UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

AUG 0 8 2013

CERTIFIED MAIL, RETURN RECEIPT REQUEST/NO:

Richard K. Goodwin, P.C.
3233 E. Memorial Rd., Suite 102
Edmond, OK, 73013

RE: Freedom of Information Act (FOIA) Request EPA-R6-2013-007969

Dear Mr. Goodwin:

We are uploading the responsive document to the FOIA Online System. You may retrieve this document by accessing it through the FOIA Online System, by selecting the – VIEW RECORDS link in the email you will receive shortly.

In response to your question on regulatory authority, the federal rules for Underground Injection Control (UIC) are set out in the Code Of Federal Regulations (CFR) Title 40, PART 144, Subpart A, § 144.1 Purpose and Scope, under the Safe Drinking Water Act. Our authority is limited to certain kinds of injection wells as spelled out in the CFR. Test wells are excluded under 144.1(g)(2)(v) 'Any dug hole, drilled hole, or bored shaft which is not used for the subsurface emplacement of fluids'. There is no federal regulation covering permitting of test wells, which are neither designed nor intended for injection, under the UIC program.

If you consider this response a denial, you may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOI listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Should you have any questions or need additional information, please contact the Freedom of Information (FOI) Officer, Leticia Lane, at (214) 665-7202.

Sincerely,

James McDonald
Assistant Regional Administrator
for Management