

# **\*\*\*RESCIND- NOT FOR FILING\*\*\***

## **~~3745-34-53 — Corrective action for wells in the area of review.~~**

~~For the purposes of class I hazardous waste wells, this rule shall apply to the exclusion of rule 3745-34-33 of the Administrative Code.~~

~~(A) As part of the permit to install or operate a class I injection well application, the owner or operator of a class I hazardous waste well shall submit a plan to the director outlining the protocol used to:~~

- ~~(1) Identify all wells penetrating the confining zone or injection zone within the area of review; and~~
- ~~(2) Determine whether wells are adequately completed or plugged.~~

~~(B) The owner or operator of a class I hazardous waste well shall identify the location of all wells within the area of review that penetrate the injection zone or the confining zone and shall, as required in rule 3745-34-59 of the Administrative Code, submit:~~

- ~~(1) A tabulation of all wells within the area of review that penetrate the injection zone or the confining zone; and~~
- ~~(2) A description of each well or type of well and any records of its plugging or completion.~~

~~(C) The owner or operator of a class I hazardous waste injection well, shall as part of the application for a permit to drill or operate submit a plan consisting of such steps or modification as are necessary to prevent movement of fluids into or between USDWs, for wells that the director determines are improperly plugged, completed, or abandoned, or for which plugging or completion information is unavailable. Where the plan is adequate, the director shall incorporate it into the permit as a condition. Where the director's review of an application indicates that the permittee's plan is inadequate, the director shall:~~

- ~~(1) Require the applicant to revise the plan;~~
- ~~(2) Prescribe a plan for corrective action as a condition of the permit; or~~
- ~~(3) Deny the application.~~

~~(D) Any permit issued for an existing class I hazardous waste injection well requiring corrective action other than pressure limitations shall include a compliance schedule requiring any corrective action accepted or prescribed under this section. Any such compliance schedule shall provide for compliance no later than two years following issuance of the permit and shall require observance of appropriate pressure limitations under paragraph (D)(2) of this rule until all other corrective action measures have been implemented.~~

- ~~(1) No owner or operator of a new class I hazardous waste injection well may begin injection until all corrective actions required under this rule have been taken.~~
- ~~(2) The director may require pressure limitations in lieu of plugging. If pressure limitations are used in lieu of plugging, the director shall require as a permit condition that injection pressure be so limited that pressure in the injection zone at the site of any improperly completed or abandoned well within the area of review would not be sufficient to drive fluids into or between USDWs. This pressure limitation shall satisfy the corrective action requirement. Alternatively, such injection pressure limitation may be made part of a compliance schedule and may be required to be maintained until all other required corrective actions have been implemented.~~

~~(E) In determining the adequacy of corrective action proposed by the applicant under this rule and in determining~~

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~~the additional steps needed to prevent fluid movement into and between USDWS, factors considered by the director shall include:~~

- ~~(1) Nature and volume of injected fluid; and~~
- ~~(2) Nature of native fluids or byproducts of injection; and~~
- ~~(3) Geology; and~~
- ~~(4) Hydrology; and~~
- ~~(5) History of the injection operation; and~~
- ~~(6) Completion and plugging records; and~~
- ~~(7) Closure procedures in effect at the time the well was closed; and~~
- ~~(8) Hydraulic connections with USDWs; and~~
- ~~(9) Reliability of the procedures used to identify abandoned wells; and~~
- ~~(10) Any other factors which might affect the movement of fluids into or between USDWs.~~