

NOTICE OF PROPOSED CHANGES ON CARBON STORAGE AND
UNDERGROUND INJECTION CONTROL CLASS VI WELLS
IN THE REGULATIONS OF THE ALASKA OIL AND GAS
CONSERVATION COMMISSION

Summary of proposed changes: The Alaska Oil and Gas Conservation Commission (AOGCC) proposes to adopt regulation changes in Title 20 Chapter 25 of the Alaska Administrative Code, dealing with carbon storage as it relates to Class VI wells and establishing a new Class VI Underground Injection Control program for Alaska, including the following:

- (1) **20 AAC 25.402**, title “Enhanced recovery operations,” is proposed to be updated with conforming amendments relating to “Class II” wells.
- (2) **20 AAC 25.435**, titled “Identification of underground sources of drinking water,” is proposed to add language stating that new aquifer exemptions will not be issued for a Class VI well.
- (3) **20 AAC 25.442**, titled “Expansion to the areal extent of existing Class II aquifer exemption for a Class VI well”, is proposed to add requirements to allow an owner or operator to request an expansion to an existing aquifer exemption for the purpose of a Class VI well.
- (4) **20 AAC 25.444**, titled “Transitioning from a Class II well to a Class VI well”, is proposed to add requirements for an operator of a Class II well to obtain a Class VI carbon storage permit when the primary purpose is the long-term storage of carbon or there is an increased risk to underground sources of drinking water compared to Class II operations.
- (6) **20 AAC 25.505**, titled “Scope of regulations”, is proposed to be changed to include the new sections 20 AAC 25.1000 – 20 AAC 25.1900.
- (7) **20 AAC 25.535**, titled “Enforcement”, is proposed to be amended to add provisions to implement AS 41.06.105-AS 41.06.210 in sections (a), (e), and (h).
- (8) **20 AAC 25.556**, titled “Orders”, is proposed to be amended to add a new subsection (e). This addition would establish an order for a preapplication fee for storage facility permitting without an expiration date.
- (9) **20 AAC 25.990**, titled “definitions” is proposed to amend and add new definitions.
- (10) The AOGCC also proposes adding a new Title 20, Chapter 25, Article 9, titled “Carbon Storage (20 AAC 25.1000 – 20 AAC 25.1900)” to implement AS 41.06.105 – AS 41.06.210, the Carbon Capture, Utilization, and Storage Act as it relates to Class VI wells and to implement regulations required for the AOGCC 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. Class VI wells are used for injection of carbon dioxide for long term underground storage. Regulations proposed to be added include sections:

- 1000. Authority of commission; scope of regulations
- 1010. Prohibition of movement of fluid into underground sources of drinking water; emergency actions
- 1020. Prohibition on operation without a permit; prohibition of non-experimental Class V wells; non-applicability to hazardous waste; prohibition on area permits
- 1025. Conversion to carbon storage
- 1030. Storage facility permit required for carbon storage; format; signatures
- 1040. Preapplication meeting; time to apply for storage facility permit; determination of application fee
- 1050. Storage facility permit application; general requirements
- 1060. Minimum criteria for siting
- 1070. Area of review; corrective action
- 1080. Storage facility permit; required Class VI well permit information
- 1085. Amalgamating property interests; hearing
- 1100. Draft permit; fact sheet
- 1120. Conditions applicable to all permits
- 1130. Establishing storage facility permit conditions; Class VI well permit conditions
- 1140. Schedule of compliance
- 1150. Public hearing; notice; public comment
- 1160. Duration; storage facility permit
- 1170. Certificate; storage facility permit
- 1180. Class VI well permit; authorization to inject
- 1200. Financial responsibility
- 1210. Class VI well construction requirements
- 1220. Logging, sampling, and testing before injection well operation
- 1230. Class VI well operating requirements
- 1240. Mechanical integrity
- 1250. Testing and monitoring requirements; records of monitoring
- 1260. Emergency and remedial response
- 1270. Injection depth waiver requirements
- 1280. Determining storage reservoir capacity
- 1290. Fees; application
- 1295. Injection surcharge; determination; notice
- 1300. Class VI well plugging
- 1310. Post-injection site care; site closure; monitoring
- 1320. Certificate of completion; public process
- 1400. Transfer; storage facility permit
- 1410. Modification, revocation and reissuance of storage facility permit
- 1420. Termination of storage facility permit
- 1430. Minor modification; storage facility permit

- 1600. Confidentiality of information
- 1610. Reporting requirements; monitoring and records
- 1650. Enforcement; penalties
- 1900. Definitions

Written comments: 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 the AOGCC at 333 West Seventh Avenue, Anchorage, AK 99501. Comments may also be submitted by electronic email at samantha.coldiron@alaska.gov or through the Alaska Online Public Notice System by accessing this notice on the system and using the "comment" link.

Written comment deadline: Written comments must be received no later than 4:30 p.m. on January 13, 2026.

Oral hearing: The AOGCC has scheduled a public hearing for these regulation changes on January 13, 2026, at 10:00 a.m. Oral or written comments may be submitted at the hearing. The hearing, which may be changed to virtual, if necessary, will be held in the AOGCC hearing room located at 333 West 7th Avenue, Anchorage, AK 99501. The audio call in information is (907) 202 7104 Conference ID: 535 814 25#. Anyone who wishes to participate remotely using Microsoft Teams should contact Samantha Coldiron at least two business days before the scheduled public hearing to request an invitation for the Microsoft Teams meeting.

Public nature of comments: Public comments, once submitted, are public records and subject to disclosure under the Alaska Public Records Act. See AS 40.25.100 - 40.25.295. Do NOT include in your comments any information that you do not want made public.

Accommodations: Individuals or groups of people with disabilities who require special accommodations to provide written comments or participate in the hearing should contact Samantha Coldiron at (907) 793-1223 or samantha.coldiron@alaska.gov, no later than January 6, 2026 to ensure any necessary accommodation can be provided.

Obtaining copies of proposed regulations: For a copy of the proposed regulation changes, contact Samantha Coldiron at the AOGCC at samantha.coldiron@alaska.gov or calling (907) 793-1223, or go to <https://www.commerce.alaska.gov/web/aogcc/Home.aspx>

Final version of regulations: After the public comment period ends, the AOGCC may 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: SLA 2024, ch. 23, § 61; AS 31.05.030; AS 41.06.105; AS 41.06.110; AS 41.06.185; AS 41.06.195

Statutes being implemented, interpreted, or made specific: AS 31.05.030; AS 31.05.040; AS 31.05.060; AS 31.05.150; AS 41.06.105 – AS 41.06.210

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

How to receive further notices: The AOGCC keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the AOGCC notices of proposed regulation changes. To be added to or removed from the list, send a request to the AOGCC Special Assistant at samantha.coldiron@alaska.gov, and give your name and your e-mail address to receive notices.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: November 25, 2025

Jessie L.
Chmielowski

Digitally signed by Jessie L. Chmielowski
Date: 2025.11.25 13:19:53 -09'00'

Jessie L. Chmielowski
Commissioner

Gregory C Wilson

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Gregory C. Wilson
Commissioner