



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region8>

Ref: 8WD-SDU

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Adam Dever
Mann Oil Company, LLC
adamd@mannenergy.com

Re: Final Permit - ND22389-11621, McKenzie Federal 35-1 SWD

Dear Mr. Dever:

Enclosed is your copy of the final U.S. Environmental Protection Agency Region 8 Underground Injection Control Program (UIC) permit (Permit) for the above referenced well or project area. The public comment period ended on December 13, 2019. We received comments on the Draft Permit and have included with this letter a copy of the EPA's responses to these comments that also documents changes to the Final Permit. Because comments were received during the public comment period, the Final Permit becomes effective 30 days from the date of issuance per Title 40 Code of Federal Regulations (40 CFR) § 124.18, to provide a 30-day window for the commenter(s) to appeal the Final Permit decision. All conditions set forth herein refer to 40 CFR Parts 124, 144, 146, and 147 and are regulations that are in effect on the date that this Permit becomes effective.

Please note that as a result of these comments, an injection volume limitation of 3,082,922 barrels was included in the Permit in Appendix C. Upon the Permit becoming effective, and prior to commencing injection, you must fulfill all requirements found in the final Permit, Part II Section B.2, and obtain written authorization to inject from the EPA. It is your responsibility to be familiar with, and to comply with, all provisions of your Final Permit. Since the water quality of the Inyan Kara aquifer was unknown at the time injection into this aquifer initially commenced in 2006, the EPA presumes this aquifer is an underground source of drinking water. Therefore, you must request, and the EPA must approve, an aquifer exemption before injection re-commences. The radius of the requested aquifer exemption can be up to 950 feet from the wellbore and limiting the volume of injected fluids as noted above will ensure these fluids remain within this radial distance.


The EPA forms referenced in the Permit are available at:

<https://www.epa.gov/uic/underground-injection-control-reporting-forms-owners-or-operators>. Guidance documents for performing required tests and logs and other UIC guidances are available at <https://www.epa.gov/uic/underground-injection-control-epa-region-8-co-mt-nd-sd-ut-and-wy>.

If you have any questions or comments about the above action, please contact Craig Boomgaard at (303) 312-6794 or Boomgaard.Craig@epa.gov.

Sincerely,

6/1/2020

 Sarah Bahrman

Signed by: SARAH BAHRMAN

Sarah Bahrman, Chief
Safe Drinking Water Branch
Water Division

Enclosures: Final Permit
Response to Comments

cc: Edmund Baker
Environmental Director
Three Affiliated Tribes

Pete Coffey
Tribal Historic Preservation Officer
Three Affiliated Tribes

Kenny Lyson
Deputy Director, Energy Division
Three Affiliated Tribes