



# LAWS OF ALASKA

1995

**Source**

SCS CSSH B 128(RES)

**Chapter No.**

11

## AN ACT

Relating to the disposal of wastes; giving the Alaska Oil and Gas Conservation Commission authority to regulate disposal in the annular space of an oil or gas well, or in the annular space of a water well associated with exploration and production of oil or gas, of drilling mud, cuttings, and nonhazardous drilling operation wastes, and exempting that disposal from the requirement of a waste disposal permit issued by the Department of Environmental Conservation; and establishing an exemption from the requirement of obtaining a waste disposal permit from the Department of Environmental Conservation for certain activities that yield solid and liquid waste material discharges and cooling water discharges.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** April 26, 1995

**Actual Effective Date:** July 25, 1995

AN ACT

1 Relating to the disposal of wastes; giving the Alaska Oil and Gas Conservation Commission  
2 authority to regulate disposal in the annular space of an oil or gas well, or in the annular space  
3 of a water well associated with exploration and production of oil or gas, of drilling mud,  
4 cuttings, and nonhazardous drilling operation wastes, and exempting that disposal from the  
5 requirement of a waste disposal permit issued by the Department of Environmental  
6 Conservation; and establishing an exemption from the requirement of obtaining a waste  
7 disposal permit from the Department of Environmental Conservation for certain activities that  
8 yield solid and liquid waste material discharges and cooling water discharges.

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10 \* **Section 1.** AS 31.05.030(e) is amended to read:

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1 (e) The commission may regulate

2 (1) [,] for conservation purposes

3 (A) [(1)] the drilling, producing, and plugging of wells;

4 (B) [(2)] the shooting and chemical treatment of wells;

5 (C) [(3)] the spacing of wells;

6 (D) [(4)] the disposal of salt water, nonpotable water, and oil  
7 field wastes;

8 (E) [(5)] the contamination or waste of underground water;

9 (F) [(6)] the quantity and rate of the production of oil and gas  
10 from a well or property; this authority shall also apply to a well or property in  
11 a voluntary cooperative or unit plan of development or operation entered into  
12 in accordance with AS 38.05.180(p);

13 (2) the disposal of drilling mud, cuttings, and nonhazardous drilling  
14 operation wastes in the annular space of an oil or gas well or in the annular space  
15 of a water well associated with oil or gas exploration and production; in this  
16 paragraph, a "nonhazardous drilling operation waste" means a waste, other than  
17 a hazardous waste identified by the Environmental Protection Agency in 40  
18 C.F.R., Part 261, its regulation identifying and listing hazardous wastes, associated  
19 with the act of drilling an oil or gas well for exploratory or production purposes.

20 \* Sec. 2. AS 46.03.100(d) is amended to read:

21 (d) This section does not apply to

22 (1) disposals subject to regulation under AS 31.05.030(e)(2); or

23 (2) injection projects permitted under AS 31.05.030(h).

24 \* Sec. 3. AS 46.03.100 is amended by adding new subsections to read:

25 (f) This section does not apply to discharges of solid or liquid waste material  
26 or water discharges from the following activities if the discharge is incidental to the  
27 activity and the activity does not produce a discharge from a point source, as that term  
28 is defined in regulations adopted under this chapter, directly into any surface water of  
29 the state:

30 (1) mineral drilling, trenching, ditching, and similar activities;

31 (2) landscaping;

1 (3) water well drilling, geophysical drilling, or coal bed methane  
2 drilling; or

3 (4) drilling, ditching, trenching, and similar activities associated with  
4 facility construction and maintenance or with road or other transportation facility  
5 construction and maintenance; however, the exemption provided by this paragraph does  
6 not relieve a person from obtaining a permit under (a) of this section if

7 (A) the drilling, ditching, trenching, or similar activity will  
8 involve the removal of the groundwater, stormwater, or wastewater runoff that  
9 has accumulated and is present at an excavation site for facility, road, or other  
10 transportation construction or maintenance; and

11 (B) a permit is otherwise required by (a) of this section.

12 (g) This section does not apply to

13 (1) bilge pumping, unless the bilge product pumped may be expected  
14 to yield an oily sludge, emulsion, or sheen on the surface of any water of the state; or

15 (2) cooling water discharges from a boat or vessel into any surface  
16 water of the state.