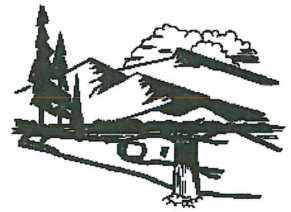




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

MEMORANDUM

TO: Todd Parfitt, Director, DEQ

FROM: Kevin Frederick, Administrator, Water Quality Division, DEQ *VF*

SUBJECT: Request to send rule package to Governor Mead, Water Quality Rules and Regulations Chapter 24, Class VI Injection Wells and Facilities, Underground Injection Control Program

DATE: March 22, 2016

PRIORITY: Normal

SUMMARY:

- Water Quality Division (WQD) initiated the revision of Chapter 24 of the Water Quality Rules and Regulations in response to publication of EPA's final rule for *Federal Requirements Under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO²) Geologic Sequestration (GS) Wells* on December 10, 2010.
- Public participation included public notice and comment periods related to the April 18, 2014, Water and Waste Advisory Board (WWAB) meeting; May 7, 2015, WWAB meeting; and the September 11, 2015, WWAB meeting.
- On September 11, 2015, the WWAB recommended that WQD proceed to the Environmental Quality Council for adoption of the proposed rules.
- Additionally, on March 4, 2016, Governor Mead signed into law SEA026, which specified criteria for the conversion of enhanced oil recovery (EOR) operations to geologic sequestration at W.S. 35-11-313(c). The proposed revisions include revisions to the passages related to conversion of EOR operations to geologic sequestration.
- The proposed revisions include:
 - Incorporation of federal regulations for carbon sequestration for financial assurance
 - Incorporation of federal and statutory conditions for conversion of other class wells to Class VI wells
 - Incorporation of conditions for a waiver of the requirement to inject below the lowermost underground source of drinking water (USDW),
 - Corrections of grammar and punctuation errors.
- On March 21, 2016, we received the Attorney General's response to our request for statutory review of the proposed rules. Assistant Attorney General David Ross indicated the proposed rules are within the Division's statutory authority.

WQD requests your permission to send the rule package to the Governor for initial approval, per Wyoming Secretary of State, Rules on Rules, Chapter 1, Section 5(b). The rule package is enclosed for your reference. Please initial the enclosed memo to Governor Mead if you grant permission to proceed.

KF/gjt/16-0238

Enclosure

cc: Lily Barkau, WQD
Gina Thompson, WQD