

Staff Response to Public Comments on Proposed Amendments of
Oklahoma Water Resources Board Rules

OAC: 785 Chapter 35. Well Drillers and Pump Installers Licensing

February 4, 2019

OAC 785:35-7-3(a)(1)(A)

Summary of Kathy Martin Comments:

1. *Because a variance allows for the completion of marginal quality water wells for domestic use, what “domestic use” would be appropriate for salty water?*
2. *Is there a storage liner regulation in OWRB or any other state agency that would regulate the storage of salty water for domestic use?*
3. *Who regulates what is done with produced marginal quality water?*

Response: While Board staff does not specifically intend for marginal quality water wells to be completed for domestic use, Board staff also does not want to disallow domestic use in situations where the only available groundwater is of marginal quality. A variance would be required to construct a marginal quality water well for domestic use, and justification would need to be provided. The well owner could then use the water, provided that the use also meets minimum standards for storage and disposal as regulated by the Oklahoma Department of Environmental Quality and other state, local, and Federal agencies.

As proposed in OAC 785:35-7-3(b)(8), the marginal well driller must contain, dispose of, or remove any deleterious substances produced as a result of drilling operations in a manner that is in accordance with the state’s hazardous waste management standards (OAC 252:205 Hazardous Waste Management). As implied in the paragraph above, the proposed rules for marginal quality water well construction do not establish standards for the storage and use of marginal quality groundwater after the well has been completed.

OAC 785:35-7-3(b)(2) Annular seals to prevent the contamination of fresh water

Summary of Kathy Martin Comments:

The proposed language should include the phrase, “50 feet below the deepest fresh water aquifer” or similar language that acknowledges that a marginal quality water well could be drilled through more than one fresh water aquifer.

Response: Board staff agrees with the above comments by Kathy Martin and has modified the proposed rule.

This rule is now proposed to read:

OAC 785:35-7-3(b)(2) Annular seals to prevent the contamination of fresh water

(2) The annular space between the casing and borehole shall be sealed to prevent the commingling of fresh water with marginal water by using enough cement under pressure to completely fill and seal the annular space between the casing and borehole. Unless an alternate casing and/or cementing procedure is authorized by the Board, the well casing shall be cemented in this manner from fifty (50) feet below the bottom of the deepest fresh groundwater zone or aquifer encountered while drilling to the land surface or immediately below the junction of the pitless adapter.

OAC 785:35-7-3(b)(6) Cement bond logging

Summary of Oklahoma Oil and Gas Association Comments:

The rule states, “The well driller shall conduct cement bond logging on each well and provide the results.” Cement bond logging is not possible with all potential casing materials, including PVC. The language should be changed to indicate that a cement bond would not be required in all instances.

Response: Board staff agrees with the comment submitted by the Oklahoma Oil and Gas Association (Bud Ground) and has modified the proposed rule.

The rule is now proposed to read:

OAC 785:35-7-3(b)(6) Cement bond logging

(6) The well driller shall provide any cement bond logging results created on each well with submission of the well log within thirty (30) days of completion. The Board may require results of cement bond logging within twenty-four (24) hours of completion.