

**Notice of Public Scoping  
Notice of Public Hearing  
STATE OF ALASKA  
ALASKA OIL AND GAS CONSERVATION COMMISSION**

RE: Docket Number: R-24-002  
Carbon Storage Facility Regulations  
Class VI Primacy Application

The Alaska Oil and Gas Conservation Commission (AOGCC) is intending to apply for Class VI primary enforcement authority (Primacy) from the United States Environmental Protection Agency (EPA) as a new well Class within the Underground Injection Control (UIC) program. Section 1422 of the Safe Drinking Water Act (SDWA) requires Primacy applicants to implement a program that is as stringent as EPA's requirements for UIC programs and to enforce UIC program requirements that protects underground sources of drinking water from endangerment. A state with UIC Primacy oversees (implements, regulates, and enforces) the UIC program for the authorized Class(s) of well(s) in that state.

Programs authorized under this section, referred to as 1422 programs, may have Primacy for Class I, II, III, IV, V, and VI wells. Class VI wells are used for injection of carbon dioxide for long term underground storage. Since 1986, the AOGCC has had Primacy for Class II Oil and Gas related injection wells under Section 1425 of the SDWA.

AOGCC is considering revising its regulations as a result of House Bill 50 (signed by the Governor on July 31, 2024). This legislation directs the AOGCC to regulate carbon storage facilities (including associated wells) within the state.

Copies of House Bill 50 and related legislative materials are available for review on the Alaska State Legislature's website: <https://www.akleg.gov/basis/Bill/Detail/33?Root=HB%20%2050>. To learn more about Primacy or Class VI wells, information is available on the EPA's website: <https://www.epa.gov/uic/class-vi-wells-used-geologic-sequestration-carbon-dioxide> and on AOGCC's website at <https://www.commerce.alaska.gov/web/aogcc/ccus.aspx>.

The purpose of this notice is to announce the AOGCC's intention to pursue Class VI Primacy, and to engage with surface and subsurface landowners, industry, and other interested or affected stakeholders for their ideas and suggestions before the AOGCC undertakes the task of drafting any specific proposed regulations for public review. Specifically, the AOGCC is interested in ideas that will provide an efficient, consistent, cost-effective, and reasonable regulatory framework that incorporates both House Bill 50 and EPA Class VI requirements.

The AOGCC is not currently proposing any specific regulations, and there are no draft regulations to review at this time. The AOGCC is soliciting feedback and comments on Class VI Primacy in general, and how the AOGCC should implement new authorizations under HB 50 before the formal process of drafting proposed regulations begins. Any future proposed regulation changes will be released for public review and comment. Please do not include any confidential information in the comments.

A public hearing on the matter has been scheduled for November 7, 2024, at 10:00 a.m. The hearing will be held in the AOGCC hearing room located at 333 West 7<sup>th</sup> Avenue, Anchorage, AK 99501. The audio call-in information is (907) 202-7104 Conference ID: 448 900 9#. Anyone who wishes to participate remotely using MS Teams video conference should contact Ms. Junke at least two business days before the scheduled public hearing to request an invitation for the MS Teams.

Written comments regarding this matter may be submitted to the AOGCC, at 333 west 7th Avenue, Anchorage, AK 99501 or [aogcc.ccus@alaska.gov](mailto:aogcc.ccus@alaska.gov). Comments must be received no later than the conclusion of the November 7, 2024, hearing.

If, because of a disability, special accommodations may be needed to comment or attend the hearing, contact Kayla Junke, at [aogcc.ccus@alaska.gov](mailto:aogcc.ccus@alaska.gov) or (907) 793-1225, no later than October 30, 2024.

Jessie L.  
Chmielowski

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Jessie L. Chmielowski  
Commissioner