

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI MISSISSIPPI OIL AND GAS BOARD

Mississippi Oil & Gas Board
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Specific Legal Authority authorizing the promulgation of Rule 28 of the Statewide Rules and Regulations of the State Oil and Gas Board: Section 53-1-17 of the Mississippi Code of 1972

Reference to Rules repealed, amended or suspended by the Proposed Rule: Rule 28 of the Statewide Rules and Regulations of the Mississippi State Oil and Gas Board

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The Mississippi Oil and Gas Board proposes to amend Statewide Rule 28 to provide for the integrity of plugged wells. The purpose of these amendments is to assure that the plugging procedure in Mississippi will prevent pollution of land and fresh water sources from improperly plugged wells. The Board is of the opinion that these changes are necessary to comply with the federal standards set by the Environmental Protection Agency.

The Mississippi Oil and Gas Board proposes to amend Statewide Rule 28 by adding the following sentence at the end of Paragraph 2(a) (**changes noted by bold print**):

When an operator submits its first petition to the Board for a twelve (12) month extension of the well's "Inactive Well" status it must perform and file a mechanical integrity test on the well. Every three years thereafter a mechanical integrity test must be performed on the well using the procedure approved by the Board staff.

This provision establishes a regular procedure for mechanical integrity tests on inactive wells.

The Mississippi Oil and Gas Board proposes to amend Paragraph B(2) of Statewide Rule 28 as follows (**changes noted by bold print**):

2. All holes **in which no casing was run** shall be plugged **as follows**:

a. The hole shall be filled with mud, and cement plugs of not less than one hundred (100) feet in length shall be placed to protect each producible pool and a cement plug **of not less than one hundred (100) feet** must be placed approximately fifty (50) feet below all freshwater-bearing strata, together with additional cement plugs to properly protect all uncased freshwater-bearing sands. Further, a cement plug of not less than one hundred (100) feet shall be placed at the bottom of the surface pipe **(50 feet in and 50 feet out)**. A cement plug **of at least twenty-five (25) feet shall be placed inside the casing near the surface of the ground, the casing cut off in such a manner so as not to interfere with soil cultivation, and a steel plate welded to the top of the casing tub.**

b. **Such other cement plugs as are deemed necessary by the Board to properly plug the well.**

c. **Placement of all plugs shall be verified by tagging in a manner acceptable to the Board.**

d. **The placement and tagging of all plugs shall be witnessed by a representative of the Board.**

Sub-paragraphs (a), (b), (c) and (d) are modifications of Paragraph B(2) in the existing Statewide Rule 28.

The Mississippi Oil and Gas Board proposes to amend Paragraph B(3) of Statewide Rule 28 as follows (**changes noted by bold print**):

3. All wells, **excluding those classified as Class II injection wells**, in which production casing has been set shall be plugged as follows:

a. If the production casing is not to be pulled, a cement **plug of not less than one hundred (100) feet** or bridging plug **with cement on top** shall be placed near the bottom of the casing string **at a depth equal to at least 0.9 times the top open perforation** and in such position as to protect any producible pool. **A cement plug of not less than one hundred (100) feet in length shall be placed inside the production casing at approximately fifty (50) feet below all freshwater-bearing strata. A cement plug of at least twenty-five (25) feet shall be placed inside the smallest string of casing and in all annular spaces near the surface of the ground, the casing(s) cut off in such a manner so as not to interfere with soil cultivation, and a steel plate welded to the top of the casing stub(s).**

b. Where the production casing is to be pulled, a cement **plug of not less than one hundred (100) feet** or bridge plug **with cement on top** shall be placed near the bottom of the production string **at a depth equal to at least 0.9 times the top open perforation** so as to properly protect any producible pool and the hole filled with mud up to the point where the production casing is severed. The hole shall be filled with mud and a cement plug of not less than one hundred (100) feet in length shall be placed at approximately fifty (50) feet below all freshwater-bearing strata, together with additional cement plugs to properly protect all uncased freshwater-bearing sands. Further, **if the base of surface casing is exposed by pulling the production casing** a cement plug of not less than one hundred (100) feet shall be placed at the bottom of the surface pipe **(50 feet in and 50 feet out)**. **A cement plug of at least twenty-five (25) feet shall be placed inside the casing near the surface of the ground, the casing cut off in such a manner so as not to interfere with soil cultivation, and a steel plate welded to the top of the casing stub.**

c. **Such other cement plugs and testing of plugs as is deemed necessary by the Board to properly plug the well.**

d. **The placement, tagging and testing, if any, of all plugs shall be witnessed by a representative of the Board.**

4. **All wells classified as Class II injection wells shall be plugged under the procedure included in Rule 63.**

5. **After the well is plugged and abandoned and prior to releasing the well to the landowner for unrestricted use, a NORM survey shall be run pursuant to Rule 69 and a Form-21 must be filed with the Board within sixty (60) days after plugging.**

6. The operator shall have the option as to the method of placing cement or cement-admix in the hole by (1) dump bailer, (2) pumping through tubing, casing, or drill pipe, (3) pump and plug, or (4) other method approved by the Board.

7. Within thirty (30) days after the plugging of any well, the owner, operator, or producer responsible therefore who plugged, or caused to be plugged, the well shall file an affidavit on Form No. 7 with the Board, setting forth in detail the method used in plugging the well and a record of any casing removed.

Sub-paragraphs (a), (b), (c) and (d) are modifications of Sub-paragraphs (a) and (b) in the existing Statewide Rule 28. Paragraphs (4) and (5) are new Sub-paragraphs under Section (B) of Statewide Rule 28. Sub-paragraphs (c) and (d) of the present Statewide Rule 28 have not been changed, but have been renamed Paragraphs (6) and (7) of Section (B).

A copy of the proposed amended Statewide Rule 28 is attached hereto (**changes noted by bold print**).

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding:

Check one box below:

An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contract person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement:

Check one box below:

- The agency has determined that an economic impact statement is not required for this rule, or
- The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: August 14, 2007

Proposed Effective Date of Rule: November 28, 2007

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