

Colombie, Jody J (DOA)

From: Bruce Campbell <Bruce.Campbell@akleg.gov>
Sent: Monday, February 04, 2013 2:22 PM
To: Colombie, Jody J (DOA)
Cc: Decker, Paul L (DNR); Eddie Grasser (eddie@aksafariclub.org)
Subject: RE: Comments on Fracking Regs
Attachments: CommentsSigned2-1-13.pdf

With comments attached.

Thanks,
Bruce

From: Colombie, Jody J (DOA) [<mailto:jody.colombie@alaska.gov>]
Sent: Monday, February 04, 2013 1:50 PM
To: Bruce Campbell
Subject: RE: Comments on Fracking Regs

There was no attachment.

From: Bruce Campbell [<mailto:Bruce.Campbell@akleg.gov>]
Sent: Monday, February 04, 2013 8:19 AM
To: Colombie, Jody J (DOA)
Cc: Decker, Paul L (DNR); Fogels, Edmund J (DNR)
Subject: Comments on Fracking Regs

Jody,
Please accept the attached comments on AOGCC's proposed fracking regulations. There are many related issues better addressed by technical experts in DNR, such as what analytical testing of fluids from a well could reveal, given that one has to drill through accumulations of methane crystals at the base of the permafrost across the North Slope before penetrating any shale oil formation. The list of analyses provided in the draft regulations do not seem to have been thought through.

Thanks,
Bruce Campbell
Staff for Senator Pete Kelly
Alaska Legislature

Alaska State Legislature

Senator Pete Kelly

Interim

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Session

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Sen.Pete.Kelly@akleg.gov

Date: February 1, 2013

Cathy P. Foerester, Chair, Commissioner
Alaska Oil and Gas Conservation Commission
333 West 7th Ave.
Anchorage, AK 99501
907-793-1221
Jody.colombie@alaska.gov

Re: Comments on revised regulations defining hydraulic fracturing.

Dear Sirs:

Thank you for providing my office with a copy of the proposed regulations, and for your consideration of the following comments:

Authority to promulgate regulations is granted by the Legislature under AS44.62, the Administrative Procedures Act. In this case I believe you are seeking to make specific the broader statutory authority granted to you to ensure oil and gas activities are in the public interest. Unfortunately, the regulations as written do not appear to recognize the site specifics for fracking in the various geologic regions of Alaska.

Please revise the regulations to recognize that fracking in the Alaska North Slope can be conducted safely in a different manner than other regions. Just as Alaska Statutes establish different regulatory regimes for Alaska North Slope and Cook Inlet oil and gas production, to be in the best interest of Alaskans, I would encourage the same specificity for your proposed fracking regulations.

Regulations governing fracking in the Alaska North Slope region must recognize the very low to zero potential for hydraulic fracturing fluids to contaminate a water source important for human use, fish propagation, or agriculture. There is no surface use of ground water from below the permafrost zone. No agricultural use, and no potential for deep aquifers to penetrate the 800 to 2000 foot thick permafrost that seals both the surface muds, sediment and in places the upper reaches of bedrock.

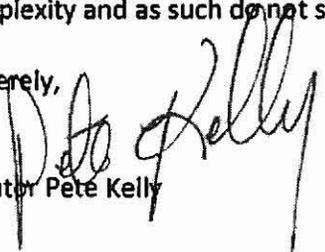
To serve the public interest it would be best if the regulations recognized the very low to zero potential for hydraulic fracturing fluids to contaminate a water source important for human use, fish propagation, agriculture, or other use important to the human environment. No one is using or has an interest in

extracting ground water from below the permafrost zone. There is no agricultural use of the aquifers like there is in Texas and the regulatory standards for the area should reflect this fact.

Further, we know that the subsurface aquifer below the permafrost and above the oil shales is itself saline and unusable for agriculture, drinking, or fish propagation. While aquifers of similar depth are used for agriculture in the lower-48 and may warrant the protections proposed in these regulations, they are fresh water aquifers, not saline aquifers. In fact, the highest and best use of the aquifers on the North Slope is probably to develop and use as reinjection fluids for hydraulic fracturing. Expensive and time consuming laboratory testing of numerous samples would not appear to be warranted. Please consider the adequacy of readily available hand-held water quality testing equipment.

Because oil production is in the best interest of the citizens of the State, I urge you to revise these regulations to take into account the basic information known to the Alaska Oil and Gas Conservation Commission so as to adequately provide those protections actually warranted for operations on the North Slope, and set aside the requirements that are not needed, add to the cost, increase operational complexity and as such do not serve in the best of Alaskans.

Sincerely,


Senator Pete Kelly

BWC