

**Comments**  
**on**  
**Bureau of Land Management**  
**Oil and Gas, Well Stimulation, Including Hydraulic Fracturing, on Federal and Indian Lands**  
**Proposed Rule**  
**RIN 1004–AE26**  
**77 Federal Register 27691**

**Submitted by**  
**National Ground Water Association**

National Ground Water Association:

The National Ground Water Association (NGWA) is the largest association of groundwater professionals in the world. Our members include leading public and private sector groundwater scientists, engineers, water well contractors, manufacturers, and suppliers of groundwater-related products and services.

General Comments:

NGWA recognizes that hydraulic fracturing of oil and gas wells is a mature technology and has been a widespread practice for many decades. While no widespread water quality or quantity issues have been definitively documented that are attributable to hydraulic fracturing and related activities at oil and gas well sites, there have been isolated cases where faulty casing installations (including poor cement bonds) or poor management of materials/chemicals at the surface are suspected as having negatively impacted groundwater, surface water or water wells.<sup>1</sup> NGWA encourages the development of best practices, policies, and regulations based on a scientific understanding of the relevant underlying issues, and supports additional studies, as needed, so that practices are based on sound science.

Specific Comments:

*Proposed Section 3160.0-5 Definition – Well Stimulation:* NGWA supports the inclusion of and the proposed definition of well stimulation. The definition makes it clear that the rules and proposed changes apply to well stimulation related to increasing the flow of hydrocarbons, which is necessary to avoid confusion over well stimulation for water production. Water production wells may occur on federal lands and the regulation of water wells and water well



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stimulation practices on federal lands should remain separate and distinct from oil and gas-related activities.

*Section 3162.3-1(e) Drilling applications and plans:* The Association recommends that the existing rules be modified to require specifically that prior to drilling, abandoned wells of all types within the area of operation should be identified and properly sealed. All unused or abandoned wells and boreholes, including water wells, oil and gas wells, which penetrate aquifers or breach a zone that provides a significant barrier to contaminant migration, should be properly sealed.

*Proposed Section 3162.3-3(a) Well Stimulation:* The final rule should clarify even further that well stimulation is separate from well injection. Proposed wording is as follows:

- (a) This section applies to well stimulation activities. Injection activities must comply with section 3162.3-2

*Proposed Section 3162.3-3(c)(2) Cement Bond Log, Proposed Section 3162.3-3(d) Mechanical Integrity Testing Prior to Well Stimulation, Proposed Section 3162.3-3(e)(1) Monitoring and Recording During Well Stimulation:* Proper construction and regular maintenance of oil or gas production wells are critical to ensuring the well's integrity and preventing the migration of natural and injected fluids that could endanger current or future drinking water sources. Oil and gas well construction requirements – such as casing depth, the number of casing strings, and cementing requirements – should be designed, among other factors, to protect shallower, useable groundwater. NGWA supports allowing cement bond logs or other appropriate procedures to ensure the integrity of the well rather than a requirement that all new wells have cement bond logs. Additionally, the Association supports the proposed requirement that the operator continuously monitors and records annulus pressure at the bradenhead as well as between the intermediate and production casing as applicable.

*Proposed Section 3162.3-3(c)(3) Source Water:* Overall water withdrawals for oil and gas operations may be a small percentage of total water withdrawals. In areas where water is scarce or the potential for water use conflicts exists, NGWA recommends that water supply plans be prepared to show available sources of water. The proposed rule includes a requirement to identify the water source. If that water source is on federal land, will there be a review to determine whether the proposed water use presents a conflict with current or future water uses for other purposes. Generally, the association encourages consideration of



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the use of brackish water, water reuse, or other alternatives that minimize freshwater supply withdrawals for unconventional oil and gas development, including well stimulation.

*Proposed sections 3162.3-3(g)(4) and (5) Disclosure of Stimulation Fluid Composition:* The proposed section would require the operator to identify to the BLM the stimulation fluid by additive trade name and additive purpose, the Chemical Abstracts Service Registry Number, and the percent mass of each ingredient used in the stimulation operation. BLM also indicates its intent to post this information on a public web site and is working with the Ground Water Protection Council to integrate this information into FracFocus.org. The information would be required after fracturing operations has taken place. The Association supports the disclosure, to an appropriate governmental entity, of all chemicals used in the oil and gas well hydraulic fracturing process to allow for proper monitoring as well as to assess and respond to potential problems that may arise.

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<sup>i</sup> National Ground Water Association, Hydraulic Fracturing: Meeting the Nation's Energy Needs While Protecting Groundwater Resources Position Paper. November 1, 2011. Available at:

<http://www.ngwa.org/Documents/PositionPapers/Hydraulic%20Fracturing%20-%20Oil%20and%20Gas%20Jan%202012%20for%20Web.pdf>



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