

NOTICE OF RULE ADOPTION – FINAL RULE

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Reference to Rules repealed, amended or suspended by the Proposed Rule: Rule 28 of the Statewide Rules and Regulations of the Mississippi State Oil and Gas Board

Date Rule Proposed: March 11, 2008

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**):

The extension of inactive well status shall not affect the extension or dissolution of the unit as provided in Rule 7 and Rule 8 hereof.

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 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. In lieu of tagging the placement of plugs, the operator may double the size of the plug set forth in Paragraph (a) above.**

d. The operator shall notify the Board's representative 48 hours prior to setting the plugs to afford him the opportunity to witness the placement, tagging (if applicable) and testing (if applicable) of all plugs.

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 cement plugs shall be witnessed by a representative of the Board. If the option of a bridge plug is chosen for plugging, or if a cement retainer is used for cementing, tagging of the plug will not be required. Also, in lieu of tagging the cement plugs the operator may double the size of any cement plug set forth in Paragraphs (a) and (b) above.

e. The operator shall notify the Board's representative 48 hours prior to setting the plugs to afford him the opportunity to witness the placement, tagging (if applicable) and testing (if applicable) of all plugs.

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), (d) and (e) 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**).

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: May 21, 2008

Time: 9:30 a.m.

Place: Suite E, 500 Greymont Avenue, Jackson, MS

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are: Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: May 21, 2008



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