

40 CFR 144.13 Prohibition of Class IV wells.

- (a) The following are prohibited, except as provided in paragraph (c) of this section:
- (1) The construction of any Class IV well.
 - (2) The operation or maintenance of any Class IV well not in operation prior to July 18, 1980.
 - (3) The operation or maintenance of any Class IV well that was in operation prior to July 18, 1980, after six months following the effective date of a UIC program approved or promulgated for the state.
 - (4) Any increase in the amount of hazardous waste or change in the type of hazardous waste injected into a Class IV well.
- (b) The owner or operator of a Class IV well shall comply with the requirements of Sec. 144.14, and with the requirements of Sec. 144.23 regarding closure of Class IV wells.
- (c) Wells used to inject contaminated ground water that has been treated and is being reinjected into the same formation from which it was drawn are not prohibited by this section if such injection is approved by EPA, or a State, pursuant to provisions for cleanup of releases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601-9657, or pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 through 6987.
- (d) Clarification. The following wells are not prohibited by this action:
- (1) Wells used to inject hazardous waste into aquifers or portions thereof that have been exempted pursuant to Sec. 146.4, if the exempted aquifer into which waste is injected underlies the lowermost formation containing a USDW. Such wells are Class I wells as specified in Sec. 144.6(a)(1), and the owner or operator must comply with the requirements applicable to Class I wells.
 - (2) Wells used to inject hazardous waste where no USDW exists within one quarter mile of the well bore in any underground formation, provided that the Director determines that such injection is into a formation sufficiently isolated to ensure that injected fluids do not migrate from the injection zone. Such wells are Class I wells as specified in Sec. 144.6(a)(1), and the owner or operator must comply with the requirements applicable to Class I wells.

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40 CFR 144.23 Class IV wells.

- (a) Injection into existing Class IV wells is authorized for up to six months after approval or promulgation of the UIC Program. Such wells are subject to the requirements of Secs. 144.13 and 144.14(c).

- (b) Closure. For EPA administered programs only,
 - (1) Prior to abandoning any Class IV well, the owner or operator shall plug or otherwise close the well in a manner acceptable to the Regional Administrator.
 - (2) [Reserved]
 - (3) The owner or operator of a Class IV well must notify the Regional Administrator of intent to abandon the well at least thirty days prior to abandonment.

- (c) Notwithstanding the requirements of paragraphs (a) and (b) of this section, injection wells used to inject contaminated ground water that has been treated and is being injected into the same formation from which it was drawn are authorized by rule for the life of the well if such subsurface emplacement of fluids is approved by EPA, or a State, pursuant to provisions for cleanup of releases under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601-9675, or pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901-6992k.

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