



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 26 1996

OFFICE OF
WATER

Mr. Michel J. Paque
Executive Director
Ground Water Protection Council
827 NW 63rd Street, Suite 103
Oklahoma City, Oklahoma 73116

Dear Mike:

Thank you and Jerry Mullican for providing me a copy of the resolution passed by the Ground Water Protection Council Board of Directors requesting that EPA issue a Guidance further clarifying the types of waste fluids that are qualified for injection into Class II wells.

The determining factor for the type of waste that can be injected into a Class II well is fairly clear. The waste must have been brought up to the surface in connection with oil and gas production. In addition EPA has shown some examples of the flexibility that can be exercised in determining what additional fluids can be injected. First, in 46 FR 1489 April 1, 1983, EPA amended the regulations at §146.5(b)(1) to allow the injection of blow-down water from cooling towers and boilers used in the initial drying process of natural gas along with the production brine separated from. Second EPA issued a guidance on July 31, 1987 which states that waste fluids resulting from the treatment of produced brines and co-mingled with produced brines, as well as make up water used for purposes integrally associated with oil and gas production and storage could also be injected. I have enclosed a copy of that guidance for your ready reference. The guiding principle behind these decisions is that the wastes have to be closely related to the treatment and handling of produced fluids.

The majority of oil and gas producing States maintain primary enforcement authority for their Class II UIC program. Because these States have demonstrated that their UIC program fully protects sources of drinking water we trust their judgement and determination on whether or not a particular waste fits within the guiding principles described above. We will continue to work with the Regions managing DI programs when specific issues arise over their interpretation of permissible Class II fluids. Again, I thank you, the GWPC Board and Division II members for expressing your concerns to me through this process. Please feel free to share our position and response to the Board's resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Blanco".

Robert J. Blanco, Acting Director
Ground Water Protection Division

Enclosure

cc: GWPC Board Members



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CONDITIONS

Action 309161

CONDITIONS

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