

THE STATE



OF WYOMING



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GOVERNOR

Department of Environmental Quality

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Updated Instruction Memorandum

TO: CBM Operators

FROM: Gary Beach, Administrator

SUBJECT: Use of CBM Produced Water for Dust Control on County Roads.

DATE: December 10, 2001

Background

Associated with the CBM Development, there is a lot of traffic on County Roads. This traffic is causing dust control issues and a means of controlling the dust may include the application of water. There has been a question raised about the ability of CBM producers to utilize CBM produced water for dust control on County Roads. Would a NPDES or any other DEQ/WQD permit be required?

Response

No permit will be required under the NPDES program for the application of CBM produced water for dust control.

However, on July 9, 1999, the Department of Environmental Quality and the Oil and Gas Conservation Commission, because they have overlapping authorities concerning protection of waters of the state as they relate to disposal of waste derived in association with production of oil and gas, entered into a Memorandum of Agreement. By that document, and through subsequent working agreements, the agencies agreed that the WOGCC would regulate road applications of wastes generated by drilling or through primary production operations.

Operators must still obtain approval from the WOGCC for road spreading under Chapter 4, Section 1 (nn). Form 20 is used as the application and it includes the requirement to obtain landowner consent. This authorization does not relieve operators from compliance with BLM requirements on public lands and any other applicable local regulations for water spreading operations.

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Also, this authorization does not supersede any local government requirements that may be imposed for use of CBM water on public roads.

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xc: Don Likwartz, WOGCC
Dennis Hemmer, DEQ
Jim Eisenhower, DEQ
Mike Reed, EPA
Chairman, Campbell, Johnson and Sheridan County Commissioners
Dan Olson, AQD