

Appendix 4

Information to Lessees

APPENDIX 4. INFORMATION TO LESSEES

The following table summarizes many permit and other requirements that must be met before oil and gas exploration or development activities may occur. Some obligations would be placed directly on the applicant. Others would be placed on Federal Agencies before they could grant authorizations for which oil and gas firms apply.

Federal, State, and North Slope Borough Permits And/or Approvals For Oil and Gas Exploration and Development/Production Activities

Regulatory Agency	Permit/Approval Actions/ Requirements
FEDERAL	
U.S. Army Corps of Engineers (Corps)	<ul style="list-style-type: none"> ■ Issues a Section 404 permit under the Federal Water Pollution Control Act of 1972, as amended (Clean Water Act) (33 USC 1344) for discharge of dredged and fill material into U.S. waters, including wetlands. ■ Issues a Section 10 permit under the Rivers and Harbors Act of 1899 (33 USC 403) for structures or work in, or affecting, navigable waters of the U.S. ■ Issues a Section 103 Ocean Dumping permit under Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 (33 USC 27) for transport of dredged material for ocean disposal.
U.S. Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> ■ Issues a National Pollutant Discharge and Elimination System (NPDES) Permit and Fact Sheet under Section 402, Federal Water Pollution Control Act of 1972, as amended (Clean Water Act) (33 USC 1251) for discharges into the marine environment. ■ Issues an Underground Injection Control Class 1 Industrial Well permit under the Safe Drinking Water Act (40 CFR 124 A, 40 CFR 144, 40 CFR 146) for underground injection of Class I (industrial) waste materials. ■ Issues a Spill Prevention Containment and Countermeasure (SPCC) Plan under Section 311, Federal Water Pollution Control Act (Clean Water Act) as amended, (40 CFR 112) for storage of over 660 gallons of fuel in a single container or over 1,320 gallons in aggregate in tanks above ground. ■ Conducts a review and evaluation of the Draft and Final EIS for compliance with CEQ guidelines (40 CFR 1500-1508) and Section 309 of the Clean Air Act. ■ Authority delegated to DEC to issue air quality permits for facilities operating within state jurisdiction Title V operating permit and a Prevention of Significant Deterioration (PSD) permit under the Clean Air Act, as amended (42 USC 7401), to address air pollutant emissions.

<p>National Marine Fisheries Service (NOAA Fisheries, formerly NMFS)</p>	<ul style="list-style-type: none"> ■ Provides consultation under the Endangered Species Act of 1973, Section 7(a)(2) regarding effects to threatened or endangered species. ■ Provides consultation under the Magnuson-Stevens Fishery Management and Conservation Act for effects on Essential Fish Habitat (EFH). ■ Provides consultation under Fish and Wildlife Coordination Act regarding effects on fish and wildlife resources. ■ Provides consultation under the Marine Mammal Protection Act regarding effects on marine mammals. ■ Issues Incidental Harassment Authorization under the Marine Mammal Protection Act for incidental takes of protected marine mammals (bowhead whales and ringed seals).
<p>U.S. Department of the Interior, Bureau of Land Management (BLM)</p>	<ul style="list-style-type: none"> ■ Reviews and approves Applications for Permit to Drill (including drilling plans and surface-use plans of operations) and Subsequent Well Operations as prescribed in 43 CFR Part 3160, under authority of the Naval Petroleum Reserves Production Act (43 USC 6501-6508) and other Federal laws, for development and production of Federal leases. ■ Approves lease administration requirements including Unit Agreements and plans of development, Communitization Agreements, Participating Area Determinations, as described in 43 CFR 3130 and 3180, under the Mineral Leasing Act of 1920 (30 USC Sec. 181 et seq.), Federal Oil and Gas Royalty Management Act of 1982 (42 USC 4321 et seq.), Naval Petroleum Reserves Production Act of 1976 (42 USC 6504), and the Department of the Interior Appropriations Act, Fiscal Year 1981 (42 USC 6508), and other Federal laws, for exploration and development of oil and gas leases. ■ Issues geophysical permits to conduct seismic activities as described in 43 CFR 3150, under authority of the Mineral Leasing Act of 1920 (30 USC Sec. 181 et seq.), Alaska National Interest Lands Conservation Act (16 USC 1301 et seq.), Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.), Naval Petroleum Reserves Production Act of 1976 (42 USC 6504), and the Department of the Interior Appropriations Act, Fiscal Year 1981 (42 USC 6508). ■ Issues right-of-way grants and temporary use permits for the construction, operation, and maintenance of pipeline, production, and related facilities under the Naval Petroleum Reserves Production Act (42 USC 6501-6508). ■ Delegates authority to DEC for review and approval of Oil Discharge Prevention and Contingency Plans (ODPCP) and Certification of Financial Responsibility (COFR) for accidental oil discharge into navigable waters under Section 4202(b)(4) of the Oil Pollution Act of 1990 (OPA90); Sec. 311(j)(5) of the Federal Water Pollution Control Act; 30 CFR 254.
<p>U.S. Fish and Wildlife Service (FWS)</p>	<ul style="list-style-type: none"> ■ Provides consultation under the Endangered Species Act of 1973, Section 7(a)(2) regarding effects to threatened or endangered species. ■ Provides consultation under the Fish and Wildlife Coordination Act regarding effects to fish and wildlife resources. ■ Issues a Letter of Authorization under the Marine Mammal Protection Act for incidental takes of marine mammals.

STATE	
<p>Alaska Department of Environmental Conservation (ADEC)</p>	<ul style="list-style-type: none"> ■ Issues a Certificate of Reasonable Assurance for discharge of dredged and fill material into U.S. waters under Section 401, Federal Water Pollution Control Act of 1972, as amended in 1977 (Clean Water Act) (33 USC 1341); AS 46.03.020; 18 AAC 15; 18 AAC 70; and 18 AAC 72. ■ Issues a Certificate of Reasonable Assurance/NPDES and Mixing Zone Approval for wastewater disposal into all state waters under Section 402, Federal Water Pollution Control Act of 1972, as amended (Clean Water Act) (33 USC 1341 et seq.); AS 46.03.020, .100, .110, .120, & .710; 18 AAC 15, 70, 010 & 72.500. ■ Issues a Class I well wastewater disposal permit for underground injection of non-domestic wastewater under AS 46.03.020,050, and 100. ■ Reviews and approves all public water systems including plan review, monitoring program, and operator certification under AS 46.03.020, 050, 070, and 720, 18 AAC 80.005. ■ Approves domestic wastewater collection, treatment, and disposal plans for domestic wastewaters (18 AAC 72). ■ Approval of financial responsibility for cleanup of oil spills (18 AAC 75). ■ Reviews and approves the Oil Discharge Prevention and Contingency Plan (ODPCP) and the Certificate of Financial Responsibility (COFR) for storage or transport of oil under AS 46.04.030, 18 AAC 75 et seq. The State review applies to oil exploration and production facilities, crude oil pipelines, oil terminals, tank vessels and barges, and certain non-tank vessels. ■ Issues a Title V Operating Permit and a Prevention of Significant Deterioration (PSD) permit under Clean Air Act Amendments (Title V) for air pollutant emissions from construction and operation activities(18 AAC 50). ■ Issues solid waste disposal permit for disposal of solid waste on State lands under AS 46.03.010, 020, 100, and 110; AS 46.06.080; 18 AAC 60.005 and 200. ■ Reviews and approves solid waste processing and temporary storage facilities plan for handling and temporary storage of solid waste on Federal and State lands under AS 46.03.005, 010, and 020, 18 AAC 60.430. ■ Approval of siting of hazardous waste management facilities.
<p>Alaska Oil and Gas Conservation Commission (AOGCC)</p>	<ul style="list-style-type: none"> ■ Permit to Drill (20 AAC 25.05) ■ Annular Disposal of Drilling Waste (20 AAC 25.080) ■ Plugging, Abandonment, and Location Clearance (20 AAC 25.105 through 25.172) ■ Production Practices (20 AAC 25.200 through 25.245) ■ Class II Waste Disposal and Storage (20 AAC 25.252) ■ Workover Operations (20 AAC 25.280) ■ Reports (20 AAC 25.300 through 25.320) ■ Enhanced Recovery (20 AAC 25.402 through 25.460)
<p>Office of the Governor/Division of Governmental Coordination (DGC)</p>	<ul style="list-style-type: none"> ■ Conducts a Coastal Zone Consistency review and issues determination of consistency of proposed development within the coastal zone under Coastal Zone Management Act of 1972, as amended in 1976 (16 USC 1451 et seq.); AS 46.40 Alaska Coastal Management Program Act of 1977; 6 AAC 50.

Northwest National Petroleum Reserve - Alaska

<p>Alaska Department of Natural Resources (DNR)</p>	<ul style="list-style-type: none"> ■ Issues a Material Sales Contract for mining and purchase of gravel from State lands under AS 38.05.850; 11 AAC 71.070 through .075. ■ Issues Right-of-Way (ROW) and Land Use permits for use of State land, ice road construction on State land, and State freshwater bodies under AS 38.05.850. ■ Issues a Temporary Water Use and Water Rights permit under AS 46.15 for water use necessary for construction and operations. ■ Issues pipeline ROW leases for pipeline construction and operation across State lands under AS 38.35.020. ■ Issues a Cultural Resources Concurrence for developments that may affect historic or archaeological sites under the National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.); AS 41.35.010 to .240, Alaska Historic Preservation Act.
<p>BOROUGH</p>	
<p>North Slope Borough (NSB)</p>	<ul style="list-style-type: none"> ■ Issues a Coastal Zone Consistency Determination to address project planning or development within the coastal zone under the Coastal Zone Management Act of 1972, as amended in 1976 (16 USC 1451) (AS 46.40 Alaska Coastal Management Program, 1977; Borough Ordinance 90-39 [6/19/90]).