



west virginia department of environmental protection

Office of Oil and Gas
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Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
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**ORDER
ISSUED UNDER
WEST VIRGINIA CODE CHAPTER 22**

TO: Danny E. Webb Construction Co., Inc.
Attn: Danny E. Webb
P.O. Box 267
Lochgelly, WV 25866

DATE: March 4, 2014

ORDER NO.: 2014-UIC-13

INTRODUCTION

This Order (hereinafter "Order") is issued by the Office of Oil and Gas (hereinafter "OOG"), by and through its Chief, pursuant to the authority of West Virginia Code §§ 22-1-1 *et seq.*, 22-6-2, 22-11-1 *et seq.* and 22-12-1 *et seq.* to Danny E. Webb Construction Co., Inc.

FINDINGS OF FACT

In support of this order, the Chief hereby finds the following:

1. Danny E. Webb Construction Co., Inc. was issued an underground injection control permit (UIC) number 2D0190460 from the Office of Oil and Gas to inject waste fluids from oil and natural gas exploration and development in well API # 47-019-00460 on October 25, 2007 with an expiration date of October 25, 2012.
2. Danny E. Webb Construction Co., Inc. began developing a new application for this activity with coordination through the Office of Oil and Gas staff prior to the expiration date of the permit.
3. Danny E. Webb Construction Co., Inc. submitted a reissuance application package on January 3, 2013.

4. In compliance with the requirements set forth at 47CSR13, public notice was provided concerning the reissuance application package on February 11, 2013.
5. In compliance with the requirements set forth at 47CSR13, a public hearing regarding the reissuance application package was held on June 4, 2013.
6. Order 2014-UIC-1 was issued by this Office on February 6, 2014. Order 2014-UIC-1 authorized Danny E. Webb Construction Co., Inc., for injection in well API # 47-019-00460 under the provisions of the October 25, 2007 permit from October 25, 2012 until February 6, 2014.
7. On February 6, 2014, Underground Injection Control Reissuance Permit No. UIC2D0190460 was issued by this Office. That Permit was to expire on February 6, 2019.
8. Due to certain procedural deficiencies with regard to the February 6, 2014 Permit No. UIC2D0190460, Permit No. UIC2D0190460 was revoked by ORDER of this Office dated March 4, 2014.

ORDER FOR COMPLIANCE

Therefore, in accordance with West Virginia Code §§ 22-1-1 *et seq.*, 22-6-2, 22-11-1 *et seq.* and 22-12-1 *et seq.*, it is hereby ORDERED by the Chief that:

1. Danny E. Webb Construction Co., Inc. is hereby authorized for injection in well API # 47-019-00460 under the provisions of this ORDER from April 3, 2014 until such time as a reissuance application package is submitted by Danny E. Webb Construction Co., Inc. and a permit is reissued by this Office or is explicitly denied by this Office.
2. The underground injection activity authorized by this ORDER shall not allow the movement of fluid, as per (47CSR13-2.26), containing any contaminant into any subsurface area other than that which is specified and may not cause a violation of any

primary drinking water regulation promulgated under 40 CFR Chapter 1, Part 141 or any water quality standard promulgated by the Department of Environmental Protection.

3. All reports required by this ORDER shall be submitted to the Office of Oil and Gas with the exception to the following: these activities require the immediate cessation of facility operations and prompt notification of the Director of Water and Waste Management (47CSR13-13.6.d and 47CSR13-13.12.1.6):
 - a. Any monitoring or other information which indicates that any contaminant has caused or may cause an endangerment to an underground source of drinking water;
 - b. Any non-compliance with a condition of this ORDER or any malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water; and
 - c. Any non-compliance which may endanger health or the environment.
4. Danny E. Webb Construction Co., Inc. must satisfy the requirement of the Office of Oil and Gas regarding any corrective action needed on all known wells penetrating the injection zone within the area of review. This must be done in a manner which satisfies the requirements of 47CSR13.9.
5. This ORDER is for authorization of injection of only fluids as defined for Class II wells in 47CSR13-4.2. Danny E. Webb Construction Co., Inc. shall maintain a manifesting system to record all loads hauled to this facility. Additional sources of fluids may be approved upon written request by the Danny E. Webb Construction Co., Inc.
6. Any production well within a ¼ mile radius of disposal well# 47-019-00460 which does not have cemented production casing shall be plugged immediately upon becoming inactive. Any temporary inactive well shall be monitored at a frequency and by a method prescribed by the Office of Oil and Gas upon notice by the Danny E. Webb Construction

Co., Inc. of such activity. Any well shut-in more than one (1) week shall be considered inactive.

7. This ORDER approves the Weir Sandstone formation for commercial injection. The injection interval is at a depth of 2634 feet to 2692 feet below ground level.
8. The maximum wellhead injection pressure is established as 796 psi. as a result of a Step-Rate Test conducted and witnessed on December 18, 2001.
9. Danny E. Webb Construction Co., Inc. shall provide for security at the injection facility to guard against illegal or unauthorized dumping and injection at the injection facility.
10. Danny E. Webb Construction Co., Inc. shall sample and analyze injection fluids upon request by the Office of Oil and Gas. Analyses shall cover all parameters listed on Attachment A of this ORDER. Results of all analyses shall be submitted to the Office of Oil and Gas. Danny E. Webb Construction Co., Inc. shall submit a letter of explanation for any parameter which exceeds the ranges on Attachment A.
11. Danny E. Webb Construction Co., Inc. shall monitor daily and report monthly monitoring results to the Office of Oil and Gas. These reports shall be submitted to the Office of Oil and Gas, Department of Environmental Protection on the appropriate forms (Regulation 35CSR4-7.5). These reports may be electronically submitted to the Office of Oil and Gas via email on completed electronic WR-40 files, to the Office of Oil and Gas at: DEPOOGEP@wv.gov. The subject line of the email shall contain the following (WR-40 Danny E. Webb Construction Co., Inc.).
12. A well head pressure gauge shall be installed and maintained on the injection tubing to facilitate inspection and ensure compliance of maximum injection pressures as approved on Oil and Gas Form WR-37. A daily reading of the injection pressure shall be taken and reported on Form WR-40.

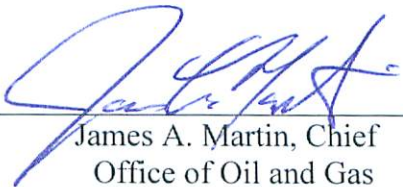
13. Danny E. Webb Construction Co., Inc. shall sample and analyze any water source within a one mile radius of the injection well upon the request of the Office of Oil and Gas. Analyses shall cover all parameters listed on Attachment A of this ORDER. The Office of Oil and Gas may require additional parameters to be analyzed if necessary. Results of all analyses shall be submitted to the Office of Oil and Gas. Danny E. Webb Construction Co., Inc. shall submit a letter of explanation for any parameter which exceeds the ranges listed on Attachment A.
14. Danny E. Webb Construction Co., Inc. shall monitor the 2 3/8" x 4 1/2" and 4 1/2" x 7" casing annuli with pressure sensitive devices or with such a method as approved or required by the Office of Oil and Gas to allow early detection of any leaks from the injection zone or casing. The results of such monitoring shall be reported monthly on Form WR-40.
15. The area of review is designated as a 1/4 mile radius around the injection well.
16. Danny E. Webb Construction Co., Inc. shall fulfill the requirements of the Office of Oil and Gas regarding maintaining financial responsibility and resources to close, plug, and abandon well API # 47-019-00460. An additional five-thousand dollar performance bond shall be maintained on well API #47-019-00460.
17. Danny E. Webb Construction Co., Inc. shall continue to cease operation of the waste fluid pits. The waste fluid pits shall be maintained to ensure fluids collected through natural causes are properly disposed of.
18. Danny E. Webb Construction Co., Inc. shall by April 6, 2014 submit and obtain approval for a waste fluid pits closure and reclamation plan. The plan must be designed and certified by a registered professional engineer. Proper closure and reclamation of the waste fluid pits shall be completed no later than sixty (60) days from date of approval of the closure and reclamation plans.

19. Danny E. Webb Construction Co., Inc. shall satisfy the Office of Oil and Gas for plugging and abandonment of well API # 47-019-00460 in a manner as to ensure no fluid migration occurs either from the injection zone into an underground source of drinking water or from one underground source of drinking water to another.
20. Danny E. Webb Construction Co., Inc. shall haul all fluids from the source to the facility for disposal or designate by letters to the Office of Oil and Gas, a single hauler to transport all fluids. No third party haulers will be permitted to transport fluid to the facility.
21. The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this ORDER and with any applicable rules and regulations promulgated by the Department of Environmental Protection.
22. The operation of this injection well facility in general, including maintenance of all related surface equipment, shall be conducted so as to preclude any unlawful discharge of waste materials into the surface or ground waters of this State.
23. Failure to comply with the terms and conditions of this ORDER shall constitute grounds for the revocation or suspension of this ORDER and for the invocation of all the enforcement procedures set forth in Article 11, Chapter 22, of the Code of West Virginia and Legislative Rule 47CSR13.
24. Danny E. Webb Construction Co., Inc. shall have appropriate containment and/or diversionary structures or equipment to prevent discharged oil or other pollutants from reaching the waters of the state in accordance with 35CSR1-7.
25. Danny E. Webb Construction Co., Inc. shall sample the stream adjacent to the pits in March and September of the calendar year. The stream samples shall be analyzed for the following parameters: pH, Iron, Manganese, Chlorides, Sodium, TPH (DRO, GRO,

ORO), TDS, BTEX, and Oil/Grease. The samples shall be taken as immediately downstream of the pits as possible, but in no case more than 50 feet downstream of the pits.

26. Danny E. Webb Construction Co., Inc. shall give notice to the Chief as soon as possible of any planned significant physical alterations or additions to the facility, or any planned significant changes in the operation of the facility.

3/4/14
DATE


James A. Martin, Chief
Office of Oil and Gas

ATTACHMENT A

Injection Fluid Analyses Parameters

Parameter	Ranges
PH	>2 - 10
TDS	0 - 265,000 mg/l
TSS	0 - 1000 mg/l
Aluminum	0 - 10 mg/l
Arsenic	0 - 10 mg
Barium	0 – 1500 mg/l
Cadmium	0 – 2 mg/l
Chromium	0 – 1 mg/l
Iron	0 – 1000 mg/l
Lead	0 – 7.5 mg/l
Magnesium	0 – 5000 mg/l
Manganese	0 – 15 mg/l
Potassium	0 – 5000 mg/l
Sodium	0 – 110,000 mg/l
Zinc	0 – 15 mg/l
Surfactants	0 – 10 mg/l
TKN	0 – 25 mg/l
Oil & Grease	0 – 100 mg/l
TOC	0 – 10,000 mg/l
COD	0 – 30,000 mg/l
Acidity	0 – 500 mg/l
Chloride	0 – 250,000 mg/l
Sulfate	0 – 500 mg/l
Cyanide	0 – 1 mg/l
Phenols	0 – 10 mg/l
Calcium	0 – 60,000 mg/l
BNA – Extractables	Trace
Purgeable Aromatics	Trace
Purgeable Halocarbons	Trace
PCBs	<MDL or 50 ppm
	TPHs (ORO, DRO, GRO)