

Office of Oil and Gas

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<http://www.dep.wv.gov/oil-and-gas>

The Office of Oil and Gas (OOG) regulates drilling and production of oil and gas by overseeing industry through permitting, inspection, and enforcement programs. It also ensures operators comply with mine safety issues related to the location, development, and plugging of wells.

The OOG is guided by the following laws and rules: W.Va. Code, Chapter 22, Articles 6, 7, 8, 9, 10 and 21; Legislative Rules Title 35 Series 1 through 7. Regulations require permit applicants to notify all landowners and coal operators/owners/lessees that may be affected by a proposed operation. In addition, these regulations require applicants in some cases to provide public notice on proposed permits.

Well Work Permit

Purpose

To provide coverage for preliminary work, drilling, or repairs at well site, including new drilling, re-drilling, deepening, stimulating, partial plugging, fracturing, perforating, and conversion to injection or storage.

Who Must Apply

Anyone planning to do any of the above work on a new or existing well.

Related Laws/Rules

Laws

W.Va. Code, Chapter 22, Article 6, Section 6

Rule

Title 35 Series 4, Section 5 and 6

Water Pollution Control General Permit

Length of Permit

Permits are valid for two years.

Fees

\$650 for new wells

\$650 for re-working an existing well, \$550 if a pit is not required

\$900 for deep wells and coalbed methane wells

Typical Requirements of Owner/Operator(s)

- Register with the Secretary of State's Office and the Office of Oil and Gas to conduct business in West Virginia; post appropriate bond with the OOG.
- Obtain a lease to extract oil or gas from the property.
- Notify surface owners, coal owners, coal lessees and/or coal operators about the proposed work.
- Certify that the surface owners, coal owners, coal lessees and coal operators have been notified of the proposed work, notify natural gas owners for Coalbed Methane wells.
- Apply for a well work permit from the OOG.
- Have a local inspector review the reclamation plan and proposed well work.
- Deep wells must have approval from the Oil and Gas Conservation Commission.
- Provide notice to owners of water wells within at least 1,000 feet of the proposed well location.

Public Participation

Affected surface owners, coal owners, coal lessees and/or coal operators may submit written comments up to 15 calendar days after the permit application is filed.

If there are no objections during this period, the well work permit can be issued 16 calendar days after the application is filed. The permit may be issued within 15 calendar days, if all parties sign a waiver.

Renewal Period

Well work permits cannot be renewed or transferred; applicants must remit paperwork for a new permit. However, permits may be modified.

Application Processing Time

Applications are processed in approximately 30-45 calendar days. If there are comments filed, add 30 calendar days.

Total time required: 30 to 75 calendar days

Other Approvals

Applicant may need permits and/or approvals from local, state or federal entities in addition to DEP/OOG permitting. These may include, but, are not limited to: WV DEP Division of Water & Waste Management (DWWM), WV Division of Natural Resources (DNR), WV Division of Highways (DOH), U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and/or the County Floodplain Coordinator. It is the applicant's responsibility to obtain/submit other required permits.

Plugging Permit**Purpose**

To provide coverage for permanent or partial closure of a depleted well or zone to prevent groundwater, oil/gas reservoir and coal contamination.

Who Must Apply

Anyone planning to permanently or partially plug a well.

Related Laws/Rules*Laws*

W.Va. Code, Chapter 22, Article 6, Section 23

Rule

Title 35 Series 4, Section 13 and 14

Water Pollution Control General Permit

Length of Permit

Permits are valid for two years.

Fees

None without a pit; \$100 site registration fee for a pit.

Typical Requirements of Owner/Operator(s)

- Register with the Secretary of State and the OOG to do business in West Virginia and post the appropriate bond with the OOG.
- Apply for a plugging permit from the OOG.
- Notify affected surface owners, coal owners, coal lessees and/or coal operators about the proposed work.
- Certify that surface owners, coal owners, coal lessees and coal operators have been notified of proposed work.
- Apply for a well work permit from the OOG if planning to drill and/or complete new zones.
- Review the plugging procedure with the local inspector and come to an agreement regarding the procedure.

Public Participation

Surface owners, coal owners, coal lessees and/or coal operators may submit written comments up to 5 calendar days after the permit application is filed. If there are no objections/comments received during this period, the plugging permit can be issued 6 calendar days after the application is filed. If the above parties sign a waiver, the time can be reduced.

Renewal Permit

Well work permits cannot be renewed or transferred; applicants must remit paperwork for a new permit. However, permits may be modified.

Application Processing Time

Applications are processed in approximately 15 calendar days. If there are comments filed, add 30 calendar days.

Total time required: 1 to 45 calendar days

Underground Injection Control Permit

Purpose

To provide coverage for underground injection operations that could affect groundwater, including brine disposal, secondary oil recovery and salt-solution mining.

Who Must Apply

Anyone planning to inject the following substances into the ground:

- Fluids brought to the surface in connection with oil / natural gas production.
- Fresh water, gas or produced brine used to enhance oil production.
- Fresh water for the solution mining of salt brine.

Related Laws/Rules

Laws

W.Va. Code, Chapter 22, Article 6

Rules

Title 35 Series 4, Title 47 Series 9, Title 47 Series 13

Length of Permit

Permits are valid for five years.

Fees

\$500

Typical Requirements of Owner/Operator(s)

- Register with the Secretary of State and the Office of Oil and Gas (OOG) to conduct business in West Virginia and be a bonded operator.
- Monitor operations daily and submit monthly reports.
- Test the well for mechanical integrity.
- Retest well at least once every five years.
- Adhere to specific conditions detailed in the permit.
- Renew underground injection control permit at frequency required in permit for injection to continue.

Public Participation

Place a public notice (class I legal advertisement) with a 30-calendar day public comment period in a local newspaper. A public hearing is conditional, based on the level of public interest in issues relevant to the draft permit.

Renewal Permit

Permits must be renewed within 5 years.

UIC Application Processing Time

Technical review - Approximately 15 calendar days

(depending on the completeness and complexity of the application).

Public participation - 30-120 calendar days

(depending on whether objections are raised and a public hearing must be held).

Total time required: 45 to 150 calendar days

Temporary Service Pit Permit**Purpose**

To provide coverage for the construction of a temporary service pit designed to collect, contain, and treat fluids generated during maintenance or plugging of an oil and gas well.

Who Must Apply

Anyone planning to construct a temporary service pit at a work site.

Related Laws/Rules

Laws

W.Va. Code, Chapter 22, Article 6, Section 7

Rule

Water Pollution Control General Permit

Length of Permit

Permits are valid for one year or less, as determined by the OOG.

Fees

\$100

Typical Requirements of Owner/Operator(s)

- Register the temporary service pit with the OOG.
- Submit a temporary service pit permit application (W-9), a topographical map of the area, a copy of the well plat and detailed explanation of the proposed work to the OOG.
- Pay the permit application fee.
- Notify the landowner of the work to be done.
- Inform local inspector of the status of the permit.

Public Participation

Surface owner has a right to comment within 15 days.

Renewal Permit

Temporary service pit permits cannot be renewed or transferred. Operators must apply for a new permit.

Application Processing Time

Applications are processed in approximately 1 to 30 calendar days.