

**RULE MAKING OUTREACH DOCUMENT**

**Responses to Oral Comments**

**Received April 18, 2014**

**Water and Waste Advisory Board Meeting**

**Wyoming Water Quality Rules and Regulations**

**Chapter 24**

**CLASS VI INJECTION WELLS AND FACILITIES**



**April 7, 2015**

### List of Commenters

Chairwoman Marjorie Bedessem, Water and Waste Advisory Board  
Lorie Cahn, Water and Waste Advisory Board

### Comments and Responses

#### *General Comments*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn noted a number of capitalization and punctuation errors throughout the chapter.

**Response:** WDEQ/WQD made the requested edits from the notes submitted by Ms. Cahn.

#### *Section 2*

*(gg)*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn pointed out that the proposed definition of “plume stabilization” is confusing. It seems that there is something missing after “injected and subsurface.”

**Response:** WDEQ/WQD edited the passage so that it now states “the carbon dioxide that has been injected subsurface...”

*(ll)*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn wondered if it is necessary to include “non-adversary” in the definition of “public hearing”. She disagrees with the inclusion of “non-adversary.”

**Response:** WDEQ/WQD reviewed the passage. Chapter 3 of DEQ’s Rules of Practice and Procedure Section 4, covers hearings such as rulemaking hearings or hearings by an administrator of a division of DEQ. The section requires in subsection (a) that “each hearing is non-adversary and there are no formal pleadings or adverse parties.” The definition in Chapter 24 relies on Chapter 3 or the Rules of Practice and Procedures as a reference, so the definition will remain as written.

*(mm)*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn wondered why the definition of radioactive waste refers to the NRC regulations, which has a higher standard of picoCuries per liter concentrations than the drinking water standard for radionuclides.

**Response:** WDEQ/WQD reviewed the passage. This language is from the federal Underground Injection Control (UIC) rules, 40 CFR 146.3. The passage will remain as written.

*(tt)*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn pointed out that “mg/l” should be “mg/L.”

**Response:** WDEQ/WQD has made the requested edit.

***Section 3***

***(b)(i)***

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn noted that “well(s) were” should be changed to “well(s) was/were”

**Response:** WDEQ/WQD has made the requested edits.

***(b)(ii)***

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn wondered why wells would not be subject to the cementing and casing requirements stated in Section 9(b)(i) through (vii).

**Response:** WDEQ/WQD reviewed the passage. The federal rules, located at 40 CFR 146.81, allow for exemption from the casing and cementing requirements, at the discretion of the Director. In the case of WQD’s rule, the exemption would be reviewed on a case by case basis by the WQD administrator. The applicant would have to demonstrate that the wells would not endanger USDW’s in order to receive such an exemption.

***Section 4***

***(c)(i)(C)***

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn pointed out the subsection is worded in a confusing manner. She requested that WQD reword the passage if it is not in the federal rule.

**Response:** WDEQ/WQD reviewed the passage. This language is from the federal UIC rules, 40 CFR 144.51 (c). The passage will remain as written.

***4(c)(i)(S)***

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn pointed out the subsection is worded in a confusing manner.

**Response:** WDEQ/WQD reviewed the passage. This language is federally approved. The same passage appears throughout the UIC rules for other state programs nationwide. The passage will remain as written.

*4(c)(i)(V)*

**Entity:** Lorie Cahn, Water and Waste Advisory Board

**Comment:** Ms. Cahn pointed out the subsection is worded in a confusing manner. She requested that WQD reword the passage if it is not in the federal rule.

**Response:** WDEQ/WQD reviewed the passage. This language is from the federal Underground Injection, 40 CFR 144.51 (n). The passage will remain as written.