

Environmental Protection Agency

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Federal, State, and local regulations and requirements.

(c) *Other requirements in Parts 144 through 147.* Beyond this subpart, you are subject to other UIC Program requirements in 40 CFR parts 144 through 147. While most of the relevant requirements are repeated or referenced in this subpart for convenience, you need to read these other parts to understand the entire UIC Program.

(d) *Other State or EPA requirements.* 40 CFR parts 144 through 147 define minimum Federal UIC requirements. EPA Regional Offices administering the UIC Program have the flexibility to establish additional or more stringent requirements based on the authorities in parts 144 through 147, if believed to be necessary to protect USDWs. States can have their own authorities to establish additional or more stringent requirements if needed to protect USDWs. You must comply with these additional requirements, if any exist in your area. Contact the UIC Program Director in your State or EPA Region to learn more.

§144.83 Do I need to notify anyone about my Class V injection well?

Yes, you need to provide basic “inventory information” about your well to the UIC Director, if you haven’t already. You also need to provide any additional information that your UIC Program Director requests in accordance with the provisions of the UIC regulations.

(a) *Inventory requirements.* Unless you know you have already satisfied the inventory requirements in §144.26 that were in effect prior to the issuance of this Subpart G, you must give your UIC Program Director certain information about yourself and your injection operation.

NOTE: This information is requested on national form “Inventory of Injection Wells,” OMB No. 2040-0042.

(1) The requirements differ depending on your well status and location, as described in the following table:

If your well is . . .	And you’re in one of these locations (“Primacy” States, where the State runs the Class V UIC Program): Alabama, Arkansas, Commonwealth of Northern Mariana Islands, Connecticut, Delaware, Florida, Georgia, Guam, Idaho, Illinois, Kansas, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, or Wyoming	Or you’re in one of these locations (“Direct Implementation” or DI Programs, where EPA runs the Class V UIC Program): Alaska, American Samoa, Arizona, California, Colorado, Hawaii, Indiana, Iowa, Kentucky, Michigan, Minnesota, Montana, New York, Pennsylvania, South Dakota, Tennessee, Virginia, Virgin Islands, Washington, DC, or any Indian Country
(i) New (prior to construction of your well)	. . . then you must contact your State UIC Program to determine what you must submit and by when..	. . . then you must submit the inventory information described in (a)(2) of this section prior to constructing your well.
(ii) Existing (construction underway or completed).	. . . then you must contact your State UIC Program to determine what you must submit and by when..	. . . then you must cease injection and submit the inventory information. You may resume injection 90 days after you submit the information unless the UIC Program Director notifies you that injection may not resume or may resume sooner.

(2) If your well is in a Primacy State or a DI Program State, here is the information you must submit:

(i) No matter what type of Class V well you own or operate, you must submit at least the following information for each Class V well: facility name and location; name and address of legal

contact; ownership of facility; nature and type of injection well(s); and operating status of injection well(s).

(ii) *Additional information.* If you are in a Direct Implementation State and you own or operate a well listed below you must also provide the information

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listed in paragraph (a) (2) (iii) as follows:

(A) Sand or other backfill wells (40 CFR 144.81(8) and 146.5(e)(8) of this chapter);

(B) Geothermal energy recovery wells (40 CFR 144.81(11) and 146.5 (e)(12) of this chapter);

(C) Brine return flow wells (40 CFR 144.81(13) and 146.5 (e)(14) of this chapter);

(D) Wells used in experimental technology (40 CFR 144.81(14) and 146.5 (e)(15) of this chapter);

(E) Municipal and industrial disposal wells other than Class I; and

(F) Any other Class V wells at the discretion of the Regional Administrator.

(iii) You must provide a list of all wells owned or operated along with the following information for each well. (A single description of wells at a single facility with substantially the same characteristics is acceptable).

(A) Location of each well or project given by Township, Range, Section, and Quarter-Section, or by latitude and longitude to the nearest second, according to the conventional practice in your State;

(B) Date of completion of each well;

(C) Identification and depth of the underground formation(s) into which each well is injecting;

(D) Total depth of each well;

(E) Construction narrative and schematic (both plan view and cross-sectional drawings);

(F) Nature of the injected fluids;

(G) Average and maximum injection pressure at the wellhead;

(H) Average and maximum injection rate; and

(I) Date of the last inspection.

(3) Regardless of whether your well is in a Primacy State or DI Program you are responsible for knowing about, understanding, and complying with these inventory requirements.

(b) *Information in response to requests.* If you are in one of the DI Programs listed in the table above, the UIC Program Director may require you to submit other information believed necessary to protect underground sources of drinking water.

(1) Such information requirements may include, but are not limited to:

(i) Perform ground water monitoring and periodically submit your monitoring results;

(ii) Analyze the fluids you inject and periodically submit the results of your analyses;

(iii) Describe the geologic layers through which and into which you are injecting; and

(iv) Conduct other analyses and submit other information, if needed to protect underground sources of drinking water.

(2) If the Director requires this other information, he or she will request it from you in writing, along with a brief statement on why the information is required. This written notification also will tell you when to submit the information.

(3) You are prohibited from using your injection well if you fail to comply with the written request within the time frame specified. You can start injecting again only if you receive a permit.

§ 144.84 Do I need to get a permit?

No, unless you fall within an exception described below:

(a) *General authorization by rule.* With certain exceptions listed in paragraph (b) of this section, your Class V injection activity is “authorized by rule,” meaning you have to comply with all the requirements of this subpart and the rest of the UIC Program but you don’t have to get an individual permit. Well authorization expires once you have properly closed your well, as described in §144.82(b).

(b) *Circumstances in Which Permits or other Actions are Required.* If you fit into one of the categories listed below, your Class V well is no longer authorized by rule. This means that you have to either get a permit or close your injection well. You can find out by contacting the UIC Program Director in your State or EPA Region if this is the case. Subpart D of this Part tells you how to apply for a permit and describes other aspects of the permitting process. Subpart E of this Part outlines some of the requirements that apply to you if you get a permit.

(1) You fail to comply with the prohibition of fluid movement standard in §144.12(a) and described in §144.82(a) (in