

MEMORANDUM

State of Alaska
Department of Law

TO: Sarah Palin, Chair
Alaska Oil and Gas
Conservation Commission

DATE: June 17, 2003

FILE NO.: 993-03-0129

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Assistant Attorney General
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: gas detection
(20 AAC 25.066(b), (d))

Under AS 44.62.060, we have reviewed the attached amendment of these regulations by the Alaska Oil and Gas Conservation Commission and approve the changes for filing by the lieutenant governor. I have reviewed this project under a specific delegation dated June 17, 2003 from the Regulations Attorney. A duplicate original of this memorandum is being furnished to the lieutenant governor, along with the two pages of regulations and the related documents.

You might wish to contact the lieutenant governor's office to confirm the filing date and effective date of the attached regulation changes.

The March 10, 2003 public notice and the June 4, 2003 certification order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

In accordance with AS 44.62.125(b)(6), some corrections have been made in the regulations, as shown on the attached copy.

SCW

cc w/enc: Kevin Jardell, Assistant Commissioner & Regulations Contact
Department of Administration

Robert E. Mintz
Assistant Attorney General
Oil, Gas & Mining Section--Anchorage

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Alaska Oil & Gas Cons. Commission
Anchorage

MEMORANDUM

State of Alaska Department of Law

TO: Hon. Loren Leman
Lieutenant Governor

DATE: June 17, 2003

FILE NO.: 993-03-0129

TELEPHONE NO.: 465-3600

FROM: Steven C. Weaver 
Assistant Attorney General
Legislation/Regulations Section--Juneau

SUBJECT: Regulations re: gas detection
(20 AAC 25.066(b), (d))

We have reviewed the attached regulations from the Alaska Oil and Gas Conservation Commission. I have reviewed this project under a specific delegation dated June 17, 2003 from the Regulations Attorney. A duplicate of this memorandum is being furnished to Sarah Palin, the commission chair, along with a copy of the regulations.

The Department of Law has reviewed the attached regulations against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum and the attached duplicate memorandum dated June 17, 2003 constitute the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The regulation changes were adopted by the Alaska Oil and Gas Conservation Commission after the close of the public comment period. The regulations refine requirements relating to gas detection systems for drilling and workover rigs.

The certification order for the regulations states that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made a few technical corrections to conform the regulations with the drafting manual under AS 44.62.060 and 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: Sarah Palin, Chair
Alaska Oil & Gas Conservation Commission

If a BOP stack is not required, a gas detection system that continuously performs self-checking or diagnostics must be function-tested when drilling or workover operations begin, when a commission-

20 AAC 25.066(b) is amended and a new subsection is added, to read:

witnessed BOP test occurs, and no less frequently than

(b) A gas detection system that continuously performs self-checking or diagnostics must

once every six months.

be function-tested when a BOP stack is initially installed after a drill rig is set up or, if no BOP

~~stack is required, when drilling or workover operations begin~~, when a commission-witnessed

BOP test occurs, and no less frequently than once every six months. Other gas detection systems

must be calibrated and tested when a BOP stack is initially installed after a drill rig is set up or

~~if no BOP stack is required, when drilling or workover operations begin~~, when a

commission-witnessed BOP test occurs, and no less frequently than once every 30 days. The

operator shall maintain at the drill rig an accessible record of gas detection system tests and

calibrations.

...

If a BOP stack is not required, other gas detection systems must be calibrated and tested when drilling or workover operations begins when a commission-witnessed BOP test occurs, and no less frequently than once every 30 days.

(d) Upon request of the operator, the commission may

(1) waive the methane detection requirements of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for methane to accumulate;

(2) allow the use of a single hydrogen sulfide sensor on site in place of the three sensing points required under (a)(3) of this section, if the commission determines that the configuration of the drilling or workover rig and any associated equipment and structures eliminates the potential for hydrogen sulfide to accumulate; or

Register _____, _____ 2003

MISCELLANEOUS BOARDS

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(3) approve a variance from the requirements of this section if the variance provides at least an equally effective means of gas detection. (Eff. 11/7/99, Register 152; am _____ / _____ / _____, Register _____)

Authority: AS 31.05.030

Amended Regulation Dealing with Gas Detection Requirements

The Alaska Oil and Gas Conservation Commission has amended its regulation dealing with methane and hydrogen sulfide gas detection on drilling and workover rigs, 20 AAC 25.066. The Lieutenant Governor signed and filed the regulation change on June 18, 2003, with an effective date of July 18, 2003.

For further information or to obtain a copy of the amended regulation, contact Jody Colombie at (907) 793-1221, fax (907) 276-7542, or e-mail Jody_Colombie@admin.state.ak.us.