

IDAPA 37 - DEPARTMENT OF WATER RESOURCES

37.03.03 - RULES AND MINIMUM STANDARDS FOR THE CONSTRUCTION AND USE OF INJECTION WELLS

DOCKET NO. 37-0303-1201

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 42-3913, Idaho Code.

MEETING SCHEDULE: Public meetings on the negotiated rulemaking will be held as follows:

Idaho Water Center, 322 East Front Street, Boise, Idaho 83720	
Wednesday, April 18, 2012, 9 a.m. University of Idaho classroom #162 (1st floor)	Thursday, April 19, 2012, 9 a.m. University of Idaho classroom #156 (1st floor)
Wednesday, May 2, 2012, 9 a.m. (if needed) Idaho Department of Water Resources Conference Rooms 602B, 602C, and 602D (6th floor)	

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Attend the public meeting(s) and submit written comments to the Department by Wednesday May 9, 2012.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Existing portions of IDAPA 37.03.03, "Rules and Minimum Standards for the Construction and Use of Injection Wells", specific to Class V injection wells will be revised to be made consistent with Idaho Code Title 42, Chapter 39 "Injection Wells" and the Code of Federal Regulations Parts 144 through 148. Definitions will be updated and terms will be clarified, existing exemptions for certain shallow injection wells will be removed, and permitting and advertising requirements for low-flow domestic heat pump return injection wells will be reduced.

Proposed new rules specific to Class II injection wells used in association with oil and gas production will be discussed. General topics of discussion will be definitions, permitting requirements, construction requirements, and operational requirements.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule (if available), contact Brian Ragan, P.G. at (208) 287-4934, brian.ragan@idwr.idaho.gov.

Anyone may submit written comments regarding the modifications to the injection well rules. All written comments must be directed to the undersigned and must be delivered on or before Wednesday May 9, 2012. Comments received after this date will not be accepted.

DATED this February 27, 2012.

Brian Ragan, P.G., Technical Hydrogeologist
Underground Injection Control Program
Idaho Department of Water Resources
322 East Front Street

P.O. Box 83720
Boise, Idaho 83720
Phone 208-287-4934
FAX 208-287-6700