

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 652. UNDERGROUND INJECTION CONTROL**

SUBCHAPTER 1. GENERAL PROVISIONS

252:652-1-3. Incorporation by reference

(a) **Code of Federal Regulations.** When reference is made to Title 40 of the Code of Federal Regulations, it shall mean Procedures for Decision-Making and (unless otherwise specified) the Underground Injection Control Regulations, April 1, 1983, as amended through July 1, 2000; ~~including amendments to 40 CFR published in 64 Federal Register 68546 through 68573, inclusive, which became effective April 5, 2000, dealing with underground injection control for Class V injection wells.~~ 2014.

(b) **40 CFR incorporation.** Title 40 CFR Parts 124 (Subpart A), 144, 145, 146, 147, 148 are incorporated in their entirety as they apply to the Underground Injection Control Program, excluding any regulations pertaining to Class VI wells.

(c) **Synonymous terms.** For purposes of interfacing with 40 CFR Parts 124 (Subpart A) or 144-148, the following terms apply:

- (1) Administrator, Regional Administrator, and Director are synonymous with Executive Director.
- (2) State is synonymous with the Department of Environmental Quality (DEQ).
- (3) Public hearing is synonymous with public meeting.

(d) **Citations incorporated by reference.** When a provision of the Code of Federal Regulations is incorporated by reference, all citations contained therein are also incorporated by reference.

(e) **Inconsistencies or duplications.** If there are inconsistencies or duplications in the requirements of those provisions incorporated by reference and the rules in this Chapter, the federal provisions shall prevail, except where the rules in this Chapter are more stringent. However, the rules in this Chapter shall not relieve any person from complying with the minimum requirements found in this Chapter and Title 40 of the Code of Federal Regulations.

252:652-1-5. Hazardous waste

The surface facilities of any Class I hazardous waste injection well shall be subject to the permitting, operating and fee regulations of OAC 252:2005, Hazardous Waste Management.

252:652-1-6. Fees

(a) Class I injection well facilities.

- (1) Permit application - \$2,000.
- (2) Permit renewal - \$500.
- ~~(3) Facility monitoring - \$250 per year.~~

(b) **Class III injection well facilities.**

- (1) Permit application - \$2000
- (2) Permit renewal - \$500
- ~~(3) Facility monitoring - \$250 per year~~

(c) **Class V injection well facilities.** [See 40 CFR 146.5(e)]

- (1) Permit application
 - (A) Wells used for the injection of wastes into a subsurface formation - \$2,000
 - (B) Others listed herein - \$600

- (i) Cooling water return flow wells used to inject water previously used for cooling, excluding air conditioning return flow wells used to return to the supply aquifer the water used for heating or cooling in a heat pump;
 - (ii) Sand backfill and other backfill wells used to inject a mixture of water and sand, mill tailings or other solids into mined out portions of subsurface mines;
 - (iii) Wells used for solution mining of conventional mines such as stopes leaching;
 - (iv) Injection wells used in experimental technologies; and
 - (v) Injection wells used for in situ recovery of lignite, coal, tar sands and oil shale.
- (2) Permit renewal for facilities listed in (1)(A) and (1)(B) of this subsection - \$100
- (3) ~~Facility monitoring - \$250 per year (waste disposal wells only)~~

SUBCHAPTER 3. EXCLUSIONARY SITING CRITERIA FOR CLASS I WELLS

252:652-3-1. Siting criteria

The following rules shall apply to owners and operators of all Class I wells:

- (1) **Groundwater resources and recharge areas.** Except as otherwise provided by Title 27A O.S. § 2-7-111, no permit for a proposed new site shall be granted for a Class I injection well facility to be located over or through an unconsolidated alluvial aquifer or terrace deposit aquifer, or over or through a bedrock aquifer. Site-specific hydrological and geological information which demonstrates that the proposed location does not lie in a prohibited area may be provided by an applicant. The DEQ may require site-specific hydrological and geological information for a facility proposed to be located outside a designated principal groundwater aquifer or recharge area where there is reason to believe the proposed location may be unsuitable due to localized groundwater conditions. Sources used to determine if a site is unpermittable are the "Map of Aquifers and Recharge Areas in Oklahoma", compiled by Kenneth S. Johnson, Oklahoma Geological Survey (1991), and the Oklahoma Water Resources Board rules codified at OAC 785:45 Appendices A through D, inclusively, or any successor map(s) to these sources.
- (2) **Water wells.** No permit shall be granted for a new Class I injection well facility proposed to be located within 1320 feet (one-quarter statute mile) of any public or private water supply well. Provided, however, that existing or proposed private water supply wells located on the applicant's property may be exempt from this paragraph at the applicant's discretion. Where proximity of a Class I facility to water supply well(s) is in doubt, a survey shall be conducted by an Oklahoma licensed land surveyor to determine actual distances.
- (3) **Flood plain.** No new Class I injection well facility shall be permitted in the 100 year flood plain unless the 100 year flood plain is subsequently redefined to not include the land area proposed for the new disposal area.
- (4) **Surface water.** ~~Except as provided by OAC 252:605, no~~ No permit shall be granted for a new Class I injection well facility proposed to be located within the established conservation pool elevation of any reservoir which supplies water for a public water supply.

SUBCHAPTER 11. Class V Drinking Water Treatment Residuals Wells

252:652-11-1. Definitions

“Drinking Water Treatment Residuals” (DWTR) shall mean wastewater (e.g. membrane filter reject water) from drinking water treatment processes.

“Dual Permit” shall mean a Class V permit for the injection of DWTR into a Commercial Class II-D well permitted by the Oklahoma Corporation Commission (OCC).

252:652-11-2. Dual Permit

(a) Applicability. An existing Commercial Class II-D injection well, authorized under the rules of OCC can be additionally permitted as a Class V injection well through DEQ for the injection of DWTR.

(b) Application. An application for a dual permit under this Section shall be submitted to DEQ for approval.

(c) Permit term. The permit term for an injection well permitted under this Section shall not exceed a period of ten (10) years.

252:652-11-3. Class V DWTR Permit

(a) Applicability. Class V permits for the injection of DWTR, which are not regulated under Section 2 of this Subchapter, shall be regulated in accordance with this Section.

(b) Application. An application for a permit, under this Section, shall be submitted to DEQ for approval.

(c) Construction and Operation. The construction and operation requirements of a Class V DWTR injection well shall be in accordance with the Commercial Class II-D injection well requirements in OAC Title 165.

(d) Permit term. The permit term for a well permitted under this Section shall not exceed a period of ten (10) years.

(e) Financial assurance. Financial assurance is required for all Class V DWTR injection wells, permitted under this Section, in accordance with 40 CFR 144 Subpart F.