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i. If an emergency order is issued as described in Subsection 404.01 of these rules. The hearing will be scheduled between five (5) and fifteen (15) days after the effective date of the order. (4-11-15)

ii. Upon application to the Department from any person with an ownership interest in the common source of supply who believes that waste is occurring due to inefficient oil and gas ratios. The application must include credible evidence of such waste. The hearing shall be held within thirty (30) days of the Department receiving the application. (3-29-12)

iii. Prior to an emergency situation and upon its own motion with reasonable cause, the Department may schedule a hearing regarding potential waste due to inefficient gas-oil ratios. (3-29-12)

**03. Determination of Inefficient Ratios; Power to Limit Production.** If the Department after notice and hearing, whether held upon its own motion, upon the application of an interested party, or pursuant to an emergency order entered as hereinafter provided for, shall find that a well(s) in the pool are operating with inefficient gas-oil ratios, and that waste is occurring or is imminent as a result thereof, it shall enter an order limiting the production of oil and gas from said pool to that amount which the pool can produce without waste and in accordance with sound engineering practice. The order shall also limit the amount of oil or gas, or both, that may be produced from any well in the pool, so that each owner or operator is given an opportunity to produce his just and equitable share in the pool in accordance with sound engineering practice. (3-29-12)

**405. GAS-OIL RATIO SURVEYS AND REPORTS.**

Within thirty (30) days following the completion or recompletion of each well producing oil and gas and thereafter as the Department may require, the owner or operator of such well shall make a gas-oil ratio test of such well and the results of such test shall be reported to the Department within twenty (20) days after the test is made. Certain wells may be excepted from this rule by the Department upon written request. Entire fields may be excepted from this rule after notice and hearing. (3-29-12)

**406. -- 409. (RESERVED)**

**410. METERS.**

**01. General Requirements.** Meter fittings of adequate size to measure the gas efficiently for the purpose of obtaining gas-oil ratios shall be installed on the gas vent line of every separator or proper connections made for orifice well tester. Well-head equipment shall be installed and maintained in excellent condition. Valves shall be installed so that pressures can be readily obtained on both casing and tubing. (3-29-12)

**02. Visibility.** All required meters shall be accessible and viewable by the Department for the purpose of monitoring daily, monthly and/or cumulative production volumes from individual wells. (3-29-12)

**411. SEPARATORS.**

All flowing oil wells must be produced through an adequate oil and gas separator or emulsion treater, provided, however, the director may approve producing wells without a separator or emulsion treater. (10-21-92)

**412. PRODUCING FROM DIFFERENT POOLS THROUGH THE SAME CASING STRING.**

No well shall be permitted to produce either oil or gas from different pools through the same string of casing without first receiving written permission from the Department. (3-29-12)

**413. GAS UTILIZATION.**

After a well is completed and while it is being tested, the owner or operator may flare gas for no more than fourteen (14) days without paying royalties and severance taxes on the flared gas. Under no conditions may gas be flared for more than sixty (60) days after a well is completed or recompleted. Prior to flaring gas, owners or operators must notify the county in which the well is located and all owners of occupied structures within one-quarter (1/4) mile

radius of the well. After the owner or operator has tested a well, no gas from such well shall be permitted to escape into the air, and all gas produced therefrom shall be utilized without waste. (4-11-15)

**414. -- 419. (RESERVED)**

**420. TANK BATTERIES.**

Tank batteries must meet the following requirements. (4-11-15)

**01. Containment Requirements.** All tank batteries consisting of tanks containing produced fluids or crude oil storage tanks or containing tanks equipped to receive produced fluids must be surrounded by tank dikes that meet the following requirements: (4-11-15)

**a.** Tank dikes must be designed to have a capacity of at least one and one-half (1½) times the volume of the largest tank which the dike surrounds. (4-11-15)

**b.** The material used to construct a tank dike and the material used to line the bottom and sides of the containment reservoir must have a maximum coefficient of permeability of 10<sup>-9</sup> cm/sec so as to contain fluids and resist erosion. An operator must submit proof of compliance for tank dike liner construction to the Department in the form of a manufacturer's statement of design or a nuclear density test performed by a third party trained to perform the test. (4-11-15)

**c.** All piping and manmade improvements that perforate the tank dike wall or tank battery floor must be sealed to a minimum radius of twelve (12) inches from the outside edge of the piping or improvement. (4-11-15)

**d.** Valves and quick-connect couplers on tank batteries must be at least eighteen (18) inches from the inside wall of the tank dike. (4-11-15)

**e.** Vegetation on the top and outside surface of tank dike must be properly maintained so as to not pose a fire hazard. (4-11-15)

**f.** A ladder or other permanent device must be installed over the tank dike to access the containment reservoir. (4-11-15)

**g.** The containment reservoir must be kept free of vegetation, stormwater, produced fluids, other oil and gas field related debris, general trash, or any flammable material. Drain lines installed through the tank dike for the purpose of draining storm water from the containment reservoir must have a valve installed which must remain closed and capped when not in use. Any fluids collected, spilled or discharged within the containment reservoirs must be removed as soon as practical, characterized, treated if necessary, and disposed in conformance with IDAPA 58.01.16, "Wastewater Rules," and other applicable rules. (4-11-15)

**421. -- 429. (RESERVED)**

**430. GAS PROCESSING FACILITIES.**

Gas processing facilities must meet the following requirements. (4-11-15)

**01. Operations.** Operators of gas processing facilities must notify the Department which wells, by API number, are served by a gas processing facility. All gas processing facilities not constructed on a well site must comply with the requirements in Sections 301 and 302 of these rules. (4-11-15)

**02. Meters and Facility Plans.** Gas processing facilities must account for all liquids and gas entering and leaving the facility with accurate meters. A supervisory control and data acquisition systems or other data recording system must be used to monitor the liquids and gas in the facility. Operators of gas processing facilities must submit an as-built facility design plan to the Department upon completion of the facility, a facility design plan must contain at the minimum: (4-11-15)

**a.** Site layout; (4-11-15)

- b.** Piping and instrumentation diagram; (4-11-15)
- c.** Process Flow schematics; (4-11-15)
- d.** Electronic controls and sensing schematic; (4-11-15)
- e.** Equipment operations and maintenance manuals for, pumps, meters, heat exchangers and any other operationally critical equipment that requires periodic maintenance and calibration; (4-11-15)
- f.** Periodic maintenance schedule for critical equipment; (4-11-15)
- g.** Troubleshooting metric; and (4-11-15)
- h.** Other information or documentation necessary for the safe and continued operation of a gas processing facility. (4-11-15)

**03. Flaring.** Flaring at gas processing facilities must be in conformance with IDAPA 58.01.01, Rules for the Control of Air Pollution in Idaho, and any permit issued by the IDEQ. (4-11-15)

**04. Inspections.** Gas processing facilities must have site specific facility design plans and a log book of gas metered in and out of the facility available for review by Department staff during the inspections of gas processing facilities. During inspections, gas process facility staff must demonstrate knowledge of all operations and the location of all emergency shut off equipment, direction of flow lines, and heat exchangers. The Department will conduct quarterly inspections of facilities. (4-11-15)

**431. -- 499. (RESERVED)**

## **SUBCHAPTER F - WELL ACTIVITY AND RECLAMATION**

### **500. ACTIVE WELLS.**

**01. Gas Storage Wells.** Gas storage wells are to be considered active at all times unless physically plugged. (3-29-12)

**02. Extension of Active Status.** An owner or operator may request an extension of active well status for wells that are idled for more than twenty-four (24) continuous months. The owner or operator shall provide a written request to the Department stating the reason for the extension, the length of extension, the method used to close the well to the atmosphere, and the plans for future operation. The Department shall review the request for approval, modification, or denial, and shall set the duration of the extension if approved. An extension shall not exceed five (5) years and may be renewed upon request. (3-29-12)

**03. Annual Reports for Active Wells.** The owner or operator shall submit an annual report to the Department describing the current status of the well and the plans for future well operation by January 31 of each year. Failure to submit the annual report may result in the Department declaring the well inactive. (4-11-15)

### **501. INACTIVE WELLS.**

**01. Determination of Inactive Status.** The Department shall declare a well inactive after twenty-four (24) continuous months of inactivity if the owner or operator has not received approval for an extension of active status, or after an owner or operator fails to submit an annual report for an active well. The Department will immediately notify an owner or operator of this determination by certified mail, and the owner or operator may appeal this determination to the Commission. (3-29-12)

**02. Owner's or Operator's Responsibility for Inactive Wells.** The owner or operator must plug and abandon an inactive well in accordance with Section 502 of these rules within six (6) months of being notified by the Department unless the owner or operator supplies the following information within the six-month time period: (4-11-15)

- a. A written request to extend inactive status; (3-29-12)
- b. An individual bond, as provided for in Subsection 220.03 of these rules, if the well was covered by a blanket bond; and (4-11-15)
- c. A description of how the well is closed to the atmosphere with a swedge and valve, packer, or other approved method, and how the well is to be maintained. (3-29-12)

**03. Inactive Review and Decision.** The Department shall review the request for approval, modification, or denial, and shall set the duration of the extension if approved. An extension shall not exceed three (3) years and may be renewed upon request. (3-29-12)

**04. Testing of Inactive Wells.** In addition to the requirements of Section 320 of these rules, inactive wells shall have a mechanical integrity test performed within two (2) years after the date of last use in order to retain inactive status. (4-11-15)

**05. Converting Inactive Wells to Active Wells.** The owner or operator must apply to the Department to change the status of a well from inactive to active. The Department shall review the request for approval, modification, or denial. A mechanical integrity test may be required by the Department if the well has been worked over or if a test has not been conducted for five (5) years or longer. If approved, the well may again be covered by a blanket bond. (3-29-12)

## **502. WELL PLUGGING.**

**01. Plugging Required.** The operator or owner shall not permit any well drilled for oil, gas, saltwater disposal or any other purpose in connection with the production of oil and gas, to remain unplugged after such well is no longer used for the purpose for which it was drilled or converted. (10-21-92)

**02. Notice of Intention to Abandon Well.** Before beginning abandonment work on an oil or gas well, a Notice of Intention to Abandon shall be filed with the Department and approval obtained as to the method of said hole in a manner sufficient to properly protect all freshwater-bearing and possible or probable oil- or gas-bearing formations. The notice must show the reason for abandonment and must give a detailed statement of the proposed work, including such information as kind, location, and length of plugs (by depths), and plans for mudding, cementing, shooting, testing, and removing casing as well as any other pertinent information. (3-29-12)

**03. Plugging Dry Holes.** If a nonproductive well, or dry hole, is drilled and not needed for any specific purpose, it must be plugged and abandoned prior to removal of the drill rig. A verbal notification and approval may be used for dry holes in lieu of the written notification referenced in Subsection 502.02 of these rules. The standards in Subsections 502.04 through 502.06 of these rules will still apply. (4-11-15)

**04. Plugging of Wells.** The owner or operator of any well drilled for oil or gas, or any seismic, core, or other exploratory holes, whether cased or uncased, and regardless of diameter shall be responsible for the plugging of said hole in a manner sufficient to properly protect all freshwater-bearing and possible or probable oil- or gas-bearing formations. The material used in plugging, whether cement, mechanical plug, or some other equivalent method approved in writing by the Director, must be placed in the well in a manner to permanently prevent migration of oil, gas, water, or other substance from the formation or horizon in which it originally occurred. The preferred plugging cement slurry is that recommended in API Bulletin E3. Pozzolan, gel, and other approved extenders may be used if the owner or operator can document to the Department's satisfaction that the slurry design will achieve a minimum compressive strength of three hundred (300) psi after twenty-four (24) hours, and eight hundred (800) psi after seventy-two (72) hours measured at ninety-five (95) degrees F and at eight hundred (800) psi. No substances of any nature or description other than those normally used in plugging operations shall be placed in any well at any time during plugging operations. (3-29-12)

**05. Plugged Intervals.** The following plugging standards shall be followed for all wells: (3-29-12)

- a. Cement must be placed for a length of at least one hundred (100) feet on either side of each casing













## Omnibus Rulemaking Timeline

<b>Docket Number 20-0000-1900F and IDAPA 20.07.02 Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</b>	
<b>To be presented before the 2020 Legislative Session</b>	
<b>DATE</b>	<b>ACTION</b>
May 8, 2019	Present to the Oil and Gas Conservation Commission
May 10, 2019	Submit Notice of Omnibus Rulemaking to DFM
June 19, 2019	Administrative Bulletin 'Special Edition' Posted
June 19, 2019	Public Comment Period Opens for Proposed Rulemaking
June 30, 2019	Temporary Rule in Effect
July 10, 2019	Public Comment Period Closes for Proposed Rulemaking
September 25, 2019	Present to the Oil and Gas Conservation Commission
October 16, 2019	Deadline to submit Notice of Omnibus Rulemaking to DFM
November 20, 2019	Administrative Bulletin 'Special Edition' Posted
2020	Legislative review of pending fee rules, final and effective after approval by concurrent resolution

Division Administrator: Mick Thomas  
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IDAHO OIL & GAS  
CONSERVATION COMMISSION