

**MONTANA
UNDERGROUND
INJECTION
CONTROL
PROGRAM
DESCRIPTION**



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Montana Underground Injection Control Program Description

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Denver, Colorado

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Montana Underground Injection Control Program Description

I. Structure, Coverage, Scope and Organization

This briefly describes the background and purpose of the Montana Underground Injection Control Program.

The use of injection wells for disposal of waste materials, storage of hydrocarbons, and the recovery of oil and gas is a common but largely unregulated practice in the State of Montana.

Neither the Montana Department of Health and Environmental Sciences (DHES) nor the Montana Oil and Gas Conservation Commission have demonstrated an interest in assuming responsibility for the regulation of injection wells. Both agencies lack the legislative authority necessary to fully assume the Federal UIC program. While the intent of the Safe Drinking Water Act was to encourage states to assume primary enforcement authority for the Underground Injection Control (UIC) program, in those cases where the state is unable to meet the program requirements or where the State does not apply for the program, the Administrator of EPA must prescribe a program for that state. In compliance with this requirement, the Administrator of EPA has prescribed Sections 124, 144 and 146 to the Federal Register establishing the regulatory framework for implementation of the UIC program in Montana. Additionally, the Administrator has proposed (Federal Register, September 2, 1983) a new Subpart BB to 40 CFR Part 147 which specifically addresses the UIC program in the State of Montana.

Injection well activities have been divided into five classes. The classes are described in detail in Sections 144.6 and 146.5 of the Federal Register. In general the classification of wells is as follows:

- Class I Wells used by municipal and industrial dischargers to dispose of waste materials below the lowermost formation containing an underground source of drinking water.
- Class II Wells which inject fluids associated with the recovery of oil or natural gas. This includes brine waste injection, enhanced recovery of oil or natural gas, and storage of hydrocarbons.
- Class III Wells used for the extraction of minerals.
- Class IV Wells used to dispose of hazardous waste materials into or above a formation containing an underground source of drinking water.
- Class V Wells not included in Classes I-IV including air conditioning return flow wells, cesspools, drainage wells used for storm runoff, etc.

Since the State of Montana has no program in place to regulate any of the five classes of wells, EPA will be vested with this responsibility.

The inventory of injection wells (prepared in 1980 by the Montana Bureau of Mines and Geology) indicates wells in the following classes:

<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>
0	1,447	0	0	Inventory to be completed by 1985

The Bureau of Land Management (BLM), U.S. Department of Interior has a permit program to regulate injection wells on Indian lands and Federal leases. The BLM program is different from the U.I.C. program in many respects. However, EPA and the Montana BLM office are in the process of reviewing the differences and arranging for cooperation and support in the conduct of programs of mutual responsibility and conduct. Both agencies hope to enter into a cooperative agreement on the implementation of the respective programs.

EPA will implement the program through two offices: The Denver Regional Office and the Montana Office located in Helena, Montana. The Regional Office will be responsible for program direction as well as administrative and technical functions related to permit issuance and compliance monitoring. The Helena Office will maintain lead responsibility for liaison and assistance to the Montana Oil and Gas Commission and DEHS. The Montana Office of EPA will also provide compliance inspection assistance, emergency response capability, respond to citizen complaints, attend public hearings as necessary, and perform field activities. The permit work load will be shared between the Denver and the Helena Office. All final permits and all administrative notices associated with permit issuance will be made by the Drinking Water Branch in the Regional Office. Attachment A graphically illustrates the relationship between the Regional Office and the Montana Office.

II. Authorization of Injection Activities

Once a program is established in a state, the Safe Drinking Water Act provides that all underground injections are unlawful and subject to penalties unless authorized by a permit or a rule. The specific regulations governing authorization by rule and by permit are contained in 40 CFR Parts 144 and 146 and 147 Subpart AA. This section summarizes the two ways wells may be authorized.

A. Authorization by Rule

40 CFR Part 144 Subpart C and 40 CFR Part 147 Subpart AA authorize the following wells for the indicated periods of time (times are from the effective date of the program):

1. Existing Class II (except hydrocarbon storage and enhanced recovery wells) wells are authorized for up to five years at which time the well must be permitted.
2. Existing Class I and III wells are authorized for up to one year at which time the well must be permitted.
3. Existing Class II hydrocarbon storage and enhanced recovery wells are authorized for the life of the well.
4. Existing Class IV wells injecting directly into a USDW are authorized for a period of six months. (After authorization by rule expires, such wells are banned and must be abandoned according to an approved abandonment plan.)
5. Existing Class IV wells injecting above a formation containing a USDW are authorized until requirements under future regulations become available.
6. Injection into a Class V well is authorized until requirements under future regulations become available.

All existing Class II wells authorized by rule must still comply with the operating monitoring and reporting requirements set forth in 40 CFR Part 146, within one year of the effective date of the program (except the requirements pertaining to mechanical integrity).

Class IV and V wells are required to meet certain inventory and reporting requirements within one year of authorization by rule.

The Regional Administrator may require an operator to submit a permit application when:

1. The injection well is not complying with the provisions of the rule.
2. The injection well ceases to be in the category of wells authorized by rule, or
3. the protection of USDW's require that the injection operation be regulated by requirements not contained in the rule.

Rules authorizing well injections for which permit applications have been submitted shall lapse for a particular well injection or project upon the effective date of the permit or permit denial for that well injection or project.

B. Permitting Process

All Class I, II and III wells not in operation prior to the effective date of the Montana implementation program must submit permit applications and be permitted by EPA before drilling or injection may begin.

As the Montana regulations become ready for implementation, the Regional office will develop an approach that will best announce the program's initiation to the regulated community and public at large. Varied forms of written information and of media will be evaluated and used.

Using priorities enumerated in part VI, the Regional Office and the Montana Office of EPA together will identify a group of well owners and request completion of permit applications. The opportunity for receiving and issuing a single permit for a group of interconnected wells, such as a well field or an oil and gas enhanced recovery project will be evaluated.

Application forms with instructions will be forwarded to the owners of injection wells identified. Staff will be made available to meet with owners in pre-application conferences. A tracking system will be used to manage the work flow, to identify the status of all application from the time applications are requested through to permit issuance. Later, a compliance tracking module will be added. Minicomputer access to a common tracking system (and data base) is being planned for both the Denver and Helena offices of EPA.

Prior to application submission, the applicant is required to deliver or mail notice of the permit application to the owners of the surface of the land and the tenants of the land within one-quarter mile of the site of the planned injection well and to each operator of an injection or producing lease within one-quarter mile of the well location.

The notice must include the name and address of the applicant, a brief description of the planned injection activity including well location, name and depth of injection zone, maximum injection pressure and volume, type of fluid to be injected, the EPA contact person, and state that opportunity to comment will be announced after EPA prepares a draft permit. If mailed, the letters must be sent by certified mail, return receipt requested. The mail receipts must be submitted with the permit application. If personally delivered, the applicant must ask the person receiving the notice to certify in writing that they received the notice and the date of receipt. These certifications must be submitted with the permit application.

All completed applications are to be mailed to:
Chief, Drinking Water Branch (8WM-DW)
Environmental Protection Agency
1850 Lincoln St.
Denver, Colorado 80295

The responsibility for the expeditious review and processing of all permit applications will be shared between the Regional Office and the Montana Office. Explicit procedures for review and processing of permits are contained in 40 CFR Part 124. The major steps involved in issuance of a permit include:

- initial review for completeness
- notify applicant of completeness, require supplemental information if necessary
- draft permit
- preparation of fact sheets, or statement of basis
- issue public notice
- hold public hearing if necessary
- issue or deny permit

The technical requirements of each permit will be based upon the requirements established in 40 CFR Part 146. The following is a summary of some of the major elements of Part 146, for more information, please refer to the regulations.

1. Construction Requirements. All permits will require that Class I and II well operators site their wells to inject into a formation that is separated from a USDW by a confining zone. All wells shall be cased and cemented to prevent movement of fluids into or between USDW's.
2. Mechanical integrity. All wells must demonstrate mechanical integrity. A well has mechanical integrity if there is no significant leak in the casing, tubing or packer and there is no significant fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore. Well permits will prescribe the appropriate methods for determining mechanical integrity. Depending on the class and type of well, mechanical integrity test may include monitoring of annulus pressure, pressure test with liquid or gas, monitoring records, temperature or noise log and/or cementing records (classes II and III only). See also VII below.

3. Operating, Monitoring and Reporting Requirements. Permits shall establish maximum operating pressure. The pressure shall be calculated so as to assure that the pressure in the injection zone does not initiate new fractures or propagate existing fractures. Permits shall also establish the frequency and method of monitoring and the frequency and extent of reporting to be made to EPA.
4. Plugging and Abandoning. All Class I-IV wells must include a plan for abandonment. The plan must include procedures for plugging with cement in a manner which will not allow the movement of fluids either into or between USDW's.
5. Corrective Action. All permit applicants (except existing Class II) shall identify the location of known wells within the injection well's area of review which penetrate the injection zone. If the wells are improperly sealed or abandoned, the applicant must submit a plan consisting of steps necessary to prevent the movement of fluids into USDW's. If adequate, the plan will be incorporated into the permit as a condition.

III. Compliance Tracking and Enforcement

Whether authorized by rule or permit, the injection well operator must comply with EPA requirements. The methods of determining violations and enforcement against them, as well as routine investigation are described in this section. Criteria for determining compliance and noncompliance is currently the subject of a national workgroup.

A. Reports

Each facility owner/operator is required to submit reports to the Chief, Drinking Water Branch (8WM-DW), Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295. The content and schedule for submission of such reports is established by permit or rule.

The Drinking Water Branch will log in the receipt of the reports and conduct a preliminary review to determine compliance status, and completeness of the report. If an owner or operator fails to submit required reports or the report is incomplete, the Drinking Water Branch will notify the owner or operator of the status and give a specified period of time to respond. If the owner/operator is uncooperative or unresponsive he or she will be notified that enforcement action may be taken.

During authorization by rule, failure to meet a reporting requirement automatically results in termination of the owners authorization and the owner

must apply for an individual permit.

If reports indicate that a facility is exceeding the operating limits established by rule or permit, the report will be forwarded to the Montana Office of EPA for follow-up action. Such action may include a letter to the operator requesting an explanation of the violation and steps taken to correct the problem, a site visit to verify data, or other action as necessary. If the response is not satisfactory, EPA may initiate further action, including permit termination and enforcement proceedings. All enforcement case preparation and referral actions will be conducted in the Drinking Water Branch and Office of Regional Counsel with assistance from the Montana Office. Attachment A illustrates the relationship between the Montana Office and the Regional Office in compliance monitoring and enforcement activities.

B. Surveillance Activities

The Montana Office staff or a qualified contractor will conduct site investigations where samples of the injected fluid may be taken and injection and annulus pressure determined, if appropriate. Files may also be examined to insure that records are being properly maintained. Prior to conducting the inspection, the representative from EPA will present the owner or operator a Notice of Inspection (see attachment E). A duplicate notice will be entered into the official file.

To insure uniformity of investigations an inspection checklist will be developed. Approximately 30 investigations will be conducted each year, in addition to the witnessing of plugging operations and mechanical integrity tests. Primary targets for these investigations will be those facilities with operating or nonreporting violations and those cited in citizen complaints.

Any noncompliance noted during an inspection will be included in the inspection report issued to the owner/operator following the inspection. Explanations of the violations noted in the inspection report and/or corrective action taken must be sent to the Montana Office within 15 days of receipt of the inspection report.

C. Enforcement

Other than the inspection report described above, the Montana Office may recommend that a warning letter be issued from the Denver Office of EPA with a specific time frame for resolution. If no response or an unsatisfactory response is received from the operator within 30 days of receipt of the warning letter, EPA may modify or terminate the permit, or may seek enforcement action in the Federal courts to enjoin the owner/operator to reduce or halt further injection activity. EPA may also determine whether

there exists an imminent or substantial threat to the health of persons and take such administrative or court action necessary to protect the public health.

When suing to recover penalties in court, the following limits shall apply (Section 1423(b)(2)):

1. Civil cases - not more than \$5,000 per day.
2. Criminal cases - not more than \$10,000 per day.

The amount of civil or criminal penalty sought by EPA will be appropriate to the violations and may be based on such criteria as frequency and severity of violation.

IV. Inventory

The injection well inventory for Montana was prepared under contract by the Montana Bureau of Mines and Geology, a research department of the State University system. Information on approximately 1500 wells have been entered into a computerized data processing system. The inventoried wells cover Classes I-IV. The only class for which data has been generally available, however, has been Class II.

All injection wells authorized by rule are required to submit inventory information to EPA no later than one year after authorization by rule. At a minimum, the following information must be submitted:

- facility name and location
- name and address of the legal contact
- ownership of the facility
- number of injection wells
- nature and type of injection wells
- operating status of injection wells
- date of well completion
- formation into which the well is injecting

The information will be used to update and verify the data gathered by the Montana Bureau of Mines and Geology.

In addition to the above, owners and operators of Class V injection wells are required to notify EPA of the existence of any well meeting the definition of a Class V well under his or her control within one year of the time EPA's program becomes effective. Within three years of the time that EPA's program becomes effective, EPA is required to complete a Class V inventory and

assessment report. The report will contain information on the nature and volume of the injected fluids, an assessment of the contamination potential of the Class V wells, an assessment of the available corrective alternatives where appropriate and their environmental and economic consequences, and recommendations both for the most appropriate regulatory approaches and for remedial actions where appropriate.

The Class V inventory is being conducted under a grant to Montana State University.

V. Emergency Response

Rapid response to emergencies in Montana is facilitated by the presence of the EPA Montana Office located in Helena. During office hours, the Montana program manager or staff may be reached at (406)449-5414. After business hours and on weekends a telephone answering machine will take messages and advise the caller of the availability and toll-free phone number of the National Emergency Spill Response Team.

The program manager will report to the Regional Office, by telephone, any emergency response activities as soon as practicable.

VI. Schedule and Priority for Issuing Permits

The following factors will be used to establish priority order for permit issuance:

1. Injection wells known or suspected to be contaminating underground sources of drinking water;
2. Injection wells known to be injecting fluids containing hazardous contaminants;
3. Likelihood of contamination of underground sources of drinking water;
4. Potentially affected population;
5. Injection wells violating existing State requirements;
6. Coordination with the issuance of permits required by other State or Federal permit programs;
7. Age and depth of the injection well; and
8. Expiration dates of existing UIC permits.

The injection well inventory prepared by the Montana Bureau of Mines and Geology identified only Class II wells. No Class I, III or IV wells were identified. All Class II wells are authorized by rule at the time the program becomes effective.

All wells authorized by rule are subject to the reporting requirements of the applicable regulations one year from the effective date of authorization. In a number of cases it is possible that the Regional Administrator will conclude from the monitoring and reporting data that there is need to require the well owner/operator to apply for a permit based upon the priorities established above. In such cases the Regional Administrator will notify the operator in writing that a permit application is required, why the permit is required, and when the application is required.

An operator of a well authorized by rule may also request that the well shall cease to be authorized by rule and apply for an individual or area permit.

In most cases operators are not expected to voluntarily apply for an individual permit, nor does EPA anticipate that a review of the monitoring data will disclose the need for a permit. To avoid the undesirable position of attempting to permit the vast majority of the Class II disposal wells during the fifth year of the program, EPA is proposing to stage the permit work load over the five year authorization period consistent with the priorities established above. Existing wells injecting into formations which have the potential to contaminate USDW's will be permitted first - possibly within the first 12 months of the program. The wells will be identified by field. EPA will notify well owners in writing at least 90 days prior to the date to file the application of the need for such application and the reason for the decision. Additionally, if an owner/operator of existing wells seeks a permit for a new well to inject into a field containing existing wells, EPA reserves the right to request a single area permit for that field.

The target permit schedule for existing wells (as a percent of the total) is:

<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>	<u>4th year</u>	<u>5th year</u>
15%	25%	25%	25%	10%

If the number of permit applications for new facilities is below the anticipated levels (and permitting resources are therefore available) EPA may expedite the above schedule and issue all of the permits to existing wells within the first two to three years of the program.

VII. Mechanical Integrity Testing

Before a new injection well is put into operation and prior to the issuance of a permit for each well and at a minimum of once every five years thereafter for the life of the project and permit, the owner/operator of the well is required to demonstrate the mechanical integrity of the well or system. An injection well has mechanical integrity if:

1. There is no significant leak in the casing, tubing or packer; and
2. There is no significant fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore.

To determine the absence of significant leaks in the casing, tubing or packer EPA has approved the following test methods:

1. Monitoring of annulus pressure; or
2. Pressure test with liquid or gas; or
3. (For certain Class II enhanced recovery wells only - see 40 CFR Part 146.08) Records of monitoring showing the absence of significant changes in the relationship between injection pressure and injection flow rate.

In most cases monitoring of the annulus pressure will suffice. However, for a representative sampling of wells per field EPA will require owners/operators to conduct pressure tests. The pressure tests will assist in assuring that all like wells in the field have mechanical integrity and that the monitoring of annulus pressure has validity for wells of similar age and construction within the same field. Owners/operators of wells required to conduct pressure tests will be notified at least 90 days in advance of the test date. If there is a reason for exempting the specific well from the pressure test, the owner/operator will be given an opportunity to present evidence on why the well should not be pressure tested. If possible, the evidence should be submitted as part of the application for permit. Where pressure tests are conducted EPA will make every attempt to have an inspector witness the test.

To determine the absence of significant fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore, one of the following methods must be used:

1. The results of a temperature or noise log; or

2. (For Class II only) cementing records demonstrating the presence of adequate cement to prevent such migration; or
3. For Class III wells where the nature of the casing precludes the use of the logging techniques cementing records demonstrating the presence of adequate cement to prevent such migration. In such cases a special monitoring program will be prescribed for the owner/operator of the well.

Again, in order to insure the mechanical integrity of a well, EPA will require a representative sampling of wells in each field to submit temperature or noise logs. EPA will follow the same notification and exemption procedures for temperature and noise logs as is described above for pressure testing.

To ensure that a relatively equal number of wells are tested for mechanical integrity each year, EPA will notify a number of owners/operators that they will be required to run a mechanical integrity test within a specified period of time. Failure to comply with such a request may constitute grounds for revoking the operator's permit or authorization by rule.

VIII. Exempted Aquifers

EPA provided a grant to the Montana Bureau of Mines and Geology for the purpose of mapping the location and quality of aquifers in the State of Montana. The information gained through this contract provides EPA with the basis for classifying underground sources of drinking water and for exempting aquifers which meet the criteria established in 146.04.

An aquifer may be an "exempted aquifer" if it meets the following criteria:

1. It does not currently serve as a source of drinking water; and
2. It cannot now and will not in the future serve as a source of drinking water because:
 - It is mineral, hydrocarbon or geothermal energy producing, or can be demonstrated by a permit applicant as part of a permit application for a Class II or III operation to contain minerals or hydrocarbons that considering their quantity and location are expected to be commercially producible;
 - It is situated at a depth or location which makes recovery of water for drinking water purposes economically or technologically impractical;
 - It is so contaminated that it would be economically or technologically impractical to render that water fit for human consumption; or

- It is located over a Class III well mining area subject to subsidence or catastrophic collapse; or

3. The Total Dissolved Solids content of the ground water is more than 3,000 and less than 10,000 mg/l and it is not reasonably expected to supply a public water system.

Aquifers which contain 10,000 mg/l or more of dissolved solids are not considered USDW's.

The ground waters found in Montana are generally of high quality. Most aquifers are considered USDW's. Exceptions can be found in the Madison Group and in the Pennsylvanian. In the Madison Group, near the periphery of the Williston Basin, where the Charles Formation is largely an anhydrite, dissolved solids rapidly increase from 4,000-5,000 mg/l to more than 15,000 mg/l within a distance of about 10 miles. The dissolved solids content of water from the Madison Group near the center of the Williston Basin is greater than 300,000 mg/l or about ten times that of seawater.

Because of the high quality of the aquifers in Montana, EPA is proposing to exempt only those portions of the injection formation within 1/4 mile of an existing injection well (or field where applicable). A description of the exempted areas is included as Attachment C. If a well owner wishes to exempt an entire field of wells, the owner must supply EPA with the information necessary to make such an exemption within 45 days of the date of program proposal in the Federal Register.

EPA feels that these portions of aquifers meet the criteria for exemption established in 146.04 for several reasons. The Montana Board of Oil and Gas Conservation requires that all salt water disposal wells inject "into the strata from which produced or other proven salt water bearing strata" (36.22.1228). A review of the inventory of wells and the available water quality data indicates that although many of the injection strata are water bearing, the total dissolved solids (TDS) content is generally between 4,000 and 7,000 mg/l. None have been found to be less than 3,000 mg/l.

By definition, the zones into which the enhanced recover wells inject are hydrocarbon producing and eligible for exemption under 146.04(b) (provided that the aquifer is not currently being used as a source of drinking water).

To ensure that none of the proposed aquifer exemptions are being used as a source of drinking water, EPA is making visual inspections of some areas and reviewing water appropriation data.

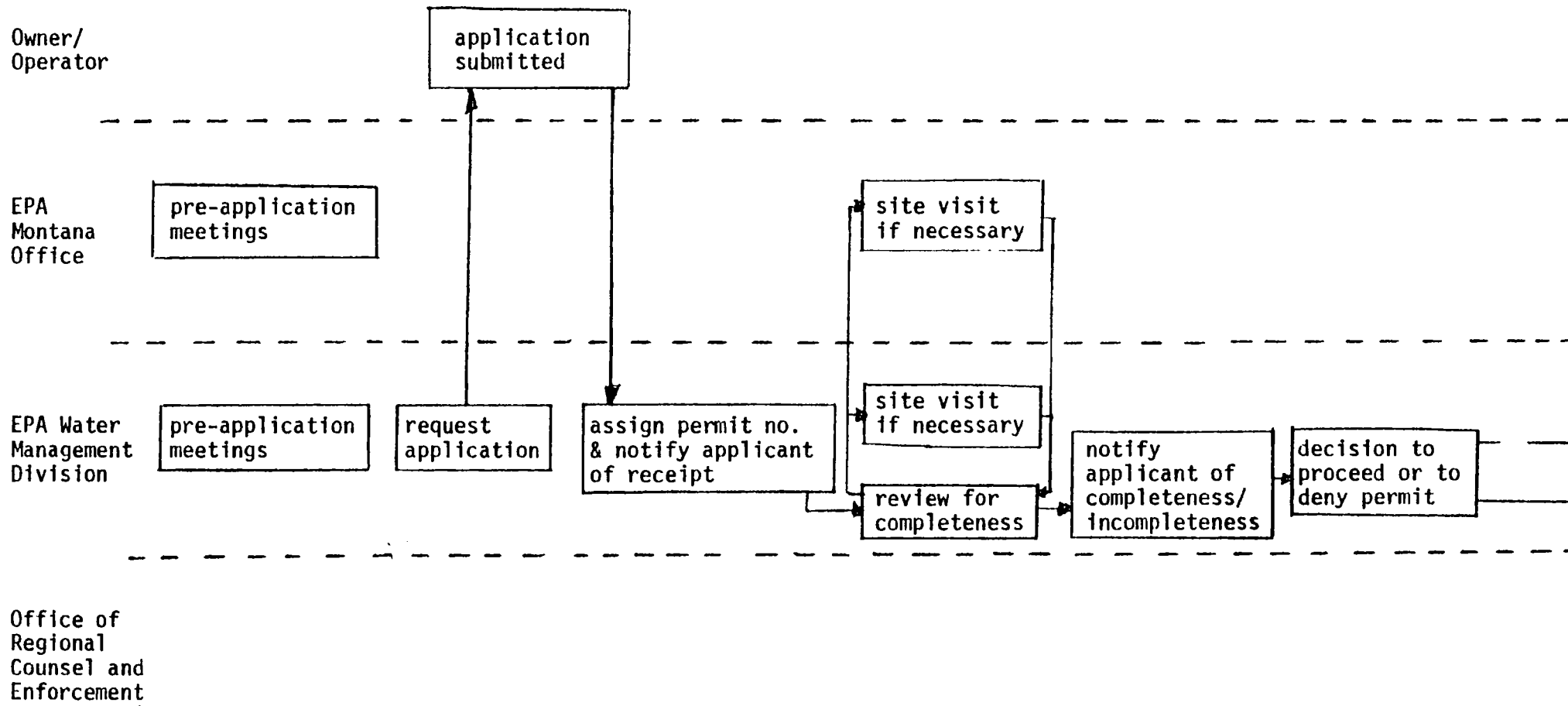
Subsequent to promulgation of this program for Montana, the Regional Administrator may, after notice and opportunity for a public hearing, identify

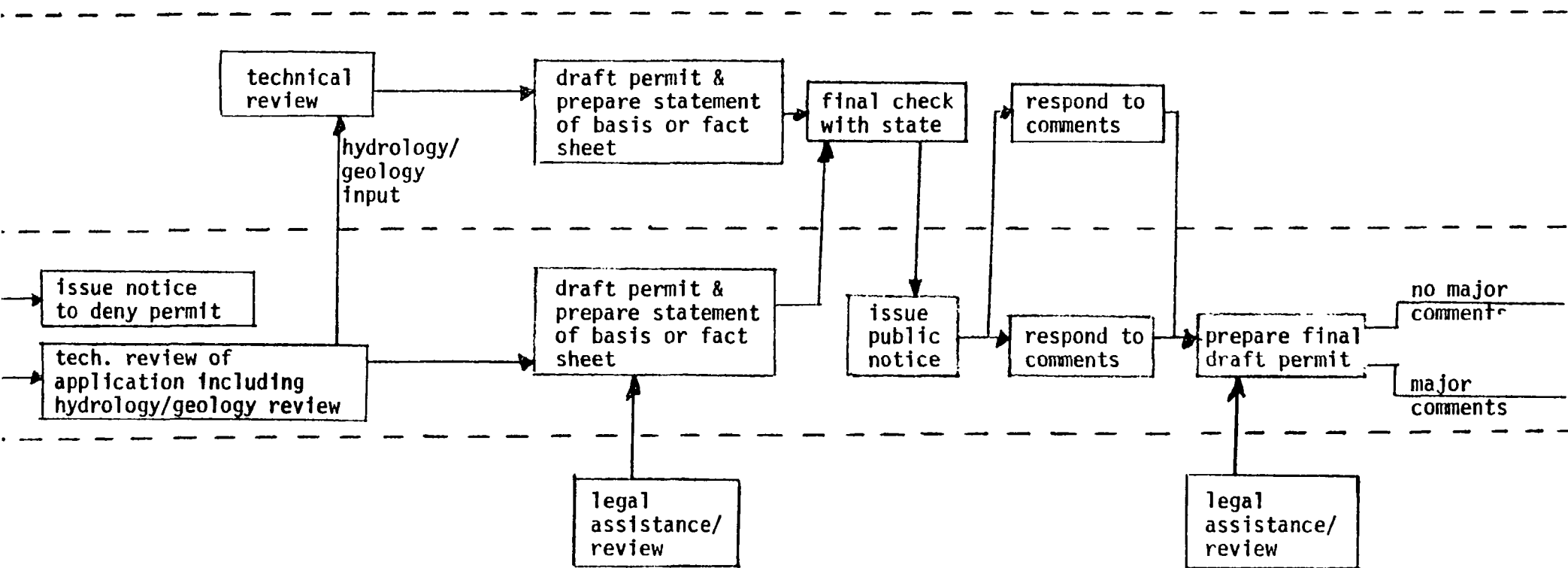
additional exempted aquifers. Such subsequent exemptions will be defined as either major or minor. Major exemptions will be made by rulemaking procedures. Minor exemptions would ordinarily be made by EPA without publication in the Federal Register, although public notice and opportunity for a hearing will be provided in all cases.

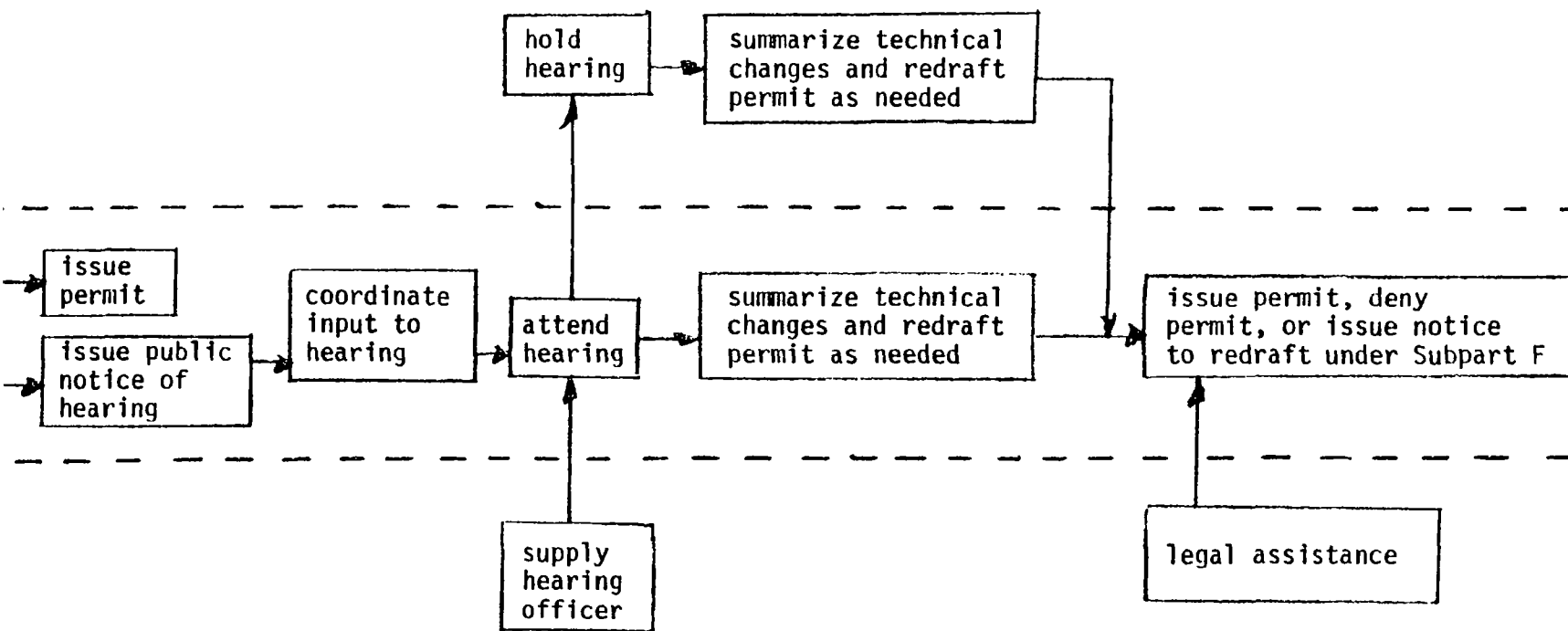
Major exemptions would be defined as any exemption of an aquifer containing less than 3000 mg/l total dissolved solids that is (a) related to any class I or IV well; or (b) not related to action on a permit.

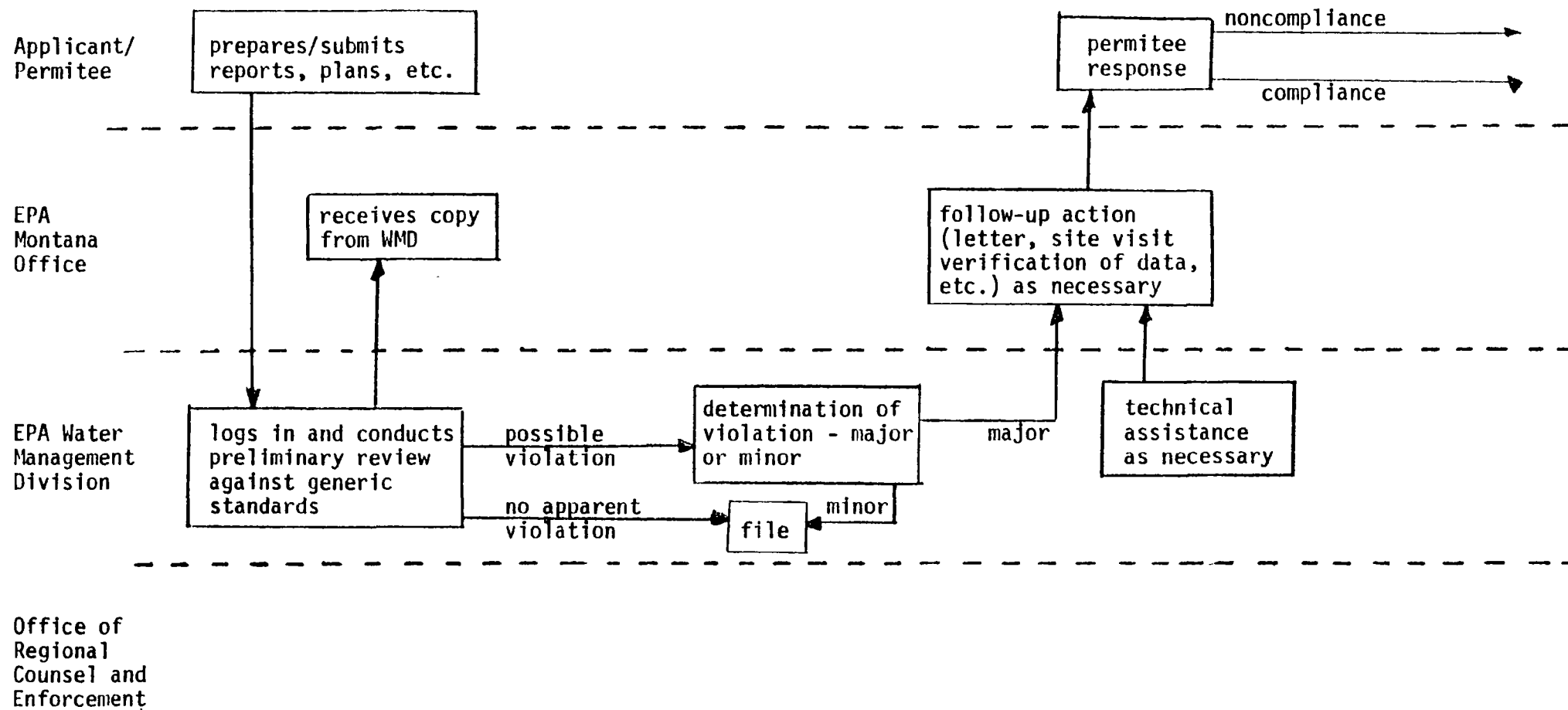
All exemptions not defined as major would be considered minor. Minor exemptions would therefore include all exemptions considered as part of a single permitting action.

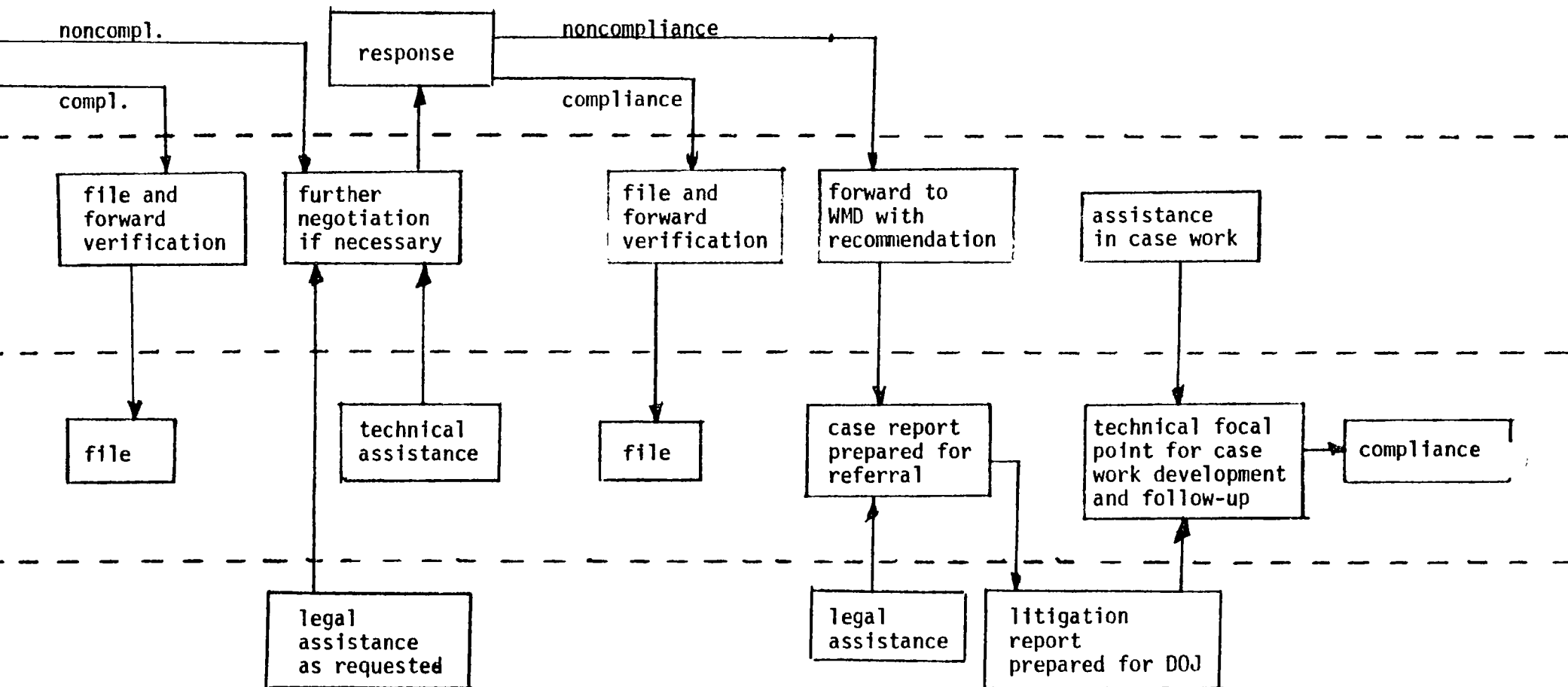
ATTACHMENT A
WORK FLOW CHARTS











ATTACHMENT B
ORGANIZATION CHARTS



ATTACHMENT C
PROPOSED AQUIFER EXEMPTIONS

PROPOSED AQUIFER EXEMPTIONS

The ground waters in Montana are generally of high quality. Most of the aquifers are considered to be underground sources of drinking water (USDW's).

Because of the high quality of aquifers in Montana, EPA is proposing to exempt only those portions of the injection formation within one-quarter (1/4) mile of an existing injection well. Exemptions are limited to the functions of the existing class of well. A list of the known injection wells is attached. Formations above and below injection horizons are not being considered for exemptions.

If a well owner wishes to apply for an exemption for an entire field of wells, the owner must supply EPA with the information necessary to make such an exemption within 45 days of the date of program proposal in the Federal Register.

(Note: The complete listing of aquifer exemptions is available in either the Region VIII Office or the Montana Office of EPA.)

ATTACHMENT D
PUBLIC PARTICIPATION PLAN

Montana Public Participation Plan

Underground Injection Control

I. Informing the Public

The public needs to be informed and knowledgeable about the underground injection activities in Montana so that their views can be known and considered in the decision-making activities of the Environmental Protection Agency. The primary methods of informing and educating the public are summarized below.

A. Public Notification

Public notification of significant decisions is required for programs under the Safe Drinking Water Act.

The applicant for a permit is required to hand deliver or mail notice of the permit application to the owners of the land and tenants of the land within one-quarter mile of the site of the planned injection well and to each operator of an injection or production lease within one-quarter mile of the well location. If mailed, the letters must be sent by certified mail, return receipt requested, and the mail receipts submitted with the permit application. If hand delivered, the applicant must ask the person receiving the notice to certify in writing that they received the notice, and note the date of receipt. These certifications must be submitted with the permit application.

When a draft permit has been developed, EPA will publish notice in newspapers within the area affected by the facility or activity. This notice will allow 30 days for public comment on the draft permit and to request a hearing on the draft permit application.

The Regional Office of EPA in Denver will notify the public when 1) a permit application has been tentatively denied, 2) a hearing has been scheduled, and 3) when an appeal of a permit has been granted. Public notices for tentatively denying a permit or granting an appeal will allow 30 days for public comment. Notices for public hearings will include a list of the permits to be discussed and will be published in local newspapers at least 30 days before the hearing date.

In order to be effective, the public notice regarding underground injection activities must reach the persons potentially affected by the activities. To inform interested parties in Montana of the EPA program and of where public notices will be published, the following guidelines will be followed:

1. Periodic mailings by the Regional Office, using the mailing list described below, will advise citizens where draft permits may be reviewed,

where notices will be published, and who to contact for further information.

2. A comprehensive mailing list will be developed. The mailing list will be subdivided by area of interest and geography areas to facilitate the dissemination of information to appropriate recipients. It will include:

- a. The permit applicant
- b. The Montana Board of Oil and Gas Conservation
- c. Local news media reporters and editors
- d. Montana Department of Health and Environmental Sciences officials
- e. USGS officials
- f. Local and county officials
- g. Injection facility owners/operators (list assembled by the Montana Bureau of Mines and Geology)
- h. Other interested persons (to be solicited by periodically publishing a notice in the local newspapers, State newsletters, etc., explaining the opportunity to be placed on the mailing list).

3. Once developed, the mailing list will be maintained and periodically updated. Yearly, the Regional Office will send a preaddressed return card to all mailing list recipients, with a deadline for reply if they choose to remain on the list. Those who fail to respond may be deleted from the list.

4. In addition to notices published in local newspapers when a public hearing is scheduled, news releases will also be prepared by the Regional Office of EPA. Other methods to obtain public participation will be used as appropriate. Offers to speak at civic group meetings, schools, etc., will be accepted as time permits.

B. Public Hearings

Public hearings, mentioned above, are another mechanism for public involvement. Hearings will not be necessary for each permit, but will be scheduled when there has been significant interest concerning a draft permit or application denial. "Significant interest" and the decision to hold the hearing will be determined by the Denver Regional Office after evaluation of the comments received in response to the public notice and after consultation with the Montana Office of EPA. Hearings will be held within a reasonable distance of the proposed injection well or field.

II. Responding to the Public.

A. Comments on Applications

Written comments concerning draft permits will be logged in as they are received by the Regional Office. A standard letter acknowledging receipt of the comments will be mailed to each person making comments. All comments raised during the public comment period or during a hearing will be evaluated and considered in making the final decision. A responsiveness summary will be issued by the Regional Office when the final decision is reached.

Each responsiveness summary will briefly describe and respond to all significant comments. It will also specify if any of the draft permit provisions have been changed and why. This summary will be made available for the public review in both the Montana and Regional Offices. Copies of the responsiveness summary will be sent to each person who commented and to others upon request.

3. Complaints on Operations

Our informational program will describe how people can contact EPA if they suspect ground water contamination or faulty operation and maintenance techniques. The Montana Office will keep a log of the complaints that are received or referred to that office. A summary of this log, as well as follow-up action taken, and resolution of the problem, will be included in the monthly report to the Regional Office. The person who called or wrote explaining the problem will be contacted about the resolution of the problem.