

Singh, Angela K (DOA)

From: Colombie, Jody J (DOA)
Sent: Tuesday, April 02, 2013 8:49 AM
To: Singh, Angela K (DOA)
Subject: FW: AOGCC proposed regulations, submitting comment
Attachments: Comment letter for AOGCC.docx

From: McIver, Bren (DOA) **On Behalf Of** AOGCC Cust Svc (DOA sponsored)
Sent: Tuesday, April 02, 2013 8:47 AM
To: Colombie, Jody J (DOA)
Subject: FW: AOGCC proposed regulations, submitting comment

Bren McIver

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From: Claire Pywell [<mailto:claire.f.pywell@gmail.com>]
Sent: Monday, April 01, 2013 4:01 PM
To: AOGCC Cust Svc (DOA sponsored); jodie.colombie@alaska.gov
Subject: AOGCC proposed regulations, submitting comment

Attached are my comments on the proposed fracking regulations for AOGCC.

Best,
Claire Pywell

Claire Pywell
3405 Oregon Drive, B
Anchorage, AK 99517

Alaska Oil and Gas Conservation Commission
333 West 7th Avenue, Suite 100
Anchorage, Alaska 99501

To whom it may concern:

Thank you for the opportunity to comment on the proposed hydraulic fracturing regulations for Alaska. Because 60 to 80 percent of all wells drilled in the United States in the next ten years will require hydraulic fracturing, now is the time to adopt comprehensive rules that shape responsible, safe and efficient natural gas and petroleum resource development. The choices and changes we make now will also undoubtedly influence operations in the Lower 48, where drilling often occurs close to families, schools and businesses. I appreciate the opportunity to recommend strengthening several components of the proposed regulations, including chemical disclosure of fracturing fluids, water sampling, notification of nearby landowners and residents of future activities, and ongoing inspection and monitoring of fracked wells.

Disclosure. I commend AOGCC's decision to disclose chemicals in hydraulic fracturing fluids. In its current form, however, section 25.283(a) fails to require full chemical disclosure to affected members of the public prior to hydraulic fracturing. This BLANK compromises public confidence in the health and environmental risk posed by hydraulic fracturing operations. Full disclosure of the chemical makeup of fracturing fluids must occur prior to and during fracturing operations, in a forum accessible to the public. The exclusive use of FracFocus for this disclosure is far from adequate. Alaska now has the chance to demonstrate that its operations are conducted safely and protect the public health and environment. AOGCC can assure Alaskans through a combination of full online disclosure in an online format that consolidates drilling locations and fracturing fluid makeup in a complete, accessible format.

If AOGCC fails to provide this necessary disclosure piece, the public's health needs to remain protected – if requested by landowners within half mile of the owner, AOGCC or a partnering agency should perform well water testing on nearby property and within homes for methane and hydrogen sulfide migration.

Water Sampling. The current proposal for pre-fracture sampling of water wells is a critical component of this regulation, however neither the frequency nor timeframe for sample collection prove adequate. A single water sampling test performed between three and four months after fracking has finished fails to provide AOGCC or the public with a long-term picture. AOGCC's mission commitment to protect the public's health and groundwater cannot be achieved without a pre-fracture test 90 days prior to drilling, a 90 day post-fracture test, and a full year post-fracture test. This regulation includes no language about the action prompted if water well sampling and analysis reveals decreased or degradation in water quality.

Notifying nearby residents and landowners before hydraulic fracturing commences is an important and commendable inclusion in these draft regulations. The quarter-mile distance from

the wellbore trajectory identified in Section 25.283(a), however, is insufficient, and should be extended to one half mile. All land users, owners and residents within a five mile radius must also be notified personally by mail 90 days prior to any drilling action occurs.

Inspection and Monitoring. AOGCC has taken an important step towards more responsible hydraulic fracturing practices with these proposed regulations, but should an increase in oil and gas production that hydraulic fracturing makes more feasible occur, **AOGCC requires more staff to do the inspection and monitoring for which it is legally responsible.** Six field inspectors will scarcely be able to uphold the agency's charge to protect the public interest in exploration and development of Alaska's valuable oil, gas and geothermal resources while protecting its people's health, safety, and fresh ground water resources.

Sincerely,

Claire Pywell
Anchorage Resident

Colombie, Jody J (DOA)

From: Wallace, Chris D (DOA)
Sent: Wednesday, January 23, 2013 12:08 PM
To: Claire Pywell
Cc: Colombie, Jody J (DOA)
Subject: RE: AOGCC proposed fracking regulations

Claire,
Good to see you are following the proposed regulations.

Confidential information is defined in AS 31.05.035 and pertains to wells defined as Exploration or Stratigraphic. These have a general confidentiality of 30 days to generate reports, then 24 months of confidentiality. There are approx 10 wells that have been granted extended confidentiality (and those are listed via the AOGCC website).

For hydraulic fracturing of an exploration or stratigraphic well, the application for (10-403) and report of (10-404) would be held confidential for the confidential period.

For a non exploration or stratigraphic well (eg development), the hydraulic fracturing intent will be listed on the Permit to Drill (Form 10-401) and once approved, that PTD and Sundry Application (Form 10-403) will be scanned and Laserfiched and available on the AOGCC website. <http://aogweb.state.ak.us/WebLink8/Browse.aspx>. The website is updated weekly on Sundays. Normal processing times apply before they can be scanned and uploaded to the website – and during that interim the hardcopy is available at the AOGCC for viewing.

For a non exploration or stratigraphic well (eg development), when the Sundry Report (Form 10-404) is provided within 30 days after completion, that report will go to the well file and be scanned and Laserfiched and be available to the public via the AOGCC website. Also the fracfocus.org disclosure information shall be posted and available for viewing based on the fracfocus.org upload frequency.

Applications to hydraulic fracture (Form 10-403) are not proposed to go through a Public review or viewing periods as there is currently no requirement for the 20 AAC 25.280 application to do so. Once a 10-403 is submitted and approved, the Operator has 24 months to perform the frac. Once the 10-403 is approved, it will go to the well file and be Laserfiched which allows public viewing on the website. The Commission is always available to hear from the public, and information exchange with the public is important to AOGCC.

Thank you for your interest in the proposed hydraulic fracture regulations. If you feel that there should be a change or improvement in this process, I urge you to comment in writing and give testimony at the hearing on April 4. If there are any additional questions I can help you with, please let Jody or myself know.

Thanks and Regards,
Chris Wallace
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From: Claire Pywell [<mailto:cpywell@npca.org>]
Sent: Tuesday, January 22, 2013 2:51 PM
To: Colombie, Jody J (DOA)
Subject: AOGCC proposed fracking regulations

Good afternoon, Jody!

Before submitting my comments on the proposed regulations from AOGCC on hydraulic fracturing, I wanted to clarify which pieces of the proposed regulation include information that will be accessible to Alaskans. Will the 10-404 Form described in the proposed 20 AAC 25.283 section on Sundry Approvals be available to the public, or just the commission? Will applications undergo public review or viewing periods?

Thanks for your time,
Claire

Claire Pywell
Gas Permitting and Alaska's Communities Intern

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