposed aquifer cleanup, in addition to the information required by §146.34(c).

(c) Cleanup and monitoring shall be continued until the owner or operator certifies that no constituent listed in the permit exceeds the concentrations required by the permit, and the Director notifies the permittee in writing that cleanup activity may be terminated.

§ 147.3012 Construction requirements for Class I wells.

In addition to the cementing requirement of §146.12(b) of this chapter, owners and operators of Class I wells shall, through circulation, cement all casing to the surface.

§ 147.3013 Information to be considered for Class I wells.

(a) In addition to the information listed in §146.14(a) of this chapter, the Director shall consider the following prior to issuing any Class I permit:

(1) Expected pressure changes, native fluid displacement, and direction of movement of the injected fluid; and

(2) Methods to be used for sampling, and for measurement and calculation of flow.

(b) In addition to the information listed in §146.14(b) of this chapter, the Director shall consider any information required under §146.14(a) of this chapter (as supplemented by this subpart) that has been gathered during construction.

§ 147.3014 Construction requirements for Class III wells.

(a) In addition to the requirements of §146.32(c)(3) of this chapter, radiological characteristics of the formation fluids shall be provided to the Director.

(b) In addition to the requirements of §146.32(e) of this chapter, the Director may require monitoring wells to be completed into USDWs below the injection zone if those USDWs may be affected by mining operations.

§ 147.3015 Information to be considered for Class III wells.

(a) In addition to the requirements of §146.34(a) of this chapter, the following information shall be considered by the Director:

(1) Proposed construction procedures, including a cementing and casing program, logging procedures, deviation checks, and a drilling, testing and coring program.

(2) Depth to the proposed injection zone, and a chemical, physical and radiological analysis of the ground water in the proposed injection zone sufficient to define pre-injection water quality as required for aquifer cleanup by §147.3011 of this subpart.

(3) An aquifer cleanup plan if required by §147.3003(b) of this subpart.

(4) Any additional information that may be necessary to demonstrate that cleanup will reduce the level of contaminants in the surrounding USDWs as close as feasible to the original conditions.

(b) In addition to the requirements of §146.34(b) of this chapter, the Director shall consider any information required under §146.34(a) of this chapter (as supplemented by this subpart) that has been gathered during construction.

§ 147.3016 Criteria and standards applicable to Class V wells.

In addition to the criteria and standards applicable to Class V wells set forth in subpart F of part 146 of this

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chapter, owners and operators of wells that do not fall within the Class IV category but that are used to dispose of radioactive wastes (as defined in 10 CFR part 20, appendix B, table II, column 2, but not including high level and

transuranic wastes and spent nuclear fuel covered by 40 CFR part 191) shall comply with all of the requirements applicable to Class I injection wells in 40 CFR parts 124, 144 and 146 as supplemented by this subpart.

APPENDIX A TO SUBPART HHH OF PART 147—EXEMPTED AQUIFERS IN NEW MEXICO

The areas described by a one-quarter mile radius around the following Class II wells in the listed formations are exempted for the purpose of Class II injection.

	Sec.					Well No.
Arco Oil & Gas Co.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
SE/NE	5	T30N	R16W	1650'FNL	330'FEL	134
NW/NW	30	T31N	R16W	660'FNL	703'FWL	8
SE/SW	28	T31N	R16W	790'FSL	2150'FWL	167
NW/SE	33	T31N	R16W	1710'FSL	2310'FEL	199
SE/NW	35	T31N	R16W	2105'FNL	2105'FWL	196
NW/NW	4	T30N	R16W	455'FNL	4435'FEL	219
NW/SW	33	T31N	R16W	1980'FSL	386'FWL	65
NW/SE	27	T31N	R16W	1980'FSL	2080'FEL	164
SE/SE	30	T31N	R16W	660'FSL	660'FEL	5
NW/NW	34	T31N	R16W	730'FNL	515'FWL	180
NW/NE	34	T31N	R16W	813'FNL	2036'FEL	182
NW/NE	2	T30N	R16W	720'FNL	2040'FEL	229
NW/NW	29	T31N	R16W	660'FNL	660'FWL	24
NW/SW	13	T31N	R17W	1975'FSL	670'FWL	77
NW/SE	29	T31N	R16W	1980'FSL	1980'FEL	22
SE/SE	27	T31N	R16W	660'FSL	1980'FWL	171
NW/SW	35	T31N	R16W	1980'FSL	660'FWL	205
SE/NW	30	T31N	R16W	1980'FNL	2061'FWL	7
NW/NE	31	T31N	R16W	660'FNL	1980'FEL	17
NW/NE	4	T30N	R16W	330'FNL	2160'FEL	221
NW/NE	29	T31N	R16W	660'FNL	1980'FEL	26
SE/NE	34	T31N	R16W	1990'FNL	645'FEL	194
SE/SE	31	T31N	R16W	640'FSL	660'FEL	27
NE/SW	14	T31N	R17W	2250'FSL	2630'FWL	94
NE/NW	14	T31N	R17W	625'FNL	1995'FWL	69
SE/NW	10	T30N	R16W	1900'FNL	2080'FWL	271
SE/SE	29	T31N	R16W	560'FSL		21
SE/NE	30	T31N	R16W	1980'FNL	660'FEL	10
SE/NW	29	T31N	R16W	2080'FNL	1980'FWL	23
NW/SE	25	T31N	R17W	1980'FSL	1980'FEL	122
SE/SW	32	T31N	R16W	660'FSL	1980'FWL	14
NW/SW	30	T31N	R16W	2021'FSL	742'FWL	19
SE/SW	13	T31N	R17W	660'FSL	1980'FWL	82
NW/NW	27	T31N	R16W	520'FNL	660'FWL	150
SE/SE	28	T31N	R16W	660'FSL	660'FEL	169
NW/SW	29	T31N	R16W	1980'FSL	660'FWL	11
SE/NW	34	T31N	R16W	2310'FNL	1650'FWL	192
SE/NW	29	T31N	R16W	660'FSL	1980'FWL	12
NW/SW	27	T31N	R16W	1650'FSL	330'FWL	162
NE/SE	23	T31N	R17W	1880'FSL	340'FEL	96
NW/SW	24	T31N	R17W	2050'FSL	990'FWL	97
SE/NW	4	T30N	R16W	2060'FNL	1710'FWL	232
NW/NW	31	T31N	R16W	620'FNL	701'FWL	30
NW/SE	35	T31N	R16W	1980'FSL	1980'FEL	207
SE/NE	32	T31N	R16W	1980'FNL	417'FEL	20
NE/NW	28	T31N	R16W	1980'FNL	1980'FEL	152
NE/NW	34	T31N	R16W	2140'FSL	735'FWL	201
SE/NW	3	T30N	R16W	2310'FNL	1640'FWL	236
SE/SW	34	T31N	R16W	660'FSL	1980'FWL	213
NW/NE	30	T31N	R16W	660'FNL	1980'FWL	9
SE/SW	26	T31N	R16W	660'FSL	1980'FWL	175
NW/SE	30	T31N	R16W	1980'FSL	1980'FEL	6
SE/NW	9	T30N	R16W	1650'FNL	2131'FWL	264
NW/SW	4	T30N	R16W	2310'FSL	4390'FEL	242
NW/SW	2	T30N	R16W	1980'FSL	660'FWL	250
NW/NW	33	T31N	R16W	660'FNL	386'FWL	66

	Sec.					Well No.
NE/NE	15	T31N	R17W	660'FNL	660'FEL	67
NW/NE	33	T31N	R16W	660'FNL	1980'FEL	178
NW/SE	24	T31N	R17W	1875'FSL	1900'FEL	99
NW/NE	28	T31N	R16W	660'FNL	1980'FEL	148
NW/NW	19	T31N	R16W	680'FNL	682'FWL	89
NW/SE	4	T30N	R16W	1820'FSL	2130'FEL	244
SE/SW	20	T31N	R16W	660'FSL	1980'FWL	115
NW/NE	25	T31N	R17W	660'FNL	1980'FEL	118
SE/SW	4	T30N	R16W	660'FSL	3300'FEL	253
NW/SW	19	T31N	R16W	1980'FSL	706'FWL	101
NW/SE	32	T31N	R16W	1950'FSL	1980'FEL	22
NW/NW	35	T31N	R16W	605'FNL	690'FWL	184
SE/NE	29	T31N	R16W	1980'FNL	417'FEL	25
SE/NW	19	T31N	R16W	1980'FNL	2023'FWL	95
NW/NW	32	T31N	R16W	660'FNL	660'FWL	4
SE/SW	24	T31N	R17W	660'FSL	3300'FEL	107
SE/NE	28	T31N	R16W	2105'FNL	940'FEL	154
NW/NE	35	T31N	R16W	610'FNL	2000'FEL	186
SE/SW	5	T31N	R16W	990'FSL	2310'FWL	139
NW/SE	28	T31N	R16W	1980'FSL	1980'FEL	160
SE/SE	33	T31N	R16W	330'FSL	990'FEL	211
NW/NE	5	T30N	R16W	330'FNL	1650'FEL	128
SE/NW	27	T31N	R16W	1900'FNL	2050'FWL	156
SE/SW	35	T31N	R16W	660'FSL	1980'FWL	217
NW/NW	10	T30N	R16W	526'FNL	330'FWL	265
NE/SW	21	T31N	R16W	1880'FSL	1980'FWL	143
NW/NE	24	T31N	R17W	409'FNL	1914'FEL	87
NW/SW	32	T31N	R16W	1980'FSL	660'FWL	15
SE/SE	34	T31N	R16W	960'FSL	910'FEL	215
SW/SE	21	T31N	R16W	820'FSL	1820'FEL	145
SE/SE	27	T31N	R16W	610'FSL	640'FEL	173
NW/SW	3	T30N	R16W	1920'FSL	350'FWL	246
SE/SW	19	T31N	R16W	601'FSL	2002'FWL	111
SW/SE	14	T31N	R17W	330'FSL	1900'FEL	79
NW/NW	27	T31N	R16W	520'FNL	660'FWL	150
SE/NW	31	T31N	R16W	1724'FNL	2067'FWL	29
NW/NE	32	T31N	R16W	660'FNL	1980'FEL	13
SE/NE	24	T31N	R17W	1998'FNL	702'FEL	93
NW/NW	5	T30N	R16W	660'FNL	660'FWL	126
NW/SW	28	T31N	R16W	1740'FSL	590'FWL	158
SE/NE	31	T31N	R16W	1980'FNL	660'FEL	16
NW/NW	24	T31N	R17W	660'FNL	760'FWL	85
Energy Reserve Backup Inc.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
SE/SE	5	T31N	R17W	660'FSL	660'FEL	4
NE/SW	10	T30N	R16W	1970'FSL	2210'FWL	31
SE/NW	11	T30N	R16W	2090'FNL	2190'FWL	29
SE/SE	10	T30N	R16W	700'FSL	500'FEL	37
Solar Petroleum Inc.—Operator/Horseshoe—Field/Gallup—Formation						
SW/SE	11	T31N	R17W	736'FSL	2045'FEL	205
SE/NE	9	T31N	R17W	1980'FNL	660'FEL	122
NW/SE	4	T31N	R17W	1980'FSL	1980'FWL	127
NE/NE	10	T31N	R17W	660'FNL	660'FEL	136
SE/SW	4	T31N	R17W	660'FSL	1980'FWL	125
SW/NW	11	T31N	R17W	2300'FNL	660'FWL	206
NW/SW	4	T31N	R17W	1980'FSL	660'FWL	103
SE/NW	4	T31N	R17W	1989'FNL	1980'FWL	128
NW/NW	4	T31N	R17W	660'FNL	660'FWL	101
SW/NE	10	T31N	R17W	1980'FNL	1980'FWL	117
SW/NW	10	T31N	R17W	1980'FNL	660'FWL	108
SW/SW	10	T31N	R17W	660'FSL	660'FWL	114
SW/SE	3	T31N	R17W	330'FSL	2310'FEL	143
SE/NE	5	T31N	R17W	1980'FNL	660'FEL	302
NE/NE	5	T31N	R17W	1950'FNL	1050'FEL	307
SE/SE	9	T31N	R17W	990'FSL	850'FEL	140
NE/NW	10	T31N	R17W	660'FNL	1980'FWL	118
SW/SW	11	T31N	R17W	660'FSL	660'FWL	204
NW/SE	9	T31N	R17W	1980'FSL	1980'FEL	115
SW/SE	10	T31N	R17W	990'FSL	1980'FEL	144
NW/NE	9	T31N	R17W	660'FNL	1980'FEL	123

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	Sec.					Well No.
NE/SW	10	T31N	R17W	1980'FSL	1980'FWL	109
NE/SW	11	T31N	R17W	1980'FSL	1980'FWL	203
SE/NW	9	T31N	R17W	1980'FNL	1980'FWL	134
NW/SW	3	T31N	R17W	1980'FSL	660'FWL	132
SW/SW	3	T31N	R17W	560'FSL	660'FWL	110
NW/NW	9	T31N	R16W	660'FNL	660'FWL	133
SE/SE	4	T31N	R17W	660'FSL	660'FEL	124
WTR Oil Co.—Operator/Horseshoe Gallup—Field/Gallup—Formation						
NE/SW	33	T32N	R17W	1980'FSL	1989'FWL	2
Arco Oil & Gas Co.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NW	7	T31N	R16W	898'FNL	500'FWL	2
SW/NE	17	T31N	R16W	1673'FNL	1789'FEL	21
NW/SE	17	T31N	R16W	1890'FSL	2150'FEL	23
SW/NE	7	T31N	R16W	2310'FNL	2310'FEL	6
NE/SW	8	T31N	R16W	1650'FSL	1650'FWL	12
NE/NW	17	T31N	R16W	660'FNL	2030'FWL	18
NE/NE	18	T31N	R16W	360'FNL	855'FEL	16
SE/SW	7	T31N	R16W	716'FSL	2185'FWL	13
SE/SE	17	T31N	R16W	660'FSL	660'FEL	26
NE/SW	17	T31N	R16W	2040'FSL	2070'FWL	22
SW/SW	6	T31N	R16W	330'FSL	330'FWL	1
SW/NW	17	T31N	R16W	2073'FNL	641'FWL	19
NW/SW	17	T31N	R16W	1967'FSL	981'FWL	8
James P. Woosley—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NE	20	T32N	R17W	330'FNL	2310'FEL	13
SW/SW	27	T32N	R17W	660'FSL	990'FWL	1
SW/NW	17	T32N	R17W	2310'FWL	330'FWL	4
SW/NW	27	T32N	R17W	260'FWL	1360'FNL	11
NE/SW	27	T32N	R17W	1980'FSL	1980'FWL	6
NE/SE	18	T32N	R17W	2474'FSL	133'FEL	18
SW/SE	27	T32N	R17W	625'FNL	2000'FEL	3
NE/SE	28	T32N	R17W	1980'FSL	330'FEL	12
Solar Petroleum Inc.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
SE/NW	1	T31N	R17W	1980'FNL	1980'FWL	216
NW/NE	2	T31N	R17W	805'FNL	940'FEL	215
SE/NE	2	T31N	R17W	1980'FNL	660'FEL	218
NW/SW	1	T31N	R17W	2310'FSL	990'FNL	223
SE/NE	12	T31N	R17W	1820'FNL	500'FEL	217
WTR Oil Co.—Operator/Many Rocks Gallup—Field/Gallup—Formation						
NW/NW	35	T32N	R17W	810'FNL	510'FWL	11
SE/SE	35	T32N	R17W	660'FSL	660'FEL	6
SE/NE	34	T32N	R17W	775'FEL	1980'FNL	8
SE/NW	35	T32N	R16W	1980'FNL	1980'FWL	9
NW/SE	35	T32N	R17W	1980'FSL	1980'FEL	7
Chaco Oil Co.—Operator/Red Mtn Meseverde—Field/Menefee—Formation						
NE/NE	29	T20N	R9W	395'FNL	1265'FEL	6
SE/SW	20	T20N	R9W	442'FSL	2430'FWL	17
Geo Engineering Inc.—Operator/Red Mtn Meseverde—Field/Menefee—Formation						
NW/NE	29	T20N	R9W	160'FNL	2135'FEL	35
NE/NE	29	T20N	R9W	225'FNL	1265'FEL	7
SE/NW	29	T20N	R9W	1344'FNL	2555'FWL	20
NW/NE	29	T20N	R9W	615'FNL	1920'FEL	5
NE/NW	29	T20N	R9W	834'FNL	2113'FWL	21
SW/SE	20	T20N	R9W	265'FSL	2150'FEL	36
NE/NE	29	T20N	R9W	5'FNL	1130'FEL	8
SE/SE	20	T20N	R9W	450'FSL	1145'FEL	24
SE/SE	20	T20N	R9W	990'FSL	1280'FEL	10
NW/NE	29	T20N	R9W	1115'FNL	2325'FEL	22
SE/SE	20	T20N	R9W	1085'FSL	860'FEL	12

	Sec.				Well No.	
Tesoro Petroleum Co.—Operator/S. Hospah Lower Sand—Field/Hospah—Formation						
NW/SE	6	T17N	R8W	2310'FSL	2310'FEL	28
SW/SE	6	T17N	R8W	990'FSL	2310'FFL	34
SW/SW	6	T17N	R8W	5'FSL	20'FWL	18
SE/SW	6	T17N	R8W	5'FSL	2635'FWL	20

Subpart III—Lands of Certain Oklahoma Indian Tribes

SOURCE: 53 FR 43109, Oct. 25, 1988, unless otherwise noted.

§ 147.3100 EPA-administered program.

(a) *Contents.* The UIC program for the Indian lands in Oklahoma, except for that covering the Class II wells of the Five Civilized Tribes, is administered by EPA. The UIC program for all wells on Indian lands in Oklahoma, except Class II wells on the Osage Mineral Reserve (found at 40 CFR part 147, Subpart GGG) and the Class II program for the Five Civilized Tribes, consists of the UIC program requirements of 40 CFR parts 124, 144, 146, 148, and 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 the UIC program for all wells on Indian lands except Class II wells on the Osage Mineral Reserve and Class II wells on the lands of the Five Civilized Tribes is November 25, 1988.

[53 FR 43109, Oct. 25, 1988, as amended at 56 FR 9422, Mar. 6, 1991]

§ 147.3101 Public notice of permit actions.

(a) In addition to the notice requirements of § 124.10 of this chapter, the Director shall provide to the affected Tribal government all notices given to an affected State government under § 124.10(c) of this chapter.

(b) *Class I and III wells.* In addition to the notice requirements of § 124.10 of this chapter:

(1) Owners and operators of Class I and III wells shall notify the affected Tribal government prior to submitting an application for a permit, shall publish such notice in at least two newspapers of general circulation in the

area of the proposed well, and shall broadcast notice over at least one local radio station.

(2) The Director shall publish a notice of availability of a draft permit in at least two newspapers of general circulation in the area of the proposed well, and broadcast notice over at least one local radio station. The public notice shall allow at least 45 days for public comment.

(c) *Class II wells.* In addition to the notice requirements of § 124.10 of this chapter:

(1) Owners and operators of Class II wells shall give notice of application for a permit to the affected Tribal government prior to submitting the application to the Director.

(2) In addition to the public notice required for each action listed in § 124.10(a) of this chapter, the Director shall also publish notice in a daily or weekly newspaper of general circulation in the affected area for actions concerning Class II wells.

§ 147.3102 Plugging and abandonment plans.

In lieu of the requirements of § 144.28(c)(1) and (2) (i)–(iii) of this chapter, owners and operators of Class II wells shall comply with the plugging and abandonment provisions of § 147.3108 of this subpart.

§ 147.3103 Fluid seals.

Notwithstanding §§ 144.28(f)(2) and 146.12(c) of this chapter, owners and operators shall not use a fluid seal as an alternative to a packer.

§ 147.3104 Notice of abandonment.

(a) In addition to the notice required by § 144.28(j)(2) of this chapter, the owner or operator shall at the same time submit plugging information in conformance with § 147.3108 of this subpart including: