



VIA EMAIL & U.S. MAIL
(cathy.foerster@alaska.gov)

September 19, 2016

Cathy Foerster, Chair
Alaska Oil & Gas Conservation Commission
333 West 7th Avenue, Suite 100
Anchorage, Alaska 99501

RE: COMMENTS ON PROPOSED RULES & REQUEST FOR PUBLIC NOTICE AND
COMMENT ON FRACKING APPLICATIONS

Dear Madam Chair:

Cook Inletkeeper is a community-based public interest organization dedicated to clean water and healthy salmon throughout the Cook Inlet watershed. Please accept these comments on behalf of Inletkeeper's more than 2500 members and supporters in Southcentral Alaska on the Alaska Oil and Gas Conservation Commission's (AOGCC) proposed regulatory changes to Title 20, Chapter 25 of the Alaska Administrative Code.

First, thank you again for participating in the Hydraulic Fracturing Public Forum we sponsored in Homer this past May. The Forum provided an important opportunity for Alaskans to learn more about BlueCrest's proposed operations at the Cosmopolitan Unit, and to understand AOGCC's role in the permitting and oversight process. At the same time, the Forum highlighted the need for additional transparency and public involvement in the permitting process for wells involving hydraulic fracturing. Many participants left the Forum frustrated, knowing they had no way to voice their concerns over fracking operations taking place close to their homes and drinking water supplies.

We recognize and appreciate the extensive rulemaking AOGCC undertook with regard to hydraulic fracturing starting in 2012, and particularly AOGCC's efforts to provide more transparency for the public regarding the use of chemicals in hydraulic fracturing. However, it has become clear there's a pressing need to provide members of the public with more information, along with the opportunity to comment on that information, before AOGCC authorizes hydraulic fracturing.

As a result, we urge AOGCC to adopt the following amendment to 20 AAC 25.280 to provide public notice and an opportunity to comment on hydraulic fracturing applications:

20 AAC 25.280 Workover operations

(f) An application for Sundry Approvals for a well proposed for stimulation by hydraulic fracturing as defined in 20 AAC 25.283(m) **will be reviewed by the commission in accordance with 20 AAC 25.540 and** must also comply with 20 AAC 25.283.

The purpose of this amendment would be to make applications for Sundry Approvals involving hydraulic fracturing subject to AOGCC's existing public notice, comment, and hearing procedures in 20 AAC 25.540. This will ensure that the public is aware of these activities and is provided sufficient time to review and comment on the applications.

AOGCC already provides notice and an opportunity for public comment on a number of authorizations that raise similar environmental and other concerns. These include applications for exceptions to well spacing requirements (20 AAC 25.055), applications for annular disposal of drilling waste (20 AAC 25.080), applications for enhanced recovery (20 AAC 25.402), and applications to commingle production and injection within the same wellbore (20 AAC 25.215). The public deserves the same opportunity for public participation when it comes to hydraulic fracturing.

AOGCC is already proposing amendments to 20 AAC 25.280 and 20 AAC 25.030, involving enhanced safeguards for casing and cementing around fracturing operations, as part of AOGCC's current rulemaking process. AOGCC has the authority to adopt this additional regulation change pursuant to its rulemaking and oversight authority in AS 31.05.030 and AS 31.05.090.

Cook Inletkeeper respectfully requests that AOGCC incorporate the proposed regulation change into its existing rulemaking process. In my twenty-two years working on oil and gas issues in Cook Inlet, I have yet to encounter a topic as controversial as hydraulic fracturing. Alaskans have a right to know about hydraulic fracturing operations, which are increasingly occurring closer and closer to their homes and communities, and they have a corresponding right to express their opinions about them.

Thank you for considering this request and please don't hesitate to contact me at 907.299.3277 or bob@inletkeeper.org.

Yours for Cook Inlet,



Bob Shavelson
Inletkeeper