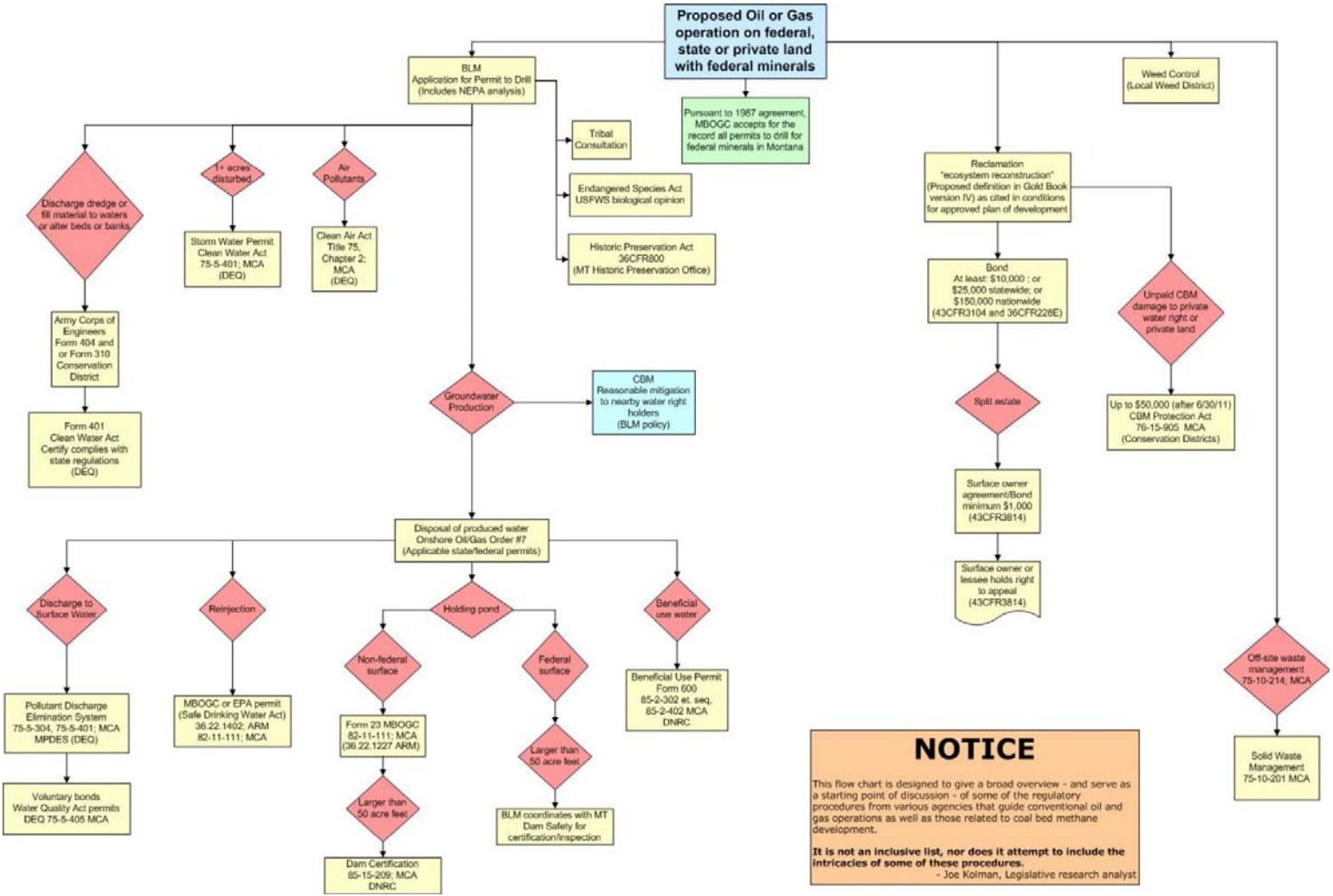
Proposed Oil or Gas operation on federal, state or private land with federal minerals
Pursuant to 1987 agreement, MBOGC accepts for the record all permits to drill for federal minerals in Montana
BLM Application for Permit to Drill (Includes NEPA analysis)
Tribal Consultation
Endangered Species Act USFWS biological opinion
Historic Preservation Act 36CFR800 (MT Historic Preservation Office)
Discharge dredge or fill material to waters or alter beds or banks
Army Corps of Engineers Form 404 and or Form 310 Conservation District
Form 401 Clean Water Act Certify complies with state regulations (DEQ)
1+ acres disturbed
Storm Water Permit Clean Water Act 75-5-401; MCA (DEQ)
Air Pollutants
Clean Air Act Title 75, Chapter 2; MCA (DEQ)
Groundwater Production
CBM Reasonable mitigation to nearby water right holders (BLM policy)
Disposal of produced water Onshore Oil/Gas Order #7 (Applicable state/federal permits)
Discharge to Surface Water
Pollutant Discharge Elimination System 75-5-304, 75-5-401; MCA MPDES (DEQ)
Voluntary bonds Water Quality Act permits DEQ 75-5-405 MCA
Reinjection
MBOGC or EPA permit (Safe Drinking Water Act) 36.22.1402; ARM 82-11-111; MCA
Holding pond
Non-federal surface
Form 23 MBOGC 82-11-111; MCA (36.22.1227 ARM)
Larger than 50 acre feet
Dam Certification 85-15-209; MCA DNRC
Federal surface
Larger than 50 acre feet
BLM coordinates with MT Dam Safety for certification/inspection
Beneficial use water
Beneficial Use Permit Form 600 85-2-302 et. seq. 85-2-402 MCA DNRC
Reclamation "ecosystem reconstruction" (Proposed definition in Gold Book version IV) as cited in conditions for approved plan of development
Bond At least: $10,000 ; or $25,000 statewide; or $150,000 nationwide (43CFR3104 and 36CFR228E)
Split estate
Surface owner agreement/Bond minimum $1,000 (43CFR3814)
Surface owner or lessee holds right to appeal (43CFR3814)
Unpaid CBM damage to private water right or private land
Up to $50,000 (after 6/30/11) CBM Protection Act 76-15-905 MCA (Conservation Districts)
Weed Control (Local Weed District)
Off-site waste management 75-10-214; MCA
Solid Waste Management 75-10-201 MCA
NOTICE
This flow chart is designed to give a broad overview - and serve as a starting point of discussion - of some of the regulatory procedures from various agencies that guide conventional oil and gas operations as well as those related to coal bed methane development.
It is not an inclusive list, nor does it attempt to include the intricacies of some of these procedures.
- Joe Kolman, Legislative research analyst