

## § 147.3102

(b) *Class I and III wells.* In addition to the notice requirements of §124.10 of this chapter:

(1) Owners and operators of Class I and III wells shall notify the affected Tribal government prior to submitting an application for a permit, shall publish such notice in at least two newspapers of general circulation in the area of the proposed well, and shall broadcast notice over at least one local radio station.

(2) The Director shall publish a notice of availability of a draft permit in at least two newspapers of general circulation in the area of the proposed well, and broadcast notice over at least one local radio station. The public notice shall allow at least 45 days for public comment.

(c) *Class II wells.* In addition to the notice requirements of §124.10 of this chapter:

(1) Owners and operators of Class II wells shall give notice of application for a permit to the affected Tribal government prior to submitting the application to the Director.

(2) In addition to the public notice required for each action listed in §124.10(a) of this chapter, the Director shall also publish notice in a daily or weekly newspaper of general circulation in the affected area for actions concerning Class II wells.

### § 147.3102 Plugging and abandonment plans.

In lieu of the requirements of §144.28(c)(1) and (2) (i)–(iii) of this chapter, owners and operators of Class II wells shall comply with the plugging and abandonment provisions of §147.3108 of this subpart.

### § 147.3103 Fluid seals.

Notwithstanding §§144.28(f)(2) and 146.12(c) of this chapter, owners and operators shall not use a fluid seal as an alternative to a packer.

### § 147.3104 Notice of abandonment.

(a) In addition to the notice required by §144.28(j)(2) of this chapter, the owner or operator shall at the same time submit plugging information in conformance with §147.3108 of this subpart including:

(1) Type and number of plugs;

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(2) Elevation of top and bottom of each plug;

(3) Method of plug placement; and

(4) Type, grade and quantity of cement to be used.

(b) In addition to the permit conditions specified in §§144.51 and 144.52 of this chapter, each owner and operator shall submit and each permit shall contain the following information (in conformance with §146.3108 of this subpart):

(1) Type and number of plugs;

(2) Elevation of top and bottom of each plug;

(3) Method of plug placement; and

(4) Type, grade and quantity of cement to be used.

### § 147.3105 Plugging and abandonment report.

(a) In lieu of the time periods for submitting a plugging report in §144.28(k) of this chapter, owners and operators of Class I and III wells shall submit the report within 15 days of plugging the well and owners or operators of Class II wells within 30 days of plugging, or at the time of the next required operational report (whichever is less.) If the required operational report is due less than 15 days following completion of plugging, then the plugging report shall be submitted within 30 days for Class II wells and 15 days for Class I and III wells.

(b) In addition to the requirement of §144.28(k)(1) of this chapter, owners and operators of Class II wells shall include a statement that the well was plugged in accordance with §146.10 of this chapter and §147.3109 of this subpart, and, if the actual plugging differed, specify the actual procedures used.

(c) The schedule upon which reports of plugging must be submitted are changed from those in §144.51(o) to those specified in paragraph (a) of this section.

### § 147.3106 Area of review.

(a) When determining the area of review under §146.6(b) of this chapter, the fixed radius shall be no less than one mile for Class I wells and one-half mile for Class II and III wells. In the case of an application for an area permit, determination of the area of review under §146.6(b) shall be a fixed width of not