

EPA Tribal Representatives Webinar on Hydraulic Fracturing Using Diesel Fuels

Thursday, June 2, 2011

Meeting Summary

Webinar Purpose

The purpose of the webinar was to engage in outreach with tribal representatives on approaches that the Underground Injection Control program may use to develop guidance for permitting the use of diesel fuels in hydraulic fracturing for oil and natural gas extraction. Hydraulic fracturing using diesel fuels is considered a Class II injection activity.

EPA presented background on the Underground Injection Control program and an overview of the guidance approaches. The presentations were followed by a discussion session in which EPA presented summary information from previous stakeholder meetings held in May 2011. In the previous stakeholder meetings, EPA sought answers to the following questions from state and tribal partners, federal partners, the oil and gas industry, and environmental non-governmental organizations:

- What should be considered as “diesel fuels”?
- What are important siting considerations?
- What suggestions do you have for reviewing the area around the well to ensure there are no conduits for fluid migration?
- What should the permit duration be, considering the intermittent nature of hydraulic fracturing and Class II plugging and abandonment provisions?
- What well construction requirements should apply to hydraulic fracturing wells using diesel fuels?
- What well operation and mechanical integrity requirements should apply to hydraulic fracturing wells using diesel fuels?
- What well monitoring and reporting requirements should apply to hydraulic fracturing wells using diesel fuels?
- What information should be submitted with the permit application?
- What should the time frame be for submitting a Class II diesel fuels hydraulic fracturing permit?
- What are alternatives for authorizing/permitting Class II wells using diesel fuels for hydraulic fracturing?
- How do the Class II financial responsibility requirements apply to wells using diesel fuels for hydraulic fracturing?
- What public notification requirements or special environmental justice considerations should be considered for authorization of wells using diesel fuels for hydraulic fracturing?

Introductory Presentations

Ann Codrington (EPA) presented basic information on EPA’s Underground Injection Control program, outlining the history and purpose of the program. Under the Safe Drinking Water Act, the Underground Injection Control Program is mandated to prevent the contamination of

underground sources of drinking water through migration from injection wells. Ms. Codrington described the six well classes, including the new Class VI for geologic sequestration of carbon dioxide. The technical requirements of the Underground Injection Control Program fall into several broad categories, including site characterization, area of review, well construction, operation and monitoring, mechanical integrity testing, and well plugging and closure. All injection must be authorized by a permitting agency. Forty two states and territories, and two tribes have primary enforcement responsibility (primacy) for all or some Underground Injection Control well classes, while other programs are under direct implementation by EPA.

Ms. Codrington outlined EPA's mandate to create a permitting guidance for hydraulic fracturing using diesel fuels. While most hydraulic fracturing activities are excluded from the Safe Drinking Water Act under the Energy Policy Act of 2005, hydraulic fracturing using diesel fuels is not and is subject to Safe Drinking Water Act requirements. The guidance aims to clarify existing Underground Injection Control Class II regulations, providing recommendations for permit writers so that permitting of hydraulic fracturing activities using diesel fuels provides the required protection of underground sources of drinking water.

Webinar Discussion Summary

Ann Codrington summarized the main issues addressed by participants during the previous stakeholder webinars held in May 2011. Summaries of these discussions will be made available on the EPA Web site: <http://www.epa.gov/hydraulicfracturing>.

A participant asked whether fracturing used in geothermal projects is the same technique used by the oil and gas industry. EPA clarified that the geothermal industry primarily uses water with no added chemicals or proppants in a closed loop.

Following participant questions on the nature of the guidance, EPA clarified that the guidance will be based on existing Class II regulations under the Underground Injection Control program. Some states may make changes to their existing regulations to implement the recommendations in the guidance.

Webinar Attendance

The webinar was attended by individuals representing EPA Headquarters and regional offices, associations, and tribal Underground Injection Control programs. Organizations represented include the following:

Delaware Nation of Oklahoma
EPA Headquarters, Washington, D.C.
EPA Region 8, Denver, CO
Fort Belknap Indian Community Environmental Department
Institute for Tribal Environmental Professionals (ITEP)
Middletown Rancheria of Pomo Indians of California
Pueblo of Pojoaque Environmental Department
Saginaw Chippewa Indian Tribe
Three Affiliated Tribes Environmental Division