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Susitna River COALITION

Supporting Salmon, Wildlife, and Community

January 8, 2026

The Alaska Oil and Gas Conservation Commission (AOGCC)
333 West 7th Avenue
Anchorage, AK 99501

Submitted electronically to: samantha.coldiron@alaska.gov

Re: Carbon Storage Facility Regulations/Class VI Primacy Regulations

Dear Commissioners,

I am writing on behalf of the Susitna River Coalition (SRC), a watershed-health organization representing thousands of Alaskan residents, groups, and businesses. SRC works with residents, landowners, and community organizations throughout the Susitna Basin and surrounding regions, many of whom rely on private wells and local surface and groundwater systems for daily needs.

Alaska's watersheds remain among the most intact in North America, and their protection is central to public health, long-term economic resilience, and community well-being. While SRC recognizes that carbon storage may be considered as part of broader climate and energy strategies, we believe that any regulatory framework governing Class VI wells must place primary emphasis on the State of Alaska going beyond minimum requirements for protecting underground sources of drinking water (USDWs), maintaining public confidence in regulatory oversight, and ensuring long-term fiscal responsibility.

Expansion of Aquifer Exemptions and Long-Term Water Supply Considerations

From a watershed stewardship perspective, SRC is concerned about the expansion of aquifer exemptions to accommodate Class VI storage. Alaska's proposed rules allow operators to request expansions of existing exemptions for formations that meet certain criteria, including total dissolved solids thresholds and current non-use as drinking water sources.

Communities across Alaska have experienced shifts in water demand as populations change, climate conditions evolve, and treatment technologies improve. Aquifers that are not currently used for drinking water may become important future resources. Permanently exempting such formations based on present conditions risks limiting future options for communities. SRC recommends that aquifer exemption expansions be treated as exceptional actions subject to heightened scrutiny and long-term stewardship considerations to preserve flexibility for future

water needs. Alaska's hydrologic systems are shaped by permafrost dynamics, extreme seasonal variability, and limited baseline data in many regions. Regulatory frameworks developed for temperate climates with dense monitoring networks may not fully account for these conditions.

SRC encourages the development of Alaska-specific implementation standards that include, at a minimum: (1) explicit consideration of permafrost stability and freeze–thaw impacts on well integrity; (2) enhanced baseline characterization requirements where data gaps exist; and (3) monitoring and modeling approaches designed to account for seasonal hydrologic variability. These standards should be developed transparently, informed by Alaska-based expertise, and incorporated into permitting and oversight before large-scale CO_2 storage projects are authorized.

Waivers of Class VI Construction Standards for Class II Conversions

The Safe Drinking Water Act is fundamentally centered on preventing endangerment of USDWs. Alaska's proposed regulations would grant AOGCC broad discretionary authority to waive Class VI construction, testing, and pre-operational requirements when converting existing Class II wells.

Under 20 AAC 25.1025 and 20 AAC 25.1210(e), the Commission may waive casing, cementing, logging, sampling, and testing requirements if it determines that a converted well will not endanger USDWs. While federal regulations allow operators to demonstrate protection of USDWs, they do not provide an equivalent pathway for broad exemptions from modern Class VI standards. Given the long-term nature of CO_2 storage and the difficulty of remediating subsurface failures, SRC encourages a conservative approach that limits waivers and prioritizes full compliance with current construction and testing standards wherever practicable. This approach reflects standard engineering practice for long-term subsurface containment and provides greater assurance of protection for drinking water resources over the life of the project.

Long-Term Liability and Fiscal Responsibility

Class VI financial assurance and post-injection site care periods, typically on the order of 50 years, cover only a small portion of the timeframe over which CO_2 must remain securely stored. While Alaska's proposed rules mirror federal requirements, neither framework fully resolves responsibility for potential impacts to USDWs beyond the formal monitoring period. This creates an unresolved long-term liability gap that could ultimately fall to future public authorities. From a fiscal responsibility standpoint, SRC believes it is important for regulators to explicitly acknowledge and address this risk rather than relying solely on minimum compliance with federal timelines.

Watershed health is measured over decades and generations. For example, watershed monitoring programs in Alaska commonly rely on decades of stream gauge records combined with recurring water-quality sampling to identify slow shifts in groundwater–surface water interactions. In some cases, early signs of change, such as subtle increases in dissolved constituents or altered seasonal flow timing, were not evident within the first several decades of monitoring but became clear only after long-term trend analysis. This type of experience illustrates why a 50-year

post-injection monitoring period may be insufficient to detect delayed or cumulative impacts to USDWs associated with long-term CO_2 storage.

While the proposed post-injection monitoring period meets federal minimums of just 50 years, SRC encourages regulators to consider monitoring approaches that reflect the multigenerational nature of groundwater protection. Watersheds function as integrated systems. SRC's experience indicates that multiple activities, each compliant on its own, can collectively stress groundwater resources. Requiring cumulative impact assessments that account for existing stressors and reasonably foreseeable activities would provide a more complete understanding of potential risks to USDWs.

We often hear that Alaska has gold-standard environmental protections. Carbon capture and storage is a new and emerging technology where regulatory frameworks are still being developed nationwide. Alaska has an opportunity to lead the way by establishing protections that match the multigenerational timeframe of geological storage. We present the following recommendations.

First, Alaska should adopt performance-based criteria for concluding post-injection site care, rather than relying solely on a fixed time period. Operators should demonstrate through monitoring data that the CO_2 plume has stabilized, pressure has equilibrated, and no migration toward USDWs is occurring—with the 50-year period serving as a minimum, not an automatic endpoint.

Second, Alaska should require operators to fund a perpetual monitoring endowment, sized to generate sufficient annual returns to conduct groundwater monitoring indefinitely. This model—successfully used for landfill post-closure care and mine reclamation—ensures that monitoring continues regardless of corporate ownership changes, bankruptcy, or the passage of time. The endowment principal would remain intact while investment returns fund ongoing stewardship.

Third, Alaska should establish a community-based groundwater monitoring program for areas near Class VI facilities. Funded by operator fees and designed to extend beyond formal site care, this program would train and compensate local residents to conduct ongoing water quality monitoring. This approach builds local capacity, creates early warning systems rooted in the communities most affected, and reflects the kind of multigenerational stewardship that Alaska's watersheds require.

Governance, Enforcement, and Technical Capacity

Effective Class VI oversight requires sustained technical expertise, consistent enforcement, and the ability to respond rapidly to emerging risks. While AOGCC has extensive experience regulating oil and gas operations, underground CO_2 storage presents distinct challenges, including long-term plume modeling, geochemical interactions, and monitoring requirements that extend well beyond typical oil and gas project lifecycles. Developing and maintaining this specialized capacity would require significant investment in staffing, training, and analytical tools. Retaining EPA oversight may provide greater regulatory continuity and technical specialization while reducing pressure on an already strained state budget.

Before transferring full primacy, SRC encourages consideration of a phased or hybrid oversight model that retains EPA involvement during an initial transition period. At a minimum, the State should clearly demonstrate how technical capacity will be built and maintained, how enforcement will be resourced over the full life of Class VI projects, and how the program will be funded without compromising other regulatory responsibilities. Retaining EPA oversight, either fully or in partnership, may provide greater regulatory continuity and technical specialization while reducing risk to drinking water resources during program maturation.

Public Participation

SRC's work with watershed-dependent communities has shown that meaningful public participation requires sufficient time, accessible information, and direct notification to those most affected. Rural residents and private well users often need additional time to review technical materials and consult with neighbors and local experts.

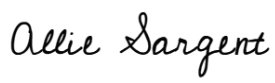
Direct notification to private well owners within the Area of Review is particularly important. These residents are frequently the first to observe changes in water quality and should have the opportunity to establish baseline conditions and participate in decision-making processes. Incorporating local hydrologic knowledge strengthens regulatory outcomes and supports public confidence. SRC recommends that budget considerations include funds available to nearby well owners for continued water quality testing.

Conclusion

SRC encourages the Commission to take a conservative and Alaska-specific approach as it finalizes the Class VI regulatory framework and considers primacy. In particular, SRC urges careful limitation of discretionary waivers, heightened scrutiny of aquifer exemption expansions, and thoughtful attention to the long-term liability and monitoring gaps that extend beyond minimum federal timelines. We also encourage the Commission to ensure that adequate technical capacity, enforcement resources, and funding mechanisms are in place for the full lifecycle of Class VI projects, and that public participation processes meaningfully include private well users and other directly affected residents.

Protecting underground sources of drinking water is the core legal purpose of the Class VI program and a responsibility that necessarily spans generations. SRC appreciates the Commission's consideration of these comments and looks forward to continued engagement as AOGCC evaluates how best to safeguard Alaska's water resources while assessing the role of carbon storage in the state.

Sincerely,



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