



## **ONSHORE REGULATORY UPDATE**

July 2021

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### **Louisiana Primacy over Class VI Wells**

On April 23, 1982, the Safe Drinking Water Act (SDWA), 40 USC 1422, et seq, granted Louisiana primary enforcement authority for Class I thru V wells—Class VI primacy was not sought:

- Class I: wells used to inject hazardous and non-hazardous wastes into deep, isolated rock formations.
- Class II: wells used exclusively to inject fluids associated with oil and natural gas production.
- Class III: wells used to inject fluids to dissolve and extract minerals.
- Class IV: shallow wells used to inject hazardous or radioactive wastes into or above a geologic formation that contains an underground source of drinking water (USDW).
- Class V: wells used to inject non-hazardous fluids underground, most of which are used to dispose of wastes into or above underground sources of drinking water.
- Class VI: wells used for injection of carbon dioxide (CO<sub>2</sub>) into underground subsurface rock formations for long-term storage, or geologic sequestration.

Due to the rise in popularity of CO<sub>2</sub> sequestration, Louisiana applied for primacy for Class VI wells on April 21, 2021.

### **Safety Measures Around Abandoned Tank Batteries**

Between 1983 and 2010, 44 people have been killed and 25 injured by oil tank battery explosions, with all victims being 25 years old or younger. On February 28, 2021, an oil tank exploded in Ragely, LA, killing 14-year-old Zalee Gail Day-Smith during one of her frequent visits on and around Urban Oil and Gas' oil tank battery. The teen's death prompted the Louisiana Office of Conservation to require oil tanks in popular areas to have safety fencing and warning labels to prevent another tragedy. The new rules have yet to be finalized.