

## GROUND WATER PROTECTION COUNCIL DIVISION II

### RESOLUTION PERTAINING TO THE REGULATORY CLASSIFICATION OF OIL AND GAS RELATED SIMULTANEOUS PRODUCTION-INJECTION WELLS

WHEREAS, the plain language of Section 1421 and Section 1425 of the Safe Drinking Water Act (SDWA) shows the intent of Congress to regulate the various categories of oil and gas related practices as defined by 40 CFR 144.6(b) as Class II underground injection; and

WHEREAS, throughout the legislative history of the SDWA, States with program primacy have demonstrated effective implementation of UIC programs for oil and gas related injection well operations and have been working in partnership with the Environmental Protection Agency (EPA) to ensure safe and environmentally sound operations; and

WHEREAS, a new production technology, known as simultaneous production-injection (also known as downhole oil-water separation), has been developed that separates oil and/or gas from brine inside the wellbore, produces the oil and/or gas along with a small fraction of brine to the surface, and re-injects the remaining brine within the wellbore into formations below the base of treatable water; and

WHEREAS, the simultaneous production-injection configuration reduces the risk of surface spills and impact to USDWs and can extend the economic life of oil and gas wells over conventional completion techniques in certain wells; and

WHEREAS, primacy states have promulgated regulations and issued Class II permits for simultaneous production-injection wells, EPA regions have not determined that these wells are indeed Class II completions in Direct Implementation areas; and

NOW, THEREFORE, BE IT RESOLVED, that the Ground Water Protection Council respectfully requests that the EPA recognize the enhanced environmental protectiveness of these oil and gas related simultaneous production-injection wells and issue guidance to EPA regions promoting the permitting of these simultaneous production-injection wells as Class II wells.

BE IT FURTHER RESOLVED, that the Ground Water Protection Council will continue to work with EPA to ensure the promotion of new technologies that enhance oil and gas production and provide greater protection of the environment.