



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

January 14, 2022

Dear Tribal Leader:

The U.S. Department of the Interior (Department) is seeking Tribal input regarding Section 40601 of the Infrastructure Investment and Jobs Act, “Orphaned Well Site Plugging, Remediation, and Restoration,” with respect to orphaned oil and gas wells on Tribal land. The Bipartisan Infrastructure Law (BIL), signed into law by President Biden on November 15, 2021, defines an orphaned well as a well that is not used for an authorized purpose—such as production, injection, or monitoring—and for which no operator can be located or the well operator is unable to plug the well and remediate and reclaim the well site. The BIL provides up to \$150 million in Federal funding for the purpose of plugging orphaned wells and remediating and reclaiming orphaned well sites on Tribal lands.

While the Department’s policy and practice is to ensure that oil and gas wells and well sites on Federal and Tribal lands are plugged, remediated, and reclaimed at the end of their productive lives, some wells have become orphaned throughout our Nation’s long history of oil and gas development. These orphaned wells pose risks to human health and the environment. The BIL funding available to plug, remediate, and reclaim orphaned wells and well sites offers a historic opportunity to mitigate the adverse impacts and risks that orphaned wells pose on Tribal land. The BIL provides funding to benefit eligible Tribes via two means. Upon successful completion of a grant application and selection by the Department, an eligible Tribe may directly receive and utilize grant funding to perform the plugging, remediation, and reclamation of orphaned wells on its lands, either through a Tribally-owned entity or through the services of a contractor procured by the Tribe to perform the work. Alternatively, an eligible Tribe may request that the Department perform the plugging, remediation, and reclamation of orphaned wells and well sites on its lands on the Tribe’s behalf.

The Department seeks Tribal input and recommendations on several key issues. To facilitate discussion during upcoming virtual meetings, participants are requested to consider and be prepared to discuss the following topics:

- The status of inventorying orphaned wells on your lands, and whether grant funding specifically to complete inventories would be helpful. Any information Tribes can offer to supplement the orphan well inventory now being developed by the Bureau of Indian Affairs will support overall program delivery.
- Whether some amount of capacity-building or job training within your Tribe would be necessary, whether the Department should consider that to be an eligible expense, and how the Department can partner with Tribes to assist in capacity-building and job training.
- Whether your Tribe has capacity to apply for and manage large grants for orphan well plugging, or whether, in lieu of directly receiving grant funding, your Tribe may

prefer to request that the Department perform the plugging, remediation, and reclamation of orphaned wells on Tribal lands on the Tribe's behalf.

- Whether the Tribe can meet Bureau of Land Management well plugging standards.
- Appropriate protocols on handling sensitive information in existing records.
- How the Department or Tribes can effectively coordinate plugging, reclamation, and remediation on Tribal lands with similar activities being performed on nearby federal or state lands.

The Department will conduct the webinar engagement sessions listed below and will accept oral and written comments. Please register in advance for any session you plan to attend. After registering, you will receive a confirmation email containing information about joining the meeting. These meetings will be closed to the press and the public to protect any confidential information that may be discussed during the sessions. Please note that these sessions are separate from formal consultations being organized by the Department for all relevant activities under the BIL.

The engagement session schedule is:

Tuesday, February 8, 2022

1:00 – 3:00 PM E.S.T.

Please register in advance at:

https://www.zoomgov.com/meeting/register/vJIsceqpqD4vE3yUN33PbdrIKNPoP5Ot_g8

You may also register by phone using the following dial-in information:

1 (669) 254-5252

Meeting ID: 1616316559

Passcode: 022911

Wednesday, February 9, 2022

1:00 – 3:00 PM E.S.T.

Please register in advance at:

https://www.zoomgov.com/meeting/register/vJltduCoqz4jEgL_P6Fve2ws0oxy3_0wG7U

You may also register by phone using the following dial-in information:

1 (669) 254-5252

Meeting ID: 1601905598

Passcode: 162907

Thursday, February 10, 2022

1:00 – 3:00 PM E.S.T.

Please register in advance at:

<https://www.zoomgov.com/meeting/register/vJltdu2rqTMiHnVChG5Nnvt01pjIVMxiRnk>

You may also register by phone using the following dial-in information:

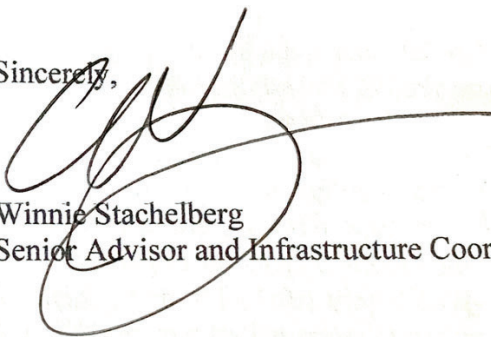
1 (669) 254-5252

Meeting ID: 1601437884

Passcode: 550644

You may provide written input by no later than 11:59 PM Eastern Time on Friday, March 11, 2022 to ECRP@ios.doi.gov. If you have questions regarding this effort, please contact the ECRP@ios.doi.gov email box, or Mr. Steve Tryon, at (202) 208-4221.

Sincerely,

A handwritten signature in black ink, appearing to read 'Winnie Stachelberg', with a long horizontal flourish extending to the right.

Winnie Stachelberg
Senior Advisor and Infrastructure Coordinator