

Alaska

1. Definitions

- a. Produced Water – Water brought to the surface during oil or gas well drilling, completion, and production operations, which may include formation water, injected water, and flowback water.
 - i. If your state defines the term “produced water,” please provide that definition below.
Alaska does not have a statutory/regulatory definition of produced water.

- b. Recycle/Reuse – To process or treat produced water or its constituent substances for beneficial use.
 - i. If your state defines the term “recycle” or “reuse,” please provide the definition(s) below.
Alaska does not have a statutory/regulatory definition of these terms.

2. Ownership

- a. Please describe the authority (deed, lease, contract, statute, regulation, case law, common law etc..) and include any relevant citations under which any of the following occurs.
 - i. The right to produce water during well completion and oil and gas production operations.
Operators are allowed to produce water as a byproduct of their oil and gas production on lands that they have oil and gas leases for.

Operators are also allowed to produce water from non-hydrocarbon bearing zones, unless it would come from a formation that is a potential Underground Safe Drinking Water (USDW), to use as source water for an Enhanced Oil Recovery (EOR) process. These waters can either come from lands covered by an oil and gas lease or from lands they have a water use permit for.

 - ii. Ownership of produced water from oil or gas wells after it has been brought to the surface.
Unclear if it is ever been defined as to who owns the water after it has been produced, but the operator is responsible for ensuring it is handled and disposed of properly.

iii. Use and/or reuse of produced water in the oilfield.

If the produced water is going to be reinjected for disposal or for EOR purposes, it must be done in accordance with state and federal Underground Injection Control (UIC) laws and regulations.

If produced water is going to be used in any other way it must be done in accordance with EPA and Alaska Department of Environmental Conservation statutes and regulations.

iv. Use and/or reuse of produced water outside of the oilfield.

Same requirements as if it was going to be used/reused in the field.

b. Place an "x" in each box to indicate who holds the right to each of the following regarding water that has not yet been produced.

Who	Possession	Use	Other rights (please specify)
Landowner	X	X	
Operator			
Government			
Other (please specify)			

c. Place an "x" in each box to indicate who holds the right to each of the following regarding produced water after it has been brought to the surface.

Who	Possession	Use	Other rights (please specify)
Landowner			
Operator	X	X	
Government			
Other (please specify)			

d. Does the quality of the produced water play a role in the ownership of the water?

For water that comes from a hydrocarbon bearing zone no.

For water that comes from a non-hydrocarbon bearing zone yes.

3. Liability

- a. Please provide the cite to any relevant state statute/case law/regulation regarding liability for:

Under 18 AAC 75 produced water is generally considered to be a hazardous substance and the owner/operator of a facility (processing facility, pipeline, pump station, etc...) is the responsible party when there is a release that impacts the environment.

- i. Produced water handling (extraction, transportation, sale, etc.).
- ii. Use and/or reuse of produced water in the oilfield:
 1. By the producer
 2. By a different operator
- iii. Use and/or reuse of produced water outside of the oilfield.

4. State or Provincial Regulatory Agency

- a. State or provincial agencies charged with regulating the use/reuse of produced water:

**Alaska Oil and Gas Conservation Commission
333 W 7th Ave
Anchorage, AK 99501
Chris Wallace (907)793-1250 – UIC Program Manager
Manages the state's UIC Class II disposal and EOR programs**

**Alaska Department of Environmental Conservation
PO Box 111800
Juneau, AK 99811
Manages disposition of produced water involving non-UIC regulated methods,
also manages releases of produced water that impact the environment**

Contact information:

Brief summary of areas of responsibilities:

- b. Federal agencies charged with regulating the use and/or reuse of produced water:
If available, please provide appropriate contact information.

**EPA Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101
Manages UIC Class I disposal activities in Alaska**

5. Incentives

- a. Does your state or province have any incentives to use and/or reuse produced water in the oilfield? If so, please describe.

Unaware of any incentives

- b. Outside of the oilfield? If so, please describe.

Unaware of any incentives

6. Innovations and Successes

- a. Do you have any innovative or unique approaches to addressing use and/or reuse of produced water? If so, please provide a brief description.

Approximately 93.5% of produced water is reinjected for EOR purposes.

- b. Does the quality of the produced water pose impediments to recycling and reuse?

Not aware of any uses of produced water other than reinjection for EOR purposes. There are potential issues, primarily related to corrosion and scaling, related to the quality of the produced water used for EOR purposes and as such, most produced water is treated to minimize these issues.

7. Other Information

- a. Please provide any additional notes or commentary below.