

3. 40 CFR 145.22(a)(3) – Attorney
General’s Statement



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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May 19, 2026

Ms. Emma Pokon
Regional Administrator
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

Re: Attorney General's Statement to Accompany Alaska's Underground Injection Control Program Class VI Primacy Application

Dear Ms. Pokon:

I hereby certify, pursuant to my authority as Attorney General of the State of Alaska and in accordance with the Safe Drinking Water Act as amended, and 40 CFR 145.24(a), that based on the thorough review by my staff, the laws of the State of Alaska provide adequate authority to apply for, assume, and carry out the program described in the State Underground Injection Control (UIC) Class VI Program Description submitted by the Alaska Oil and Gas Conservation Commission (AOGCC) to the U.S. Environmental Protection Agency. The specific authorities provided are contained in statutes or regulations that are lawfully adopted at the time this Statement is approved and signed and will be fully effective by the time the program is approved.

The AOGCC has adequate authority to carry out the program set forth in the State UIC Class VI Program Description pursuant to the following statutes and regulations:

- Alaska Statutes (AS) 41.06.105 – 41.06.210 “Carbon Storage and Injection”;
- Alaska Statutes (AS) 31.05.005 – 31.05.170 “Alaska Oil and Gas Conservation Act”;
- Alaska Administrative Code (AAC) 20 AAC 25.442; 20 AAC 25.444, and 20 AAC 25.990 (79) – (83); and
- Alaska Administrative Code (AAC) 20 AAC 25.1000 – 1900, Article 9, “Carbon Storage”.

Furthermore, I certify that the environmental audit privilege and immunity laws of the State of Alaska, codified at AS 09.25.450 – 09.25.490, do not affect the ability of the AOGCC to meet enforcement and information-gathering requirements under the Safe

Emma Pokon, EPA Regional Director
Re: *Attorney General's Statement*

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Drinking Water Act's UIC Program. The program set forth in the State UIC Class VI Program Description is solely administered by the AOGCC. Alaska's environmental audit privilege and immunity laws apply to the Alaska Department of Environmental Conservation and do not affect programs administered by the AOGCC. *See* 1997 Alaska Op. Atty. Gen. 57 (Alaska A.G.), 1997 WL 1089557. Thus, Alaska's environmental audit privilege and immunity laws do not affect the AOGCC's ability to carry out the program described in the State UIC Class VI Program Description in accordance with federal Safe Drinking Water Act requirements.

Sincerely,

A handwritten signature in black ink, appearing to read 'C Mills', written in a cursive style.

Cori Mills
Acting Attorney General