

Kevin Meyer
Lieutenant Governor
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Anchorage, Alaska 99501
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor
465.4081

A handwritten signature in blue ink, likely belonging to April Simpson, the author of the memorandum.

DATE: June 25, 2020

RE: Filed Permanent Regulations: Alaska Oil and Gas Commission

Alaska Oil and Gas Conservation Commission regulations re: repeal of outdated, unnecessary, or duplicative provisions (20 AAC 25.005(c)(3); 20 AAC 25.035(a); 20 AAC 25.037; 20 AAC 25.047; 20 AAC 25.225; 20 AAC 25.245; 20 AAC 25.260; 20 AAC 25.320, 20; 20 AAC 25.527(a); 20 AAC 25.528)

Attorney General File:	2019104277
Regulation Filed:	6/25/2020
Effective Date:	7/25/2020
Print:	235, October 2020

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jeremy Price, AOGCC Commissioner

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE ALASKA OIL AND GAS CONSERVATION COMMISSION

The attached three pages of regulations, dealing with repeal of outdated, unnecessary, or duplicative provisions, are certified to be a correct copy of the regulation changes that the Alaska Oil and Gas Conservation Commission adopted at its June 3, 2020 meeting, under the authority of AS 31.05.030 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Alaska Oil and Gas Conservation Commission paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: June 18, 2020

Jeremy M. Price

Digitally signed by Jeremy M.
Price
Date: 2020.06.18 10:12:03 -08'00'

Jeremy M. Price, Chair, Commissioner, AOGCC

April Simpson for

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

June 25th, 2020 at 9:10 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

April Simpson

for

Lieutenant Governor

Kevin Meyer

Effective: July 25, 2020

Register: 235, October 2020

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



A handwritten signature in blue ink, appearing to read "K. Meyer", is written over a horizontal dotted line.

**KEVIN MEYER
LIEUTENANT GOVERNOR**

20 AAC 25.005(c)(3) is amended to read:

(3) a diagram and description of the blowout prevention equipment (BOPE) as required by 20 AAC 25.035 or [,] 20 AAC 25.036, [OR 20 AAC 25.037,] as applicable; (Eff. 4/13/80, Register 74; am 4/2/86, Register 97; am 11/7/99, Register 152; am 6/4/2000, Register 154; am 1/5/2006, Register 177; am 12/28/2006, Register 180; am 4/4/2013, Register 206; am 1/7/2015, Register 213; am 7 /25 /2020, Register 235)

Authority: AS 31.05.030 AS 31.05.090

20 AAC 25.035(a) is amended to read:

(a) This section applies to drilling and completion operations other than those covered by 20 AAC 25.036 [OR 20 AAC 25.037]. These operations are also subject to the requirements of 20 AAC 25.527.

(Eff. 4/13/80, Register 74; am 2/22/81, Register 77; am 4/2/86, Register 97; am 11/7/99, Register 152; am 10/24/2004, Register 172; am 12/28/2006, Register 180; am 7/12/2007, Register 183; am 7 /25 /2020, Register 235)

Authority: AS 31.05.030

20 AAC 25.037 is repealed:

20 AAC 25.037. Well control requirements for other drilling and completion operations. Repealed. (Eff. 11/7/99, Register 152; repealed 7 /25 /2020, Register 235)

20 AAC 25.047 is repealed:

20 AAC 25.047. Reserve pits and tankage. Repealed. (Eff. 4/2/86, Register 97; am 11/7/99, Register 152; repealed 7 / 25 / 2020, Register 235)

20 AAC 25.225 is repealed:

20 AAC 25.225. Potential of gas wells. Repealed. (Eff. 4/13/80, Register 74; am 4/2/86, Register 97; am 11/7/99, Register 152; repealed 7 / 25 / 2020, Register 235)

20 AAC 25.245 is repealed:

20 AAC 25.245. Common production facilities. Repealed. (Eff. 4/13/80, Register 74; am 4/2/86, Register 97; am 11/7/99, Register 152; repealed 7 / 25 / 2020, Register 235)

20 AAC 25.260 is repealed:

20 AAC 25.260. Illegal production. Repealed. (Eff. 4/13/80, Register 74; am 4/2/86, Register 97; repealed 7 / 25 / 2020, Register 235)

20 AAC 25.320 is repealed:

20 AAC 25.320. Filing of forms. Repealed. (Eff. 4/13/80, Register 74; am 4/2/86, Register 97; am 11/7/99, Register 152; repealed 7 / 25 / 2020, Register 235)

20 AAC 25.527(a) is amended to read:

(a) This section applies to all well drilling, completion, workover, and service

Register 235, October 2020

MISCELLANEOUS BOARDS

operations. The requirements of this section are in addition to the applicable requirements of

20 AAC 25.033 - 20 AAC 25.036 [20 AAC 25.033 - 20 AAC 25.037] and 20 AAC 25.285 -

20 AAC 25.288.

(Eff. 11/7/99, Register 152; am 4/6/2003, Register 166; am 7 / 25 / 2020, Register 235)

Authority: AS 31.05.030

20 AAC 25.528 is repealed:

20 AAC 25.528. Open pit storage of oil. (Eff. 4/2/86, Register 97; repealed

7 / 25 / 2020, Register 235)

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Thru: Susan R. Pollard *SRP*
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Date: June 24, 2020

File No.: 2019104277

Tel. No.: 465-3600

Re: Alaska Oil and Gas Conservation
Commission regulations re: repeal of
outdated, unnecessary, or duplicative
provisions (20 AAC 25.005(c)(3);
20 AAC 25.035(a); 20 AAC 25.037;
20 AAC 25.047; 20 AAC 25.225;
20 AAC 25.245; 20 AAC 25.260;
20 AAC 25.320, 20 AAC 25.527(a);
20 AAC 25.528)

The Department of Law has reviewed the attached regulations of the Alaska Oil and Gas Conservation Commission against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by Alaska Oil and Gas Conservation Commission after the close of the public comment period. The regulations concern the repeal of outdated, unnecessary, or duplicative provisions, and also make conforming changes.

The November 3, 2019 public notice and the June 18, 2020 certification of adoption 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.

SCW

cc w/enc.: Jeremy M. Price, Chair, Commissioner
 Alaska Oil and Gas Conservation Commission

Amy Demboski, Assistant Commissioner and Regulations Contact
Department of Commerce, Community, and Economic Development

Jody Colombie, Special Assistant
Alaska Oil and Gas Conservation Commission

Tab Ballantine, Senior Assistant Attorney General
Oil and Gas Section

NOTICE OF PROPOSED REPEALED
REGULATIONS OF ALASKA OIL AND GAS CONSERVATION COMMISSION

The Alaska Oil and Gas Conservation Commission proposes to repeal regulation changes in 20 AAC 25. of the Alaska Administrative Code. The Commission proposes to repeal 20 AAC 25.037 well control requirements for other drilling and completion operations; 20 AAC 25.047 reserve pits and tankage; 20 AAC 25.225 potential of gas wells; 20 AAC 25.245 common production facilities; 20 AAC 25.260 illegal production, 20 AAC 25.528 open pit storage of oil and 20 AAC 25.320 filing of forms.

These regulations are proposed to be repealed. The intended effect of these repeals is to eliminate outdated, unnecessary or duplicative regulations. A more detailed description can be found on the AOGCC website <https://www.commerce.alaska.gov/web/aogcc/Home.aspx>.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jody Colombie at 333 West 7th Avenue, Anchorage, Alaska 99501. Additionally, the Alaska Oil and Gas Conservation Commission will accept comments by facsimile at (907) 276-7542 and by electronic mail at aogcc.customer.svc@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 p.m. on December 10, 2019.

Written comments also may be submitted at a hearing to be held on December 10, 2019, at 333 West 7th Avenue, Anchorage, Alaska 99501. The hearing will be held from 10:00 a.m. to 2:00 p.m. and might be extended to accommodate those present before 10:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jody Colombie at jody.colombie@alaska.gov or mailing 333 West 7th Avenue, Anchorage, Alaska 99501 or calling (907) 793-1221 not later than December 5, 2019 to ensure that any necessary accommodation can be provided.

For a copy of the proposed regulation changes, contact Jody Colombie at the Alaska Oil and Gas Conservation Commission at West 7th Avenue, Anchorage, Alaska 99501 or calling (907) 793-1221, or go to <http://doa.alaska.gov/ogc/>.

After the public comment period ends, the Alaska Oil and Gas Conservation Commission may either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 31.05.030

Statutes being implemented, interpreted, or made specific: AS 31.05.030

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation

Date: 11/1/19



Jeremy M. Price, Chair, Commissioner
Alaska Oil and Gas Conservation Commission

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Oil and Gas Conservation Commission.
2. General subject of regulation: elimination of several regulations that the AOGCC has determined unnecessary.
3. Citation of regulations: 20 AAC 25.037, 20 AAC 25.047, 20 AAC 25.225, 20 AAC 25.245, 20 AAC 25.260; 20 AAC 25.528 and 20 AAC 25.320
4. Reason for the proposed action: to eliminate regulations that do not have significant negative impacts.
5. Appropriation/Allocation: Alaska Oil and Gas Conservation Commission.
6. Cost of implementation to the state agency: zero.
7. The name of the contact person for the regulations:
Name Jeremy M. Price
Title Chair, Commissioner
Address 333 West 7th Avenue, Anchorage, Alaska 99501
Telephone (907) 793-1221
E-mail address is Jeremy.Price@alaska.gov
8. The origin of the proposed action: Alaska Oil and Gas Conservation Commission staff.
9. Date: 11/1/19
Prepared by: Jody J. Colombie
Jody J. Colombie
Special Assistant AOGCC
(907) 793-1221

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 270227 ST OF AK/AK OIL AND GAS CONSERVATION COMMISSION
333 W. 7TH AVE STE 100, ANCHORAGE, AK 99501

Order #: W0012243

Cost: \$542.86

NOV 07 2019

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the afore-said place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

11/03/2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed _____

Subscribed and sworn to before me
this 4th day of November 2019.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

STATE OF ALASKA
NOTARY
PUBLIC
Jada L. Nowling

NOTICE OF PROPOSED REPEAL REGULATIONS OF ALASKA OIL AND GAS CONSERVATION COMMISSION

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You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jody Colombie at 333 West 7th Avenue, Anchorage, Alaska 99501. Additionally, the Alaska Oil and Gas Conservation Commission will accept comments by facsimile at (907) 276-7542 and by electronic mail at aogcc.customer.svc@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 p.m. on December 10, 2019.

Written comments also may be submitted at a hearing to be held on December 10, 2019, at 333 West 7th Avenue, Anchorage, Alaska 99501. The hearing will be held from 10:00 a.m. to 2:00 p.m. and might be extended to accommodate those present before 10:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jody Colombie at jody.colombie@alaska.gov or mailing 333 West 7th Avenue, Anchorage, Alaska 99501 or calling (907) 793-1221 not later than December 5, 2019 to ensure that any necessary accommodation can be provided.

For a copy of the proposed regulation changes, contact Jody Colombie at the Alaska Oil and Gas Conservation Commission at West 7th Avenue, Anchorage, Alaska 99501 or calling (907) 793-1221, or go to <http://doa.alaska.gov/ogc/>.

After the public comment period ends, the Alaska Oil and Gas Conservation Commission may either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 31.05.030

Statutes being implemented, interpreted, or made specific:
AS 31.05.030

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation

Date: November 1, 2019

//signature on file//
Jeremy M. Price, Chair, Commissioner
Alaska Oil and Gas Conservation Commission

ADDITIONAL REGULATIONS NOTICE INFORMATION (AS 44.62.190(d))

1. Adopting agency: Alaska Oil and Gas Conservation Commission.
2. General subject of regulation: elimination of several regulations that the AOGCC has determined unnecessary.
3. Citation of regulations: 20 AAC 25.037, 20 AAC 25.047, 20 AAC 25.225, 20 AAC 25.245, 20 AAC 25.260; 20 AAC 25.528 and 20 AAC 25.320
4. Reason for the proposed action: to eliminate regulations that do not have significant negative impacts.
5. Appropriation/Allocation: Alaska Oil and Gas Conservation Commission.
6. Cost of implementation to the state agency: zero.
7. The name of the contact person for the regulations:
Name Jeremy M. Price
Title Chair, Commissioner
Address 333 West 7th Avenue, Anchorage, Alaska 99501
Telephone (907) 793-1221
E-mail address is Jeremy.Price@alaska.gov
8. The origin of the proposed action: Alaska Oil and Gas Conservation Commission staff.
9. Date: November 1, 2019

Prepared by: //signature on file//
Jody J. Colombie
Special Assistant AOGCC
(907) 793-1221

Published: November 3, 2019

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

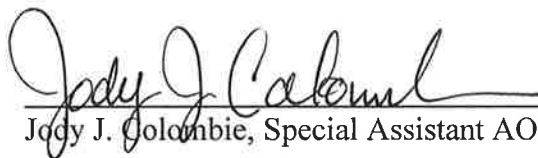
I, Jody J. Colombie, Special Assistant, of the Alaska Oil and Gas Conservation Commission, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 20 AAC 25.037, 20 AAC 25.047, 20 AAC 25.225, 20 AAC 25.245, 20 AAC 25.260 20 AAC 25.528 and 20 AAC 25.320 have been given by being

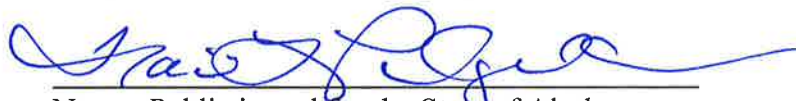
- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: January 8, 2020


Jody J. Colombie, Special Assistant AOGCC

Subscribed and sworn to before me at Anchorage, Alaska on January 8, 2020.

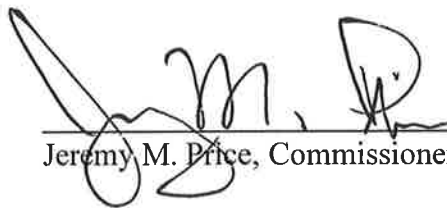

Notary Public in and for the State of Alaska

AFFIDAVIT OF ORAL HEARING

I, Jeremy M. Price, Chair, Commissioner of the Alaska Oil and Gas Conservation Commission, being sworn, state the following:

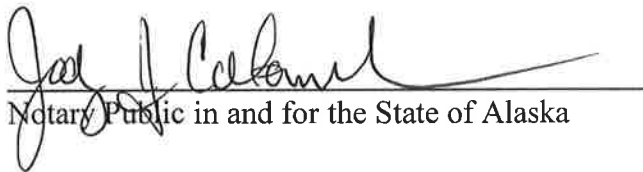
On December 10, 2019, at 10:00 a.m., 333 West 7th Avenue, Anchorage, Alaska 99501, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to 20 AAC 25.037, 20 AAC 25.047, 20 AAC 25.225, 20 AAC 25.245, 20 AAC 25.260 20 AAC 25.528 and 20 AAC 25.320.

Date: January 8, 2020

A handwritten signature in black ink, appearing to read 'J. M. Price', written over a horizontal line.

Jeremy M. Price, Commissioner, AOGCC

Subscribed and sworn to before me at Anchorage, Alaska on January 8, 2020.

A handwritten signature in black ink, appearing to read 'Joel J. Coleman', written over a horizontal line.

Notary Public in and for the State of Alaska

ALASKA OIL AND GAS CONSERVATION COMMISSION HEARING

June 3, 2020

Excerpt From Unapproved Minutes

Chair, Commissioner Jeremy M. Price moved and Commissioner Daniel T. Seamount, Jr. and seconded the following motions:

"I move to adopt 20 AAC 25.005(c)(3), 20 AAC 25.035(a), 20 AAC 25.037, 20 AAC 25.047, 20 AAC 25.225, 20 AAC 25.245, 20 AAC 25.260, 20 AAC 25.320, 20 AAC 25.527 and 20 AAC 25.528 as written in the December 10, 2019, draft regulation."

The motion carried unanimously.

AFFIDAVIT OF COMMISSION ACTION

I, Jody J. Colombie, Special Assistant, for the Alaska Oil and Gas Conservation Commission, being duly sworn, state the following:

The attached motions were passed by the Alaska Oil and Gas Conservation Commission during its June 3, 2020 meeting.

Date: June 3, 2020



Jody J. Colombie, AOGCC Special Assistant

Subscribed and sworn to before me at Anchorage, Alaska on June 3, 2020.



Notary Public in and for the State of Alaska