

**Policy P-10**

**Permitting of Off-Channel Ponds in WYPDES Permits**

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WYPDES Program Manager

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The CBM industry utilizes off-channel ponds to manage produced water. The advantage to using an off-channel pond is that the effluent limits established by the WYPDES permit are less stringent because aquatic life uses are not protected. In some circumstances, a discharge to an off-channel pond does not require a WYPDES Permit. However, clarification is needed to identify these circumstances.

Typically, a discharge to an off-channel pond requires authorization through an individual WYPDES permit. However, in situations where a demonstration can be provided showing that the designated use for stock and wildlife does not exist, then a permit is not required. Below is a description of the criteria needed to make this demonstration.

- 1) The off-channel pond must meet the set-back criteria as defined in the Compliance Monitoring and Siting Requirements for Unlined Impoundments Containing Coalbed Methane Produced Water;

And

- 2) the off-channel pond has an approved DEQ Chapter 3 Permit to Construct (unlined ponds) or a Form 14A Application to Construct and applicable bond (lined ponds) through the Wyoming Oil and Gas Conservation Commission;

And

- 3) an eight-foot woven wire fence must be constructed around the pond to prevent access of wildlife and livestock to the pond. Figure 1 provides design specifications for the woven wire fence. Additional information related to fencing can also be found in the Wyoming Game and Fish Department's, Habitat Extension Bulletin No. 53.

And

- 4) Confirmation that the pond has satisfied the three criteria above must be established prior to discharging to the pond and verified in writing by DEQ. It is the responsibility of the operator to provide proof for compliance with these criteria. Discharges to ponds lacking written authorization will be treated as unpermitted discharges of pollution to waters of the state.

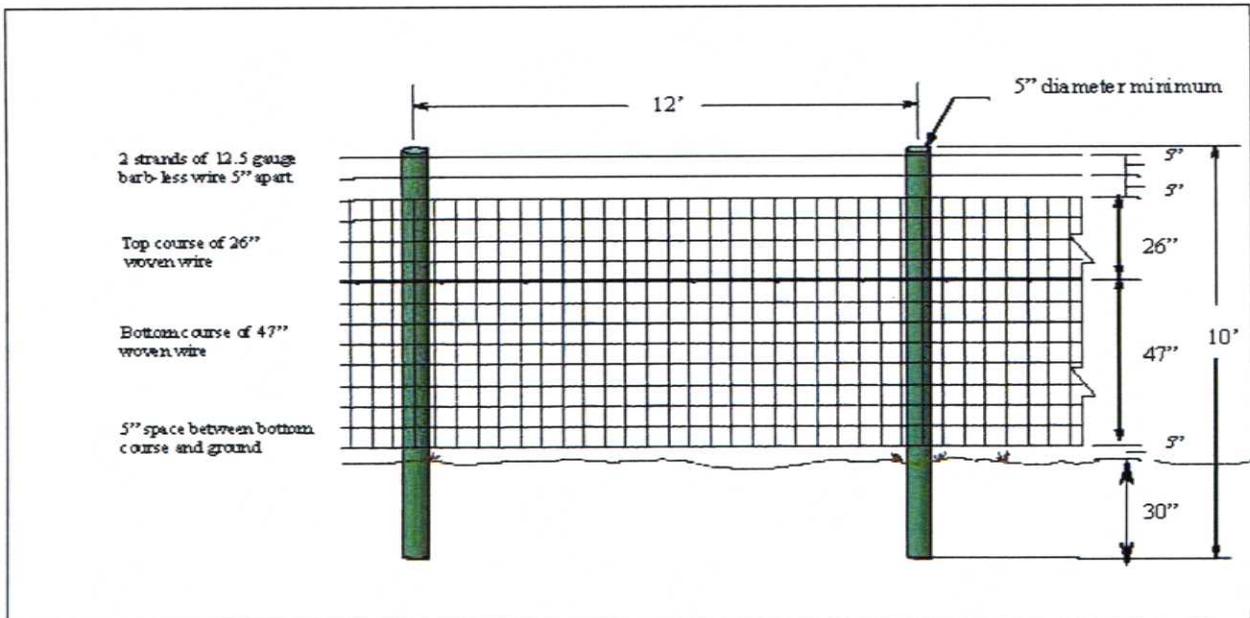


Figure 1. Eight-foot Woven Wire Fence