TOPIC:
I. SEALING EXPLORATORY DRILLED HOLES
II. SEALING DRILLED HOLES IN ACTIVE PERMIT AREAS

INQUIRY: Locate state statutes and rules which regulate the following:
I. Sealing of exploratory drilled holes, in particular, any regulations regarding on-site inspection requirements
II. Sealing of drilled holes in active permit areas, in particular, reclamation requirements

SEARCH RESULTS: Research was conducted using the COALEX Library on LEXIS. The full text of some sections are provided; for others, only excerpts are included. The most relevant sections or sections whose language differs from the federal regulatory language are grouped separately from the materials which duplicate the federal language.

I. SEALING EXPLORATORY DRILLED HOLES

Section 512 of SMCRA, 30 U.S.C. 1262, entitled "Coal Exploration Permits", sets forth the requirements for coal exploration operations.

OSM rules regulating coal exploration notice and permit requirements are found at 30 CFR Part 772 (originally Part 776). 30 CFR Part 815 provides the performance standards for coal exploration. Specifically, subsection 815.15(g) addresses the requirements for reclaiming any "exploration hole, borehole, well, or other exposed underground opening".

Generally, state regulations follow the federal rules, requiring those exploration operations which "substantially disturb" the land to comply with the applicable performance standards for surface and underground coal mining, Parts 816-828. (See the attached excerpts from September 8, 1983 Federal Register, 48 FR 40622).

States with regulations which specifically address inspection of sealed holes drilled during the exploration operation or regulations of particular interest are discussed below and are listed in Attachment section B. State sections regulating prospecting appear in Attachment section C. Examples of state regulations which follow the federal language appear in Attachment section D (with text attached). Attachment section E lists other state statute and regulatory sections which follow the federal language (no text is included for these sections).
INDIANA
Regulation 310 IAC 12-3-12, following Statute Sec. 13-4-5-5, calls for the maintenance of records of each hole drilled, "including the date drilled, the date plugged, the method of sealing or casing...and the location of the drill hole." Statute Sec. 13-4-5-5 also authorizes inspection of the test hole sites and drill records.

KANSAS
Regulations 82-2-301 through 312 set forth the rules for drilling and plugging oil and gas wells and exploratory holes. Included are the following rules:

a. Written notice must be provided to the conservation division indicating the intention of an owner to abandon a well. A "duly authorized representative" will be sent to "supervise the plugging of such well." Sec. 82-2-302.

b. Specific procedures for plugging wells are listed in Sec. 82-2-303.

c. Within 30 days after the plugging of a well, an owner must file an affidavit reporting on the plugging of the well. Sec. 82-2-304.

NORTH DAKOTA
The industrial commission, acting through the office of the state geologist, has the authority to "inspect all drilling or exploration sites." Statute Sec. 38-12.1-04.

VIRGINIA
Oil and gas inspectors are authorized to "enforce the oil and gas laws of this state" and "observe" drilling and casing. Statute Sec. 45.1-111.

WYOMING
Within 12 months after a "hole completion", an inspection of the hole and "surface restoration work" must be made, in order to "make a determination of whether to release [the exploration] bond". Sec. 5 of Chap. XV of the state regulations.

ATTACHMENTS

I. SEALING EXPLORATORY DRILLED HOLES

A. Excerpts from 48 FR 40622 (SEPTEMBER 8, 1983).

B. SECTIONS ADDRESSING INSPECTION AND OTHER REGULATIONS OF PARTICULAR INTEREST.

   1. INDIANA
d. Meetings of minutes between OSM and the Indiana Dept. of Natural Resources (5/15/82 and 5/19/82). Performance standards.
e. Meetings of minutes between OSM and the Indiana Dept. of Natural Resources (5/15/82 and 5/19/82). Permitting. Coal exploration.
f. Meetings of minutes between OSM and the Indiana Dept. of Natural Resources (5/15/82 and 5/19/82). Performance standards. Coal exploration.
h. LSA Document No. 82-9, Sec. 6 (1982), amending Ind. Admin. Code title 310, r. 12-3-13.

2. KANSAS

a. Kan. Admin. Regs. 82-2-301 (1980). Drilling and plugging of oil or gas wells and seismic core or exploratory holes. Oil, gas and water to be protected.
e. Kan. Admin. Regs. 82-2-305 (1980). Drilling and plugging of oil or gas wells and seismic core or exploratory holes. Holes penetrating salt water formations; Notice of intention to drill.
h. Kan. Admin. Regs. 82-2-308 (1980). Drilling and plugging of oil or gas wells and seismic core or exploratory holes. Wells used for fresh water.

k. Kan. Admin. Regs. 82-2-311 (1980). Drilling and plugging of oil or gas wells and seismic core or exploratory holes. Licenses; Application, contents and approval.

l. Kan. Admin. Regs. 82-2-312 (1980). Drilling and plugging of oil or gas wells and seismic core or exploratory holes. Licenses; Complaints; Hearing.


3. NORTH DAKOTA


4. VIRGINIA

5. WYOMING

C. SECTIONS REGULATING DRILL HOLES UNDER PROSPECTING RULES.
1. MONTANA


2. MARYLAND

3. WEST VIRGINIA

D. SECTIONS THAT MIRROR THE LANGUAGE OF THE FEDERAL REGULATIONS.
   1. ALABAMA

   2. ILLINOIS

   3. MISSOURI

   4. NEW MEXICO

   5. WYOMING

E. LIST OF OTHER STATE STATUTE AND REGULATORY SECTIONS WHICH FOLLOW THE FEDERAL LANGUAGE. (Copies of these sections are not included with the report.)

1. ALASKA

2. COLORADO

3. IOWA

4. KENTUCKY

5. LOUISIANA

6. MISSISSIPPI

7. NORTH DAKOTA

8. OHIO
9. **OKLAHOMA**

10. **TEXAS**

11. **UTAH**

12. **VIRGINIA**

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**II. SEALING DRILLED HOLES IN ACTIVE PERMIT AREAS.**

The sections which regulate the sealing of drilled holes are as follows:

**Surface Mining Performance Standards**
- 816.13 Casing and sealing of drilled holes; General requirements
- 816.14 Casing and sealing of drilled holes; Temporary
- 816.15 Casing and sealing of drilled holes; Permanent

**Underground Mining Performance Standards**
- 817.13 Casing and sealing of exposed underground openings; General requirements
- 817.14 Casing and sealing of underground openings; Temporary
- 817.15 Casing and sealing of underground openings; Permanent

Generally, the state regulations follow the language of the federal rules. States with regulations of particular interest are discussed below and are listed in Attachment section A. Examples of state sections which follow the language of the federal regulations are included as Attachment section B (text is attached). The list of the other state sections which follow the federal rules appears as Attachment section C (no text is included for these sections).
COLORADO

Regulation section 4.07.3 provides specific hole plugging procedures and states the reporting requirements for abandoned drill holes.

PENNSYLVANIA

These sections include regulations for sealing gas and oil wells.

WYOMING

Sec. 3 of Chapter XV provides specific procedures for plugging drilled holes.

ATTACHMENTS:

II. SEALING DRILLED HOLES IN ACTIVE PERMIT AREAS.

A. SECTIONS OF PARTICULAR INTEREST.

1. COLORADO

b. Colo. Surface Coal Mining Reclamation Act, Sec. 4.07.2 (1986). Performance Standards. Sealing of drilled holes and underground openings; Temporary sealing.
c. Colo. Surface Coal Mining Reclamation Act, Sec. 4.07.3 (1986). Performance Standards. Sealing of drilled holes and underground openings; Permanent sealing.

2. PENNSYLVANIA


3. WYOMING

B. SECTIONS THAT MIRROR THE LANGUAGE OF THE FEDERAL REGULATIONS.

1. KENTUCKY

2. MISSOURI

3. MONTANA

4. OHIO

5. VIRGINIA


C. LIST OF OTHER STATE STATUTE AND REGULATORY SECTIONS WHICH FOLLOW THE FEDERAL LANGUAGE. (Copies of these sections are not included with the report.)

1. ALABAMA

2. ALASKA

3. ARKANSAS

4. ILLINOIS

5. INDIANA

6. IOWA

7. LOUISIANA

8. MARYLAND

9. MISSISSIPPI

10. NEW MEXICO

11. NORTH DAKOTA

12. OKLAHOMA

13. TEXAS

14. UTAH