**74:55:02:01.  Definitions.** Terms used in this chapter mean:

(1)  "Class I well," a well used by generators of hazardous wastes or owners or operators of hazardous waste management facilities to inject hazardous waste, other than Class IV wells; and other industrial and municipal disposal wells which inject fluids beneath the lowest formation containing, within one-quarter mile of the well bore, an underground source of drinking water as defined in § 74:55:01:23;

(2)  "Class II well," a well which injects fluids for the enhanced recovery of oil or natural gas, or for the storage of hydrocarbons, which are liquid at standard temperature and pressure, or a well which injects fluids which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters were classified as hazardous waste at the time of injection;

(3)  Class III well," a well which injects fluids for extraction of minerals or energy, including those wells used for solution mining of minerals;

(4)  "Class IV well," a well used by generators of hazardous wastes or of radioactive wastes, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous wastes or radioactive wastes into or above a formation which contains an underground source of drinking water within one-quarter mile of the well;

(5)  "Class V well," a well not included in Classes I - IV;

(6)  "Hazardous waste," a hazardous waste as defined in 40 C.F.R. § 261.3 as it existed on May 15, 1986;

(7)  "Well," an artificial excavation or opening in the ground, made by digging, boring, drilling, jetting, or by another artificial method and often walled with bricks or tubing to prevent the sides from caving.

**Source:** 8 SDR 71, effective December 24, 1981; 11 SDR 30, effective August 30, 1984; 12 SDR 204, effective June 23, 1986; 13 SDR 129, 13 SDR 141, effective July 1, 1987; transferred from § 74:03:12:01, July 1, 1996.

**General Authority:** SDCL 34A-2-12.

**Law Implemented:** SDCL 34A-2-12.