



EPA Administration of Class II Injection Wells Talking Points



Idaho has implemented an Underground Injection Control (UIC) program since 1971, obtaining primacy over Class V injection wells from the EPA in 1985.

Class II wells are a specific class of UIC wells that are used to primarily dispose of salt water produced from oil and gas production wells, or to dispose of other waste streams associated with oil and gas production. To date, Idaho has never had a Class II program or issued a permit to construct and operate a Class II well.

The need to administer and permit Class II wells is relatively recent, dating back to 2010, when there was rapid growth in oil and gas development in SW Idaho. Since that time, the Idaho Department of Water Resources (IDWR) has been working with the Environmental Protection Agency (EPA) to revise its UIC primacy to update the Class V injection well program and add a Class II injection well program.

From 2010 to 2015, IDWR worked with the public, the Idaho Water Resource Board, the EPA, and the Idaho Legislature to update its administrative rules, governing statutes, and policy to support a primacy revision package to the EPA.

In 2015, IDWR submitted a primacy revision package to the EPA. In response, despite the previous five years of coordination between IDWR and the EPA, the EPA sent a comment letter back to Idaho identifying many new deficiencies. Many of the newly identified deficiencies were specific to the Class V program and many would require additional rule and statute changes to resolve.

IDWR concluded in late 2016 that it would be several more years before it could meet the EPA's new list of requirements.

In 2017, the oil and gas industry's need for injection wells and an approved Class II program intensified. In response, IDWR and the Idaho Department of Lands (IDL) participated in a series of coordination meetings with the EPA and oil and gas industry representatives.

At a coordination meeting in June of 2017, three different options were identified for proceeding forward to resolve administration of Class II wells. The option identified with the shortest timeline was for the EPA to administer the program and issue permits out of its Region 10 office. The EPA estimated that it could obtain the necessary legal authority to administer a Class II program in Idaho in less than a year, should Idaho formally request that action.

In August 2017, after coordination with IDL and oil and gas representatives, IDWR sent a letter to the EPA formally requesting that they administer a Class II program and issue permits in Idaho.

EPA administration of a Class II program in Idaho will enable the program to move forward and fulfill the immediate needs of oil and gas operators to dispose of produced water in a safe and effective manner.