



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

**AUG 31 2016**

Daniel Sanchez  
New Mexico Oil Conservation Division UIC Program Director  
1220 South St. Francis Drive  
Santa Fe, NM 87505

Dear Mr. Sanchez:

With the increased attention on drinking water, and on EPA and state efforts to ensure safe water for consumers, external parties have expressed concern with EPA's process for review and approval of aquifer exemptions; as well as with state and EPA actions to ensure that injection activity within exempted aquifers does not impact Underground Sources of Drinking Water (USDWs). The increased national attention also focuses specifically on oil and gas (Class II) injection well operations potentially injecting directly into USDWs (see 40 CFR 144.3 definition of USDW), and the associated aquifer exemption approvals for those operations. EPA is receiving requests for records and other information on these topics. In an effort to be responsive, but also assure appropriate regulatory measures are applied in both state and Regional UIC programs, EPA Region 6 is initiating an effort to determine whether any oil and gas related injection wells do in fact inject into USDWs in New Mexico that have not been designated and approved by EPA as exempt aquifers, thus not protected under the Safe Drinking Water Act and Underground Injection Control program.

As such, we are respectfully requesting that all Region 6 states review their respective program records for any such injection activity. After your review, please provide us with a description of what information you evaluated, a list of any Class II injection wells that may inject into a USDW, and any other specific permit information on those activities. If none exist, such case should also be reported. If wells injecting into USDWs are identified, we will work with you to bring these wells into compliance to ensure public health protection.

We appreciate your continued partnership with us. If you have any questions or would like to discuss further, please contact me at (214)-665-8324. Thanks for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Dellinger", is written over a circular stamp.

Philip Dellinger, Chief  
Ground Water/UIC Section