

# ATTACHMENT A-5

## ***Underground Injection Control***

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The following violations are SNC violations for which TCEQ has agreed with EPA to take formal enforcement action upon discovery of the violation (Category A8).

e. Underground Injection Control (UIC)

For the UIC program, significant noncompliance means:

- (1) For an owner/operator of a Class I well, violations as described in 40 CFR §144.8(a) and on EPA Form 7520-4. Minor infractions (e.g., late paperwork, absence of wellhead signs) do not necessarily mean significant noncompliance, unless there is a pattern of repeated, late reporting.
- (2) The following violations by Class I UIC well owners and/or operators include:
  - (A) Contamination of an underground source of drinking water ("USDW");
  - (B) Injection of unauthorized fluid(s);
  - (C) Injection into unauthorized zones;
  - (D) Failure to cease injection after loss of mechanical integrity detected;
  - (E) Failure to comply with corrective action requirements;
  - (F) Failure to operate automatic shutdown system;
  - (G) Failure to operate automatic warning system;
  - (H) Unauthorized plugging and abandonment;
  - (I) Violation of Formal Order;
  - (J) Knowing submission of false information;
  - (K) Violations involving loss of mechanical integrity;
  - (L) Violations of maximum injection pressure;
  - (M) Failure to install and/or operate injection pressure and annulus pressure monitoring systems or other monitoring systems, required by permit or rule;
  - (N) Failure to maintain an annulus pressure greater than the injection tubing pressure; and
  - (O) Failure to submit monthly, quarterly, or other reports when original monitoring data have not been obtained and/or retained

- (3) For an owner/operator of a Class II, III, or V well, any unauthorized emplacement of fluids (where formal authorization is required)
- (4) For an owner/operator of a Class II, III or V well, operation without mechanical integrity that causes the movement of fluid outside the authorized zone of injection if such movement may have the potential for endangering an USDW judged according to the following criteria:
  - (A) The characteristics of the fluid release;
  - (B) The quantity of fluid released; and
  - (C) The relationship of the point of release to any USDW. Potential endangerment exists in cases where the release occurs above or into an USDW; or the release occurs below an USDW, but the hydrogeology is such that fluids may be forced upward into the USDW.
- (5) For an owner/operator of a Class II, III or V well, operation at an injection pressure that exceeds the permitted or authorized injection pressure & causes the movement of fluid outside the authorized zone of injection if such movement may have the potential for endangering a USDW. Potential danger exists if:
  - (A) Pressure in the tubingless well exceeds the mechanical integrity test pressure of the casing; or
  - (B) Pressure exceeds the fracture pressure of the confining zone and the zone immediately above the confining zone is an USDW
- (6) For an owner/operator of a Class II, III, or V well, failure to properly plug and abandon an injection well in any manner other than what is authorized;
- (7) For an owner/operator of a Class II, III, or V well, any violation of a formal enforcement action, including an administrative or judicial order, consent agreement, judgment, or equivalent State action;
- (8) For an owner/operator of a Class II, III, or V well, the knowing submission or use of any false information in a permit application, periodic report, or special request for information about a well; and
- (9) For an owner/operator of a Class II, III, or V well, any other violation that the Director considers significant.