

Singh, Angela K (DOA)

From: Colombie, Jody J (DOA)
Sent: Wednesday, April 10, 2013 11:11 AM
To: Singh, Angela K (DOA)
Subject: FW: Hydraulic Fracturing Public Comment
Attachments: Public Comment on regulations Hydraulic Fracturing Eric Dompeling.docx

Please process

From: Eric Dompeling [<mailto:eric.dompeling@solstenxp.com>]
Sent: Tuesday, April 09, 2013 4:21 PM
To: Colombie, Jody J (DOA)
Subject: Hydraulic Fracturing Public Comment

Jody,

I am remise in not having made these comments earlier. IF it's not too late I hope to have these included in the comments for the proposed changes to the regulations.

Thanks you and regards,

Eric Dompeling

New Ventures Manager
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April 9, 2013

Commissioners Foerster, Noman and Seamount
Alaska Oil and Gas Conservation Commission
333 West 11th Avenue, Suite 100,
Anchorage, Alaska 99501
www.doa.alaska.gov/ogc/

RE: AS 31.05.030 amending amend 20 AAC 25.005, 20 AAC 25.280 and 20 AAC 25.990 and add a new section, 20 AAC 25.283

Dear Commissioners;

Thanks you for the opportunity to comment on the proposed changes to regulations concerning Hydraulic Fracturing.

I am a 43 year resident of the state of Alaska, and have spent 30 + years working in the Petroleum Service industry; specifically focused on the Pressure Pumping business. During that time I have been directly involved in field operations, Engineering design sales and management of pumping services. More specifically, cementing, fracturing acidizing and nitrogen services. I applaud your efforts and the majority of the proposed changes in the regulations, but have some reservations which I would like to share with you.

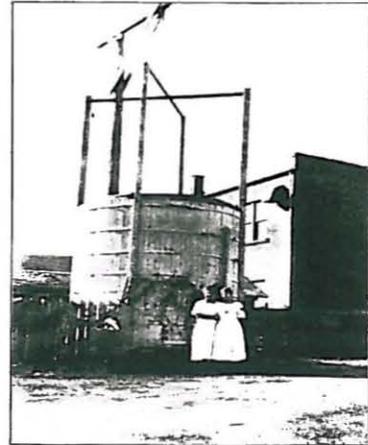
Since the North Slope operations currently occur beneath 1500-200 feet of Permafrost, and the typical landowners, surface owners, and operators within one-quarter mile of the wellbore trajectory, are the same owners and operators that will be performing the work would make this redundant. I will address my concerns to those areas that may fall outside of the central North Slope area.

- **pre and post hydraulic fracturing water well water sampling and analysis;**

Although I understand that drinking water issues have been raised in the lower 48 with regard to Fracturing operations, it is my observation that there has to date, not been a single proven case where the fracturing of a well, other than possibly a shallow coalbed methane well, has damaged a water well in the United States. Additionally, it is known and documented that many areas of the United States have drinking water that contains biogenic methane gas. The State of North Dakota has gone to the trouble of identifying the biogenic methane in North Dakota a link to the full report is enclosed.

"https://cms.oilresearch.nd.gov/image/cache/3._Final_Report.pdf"

The interesting thing about the report is that most of the methane and water issues are in the eastern part of the state as opposed to the western part that has the Oil development current being done.



Storage tank for natural gas at the Northern Hotel in Edgeley, LaMoure County, North Dakota around 1920. This tank was once used to collect gas from an artesian well in the area. The gas was used to light the hotel (from Hard, 1920).

I would oppose the mandatory testing provided by industry for two reasons,; One Water wells traditionally have initial tests done to determine the quality of the water in the aquifer, if after any fracturing work is done and the water quality changes – the testing can always been done post fracturing.

- **disclosure of the chemical makeup of hydraulic fracturing fluids;**

I disagree with the disclosure requirements for two reasons.

1. The Current regulations already require operators and service organizations to have available on location, Material Safety Data Sheets (MSDS¹) for all chemicals in inventory.

This process provides all the information necessary for the individuals that work with these chemicals to protect themselves in case of exposure. This information is available to emergency responders and should be available to anyone who is concerned for their safety. The Frac Focus website also has information regarding chemical constituents for fracturing fluids.

A typical fracture treatment will have the same basic components throughout the entire job, since horizontal lateral wells are in the same general formation, there is little reason to modify each individual stage of the treatment chemistry. Therefore a batch report on the general chemistry is sufficient to report the type of fluid being pumped rather than each individual stage.

2. Divulging specific patented trade secret information – I think that you will find most of the Fracturing fluids are patented and protected by federal patent laws.

The Case for a Federal Trade Secrets Act Christopher Rebel J. Pace

Recognizing both the benefits of innovation and the need to allow businesses to recoup their investments in innovation, federal law provides two primary encouragements to innovators-- patent law and copyright law) ° The former law allows one who "invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof to obtain a government-granted right "to exclude others from making, using, or selling the invention throughout the United States" for a limited period. 3~ The latter law grants the author of an "original wor[k] . . . fixed in any tangible medium of expression" the exclusive right to reproduce, adapt, distribute, perform and display the work for the life of the author plus fifty years.

And is protected under the Uniform trade Secret Act (U.T.S.A. § 1.4)

"Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and

(ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

- **wellbore integrity**

I want to commend the AOGCC and the commissioner specifically for the effort you have all shown over your terms in office. I have witnessed (sometimes with frustration), the effort that you have gone through to ensure that operators in Alaska meet the highest standards in wellbore integrity in the nation. Along with that the continual innovation and improvement in the standards cannot do any damage to the operators credibility. I believe that current regulations provide adequate protection from accidental release.

- **containment of hydraulic fracturing fluids;**

Having witnessed the Standard practice in other States within the US, I know that the current standard containment practices in Alaska far exceed those practiced in other parts of the US and will continue to do so.

- **casing and cementing**

The regulations and quality of the work done on the North Slope should ensure that the wellbore integrity is already being met.

- **disclosure of the intent to use a well for hydraulic fracturing on an application for a permit to drill.**

Certainly a small addition to the process and reasonable change(s) to the framework of the permit and sundry notices , when applicable, and in a reasonable time frame ,can be accommodated.

Thank you for this opportunity to comment on the proposed changes to the Fracturing regulations.

Sincerely,

Eric Dompeling
New ventures Manager
SOLSTENXP, Inc.

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¹*A material safety data sheet (MSDS), safety data sheet (SDS), [1] or product safety data sheet (PSDS) is an important component of product stewardship and occupational safety and health. It is intended to provide workers and emergency personnel with procedures for handling or working with that substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill-handling procedures. MSDS formats can vary from source to source within a country depending on national requirements. In the U.S., the Occupational Safety and Health Administration requires that MSDSs be available to employees for potentially harmful substances handled in the workplace under the Hazard Communication regulation. The MSDS is also required to be made available to local fire departments and local and state emergency planning officials under Section 311 of the Emergency Planning and Community Right-to-Know Act. The American Chemical Society defines Chemical Abstracts Service Registry Numbers (CAS numbers) which provide a unique number for each chemical and are also used internationally in MSDS.*

Singh, Angela K (DOA)

From: Colombie, Jody J (DOA)
Sent: Thursday, April 18, 2013 3:36 PM
To: Singh, Angela K (DOA)
Subject: FW: Surface and Mineral Owners Information - Water well testing

process

From: Eric Dompeling [<mailto:eric.dompeling@solstenxp.com>]
Sent: Thursday, April 18, 2013 2:11 PM
To: Colombie, Jody J (DOA)
Subject: Surface and Mineral Owners Information - Water well testing

I found this information to surface owners listed on the North Dakota Oil and Gas Commission website; <https://www.dmr.nd.gov/oilgas/surfacemineralownerinfo.asp>

As a reference to water well owners living near oil and gas development. Thought it might be of some use to the commission in their effort to sort out the Water Well testing discussion.

"The National Ground Water Association (NGWA) and the Ground Water Protection Council (GWPC) have made available a [water-testing brochure](#) for household water well owners living near oil or gas development and completion activities, including hydraulic fracturing. The brochure walks water well owners through how to go about getting their water tested prior to oil and gas activities to establish baseline water quality. It then provides guidelines for retesting the water after oil and gas development and completion activities. Addressed in the brochure are issues such as "chain-of-custody" testing to ensure unbiased, accurate sampling and test results, what constituents to test, what to do if one's water quality changes, and where to get more information. The brochure is not intended to provide guidance for regulation. It is merely designed to provide generalized information to landowners. The information it contains has not been designed to cover every unique circumstance of local geology or geochemistry. Therefore, it should be used only as guidance for landowners."

Regards,

Eric Dompeling

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