Appendix D

Required Permits for Oil and Gas Development
## Federal, State, and Local Permits and/or Approvals for Oil and Gas Exploration, Development, and Production Activities

<table>
<thead>
<tr>
<th>Regulatory Agency</th>
<th>Permit/Approval Actions/Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Federal Agencies</strong></td>
<td></td>
</tr>
</tbody>
</table>
| U.S. Army Corps of Engineers (USACE)           | • 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 Appropriations Act of 1899 (33 USC § 403) for structures or work in, of affecting, navigable waters of the U.S.                                                                 |
| U.S. Environmental Protection Agency (EPA)     | • Issues a National Pollutant Discharge and Elimination System (NPDES) permit under Section 402, Federal Water Pollution Control Act of 1972, as amended (Clean Water Act; 33 USC § 1251) for discharges into waters of the U.S.  
  • Issues an Underground Injection Control Class 1 Industrial Well permit under the Safe Drinking Water Act (42 USC § 300f; 40 CFR parts 144 and 146) for underground injection of Class I (industrial) waste materials.  
  • Requires a Spill Prevention Containment and Countermeasure (SPCC) Plan under Section 311 of the Federal Water Pollution Control Act of 1972, as amended (Clean Water Act; 40 CFR part 112) for storage of over 660 gallons of fuel in a single container or over 1,320 gallons in above-ground tanks.  
  • Reviews Environmental Impact Statement documents for compliance with Council On Environmental Quality guidelines (40 CFR parts 1500-1508) and Section 309 of the Clean Air Act.  
  • Authority delegated to ADEC to issue air quality permits for facilities operating within state jurisdiction, including a 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. |
| National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NMFS) | • Provides consultation under the Magnuson-Stevens Fishery Management and Conservation Act for effects on Essential Fish Habitat (50 CFR 600.905 – 930).                                                                                                         |
| U.S. Department of the Interior, Bureau of Land Management (BLM) | • Issues a Title XI right-of-way (ROW) permit for construction of a transportation or utility system across BLM lands (43 CFR 36). The ROW application process would require a National Environmental Policy Act (NEPA) analysis (43 CFR 36.6) of the entire development scenario. |
| U.S. Fish and Wildlife Service (Service)        | • Issues a Title XI right-of-way permit for construction of a transportation or utility system across refuge lands (43 CFR 36). The ROW application process would require a NEPA analysis (43 CFR 36.6) of the entire development scenario.  
  • Provides consultation under the Endangered Species Act of 1973 (16 USC 1531-1543), regarding effects to threatened or endangered species. Currently, no species in the Yukon Flats region are listed as threatened or endangered. |
## Appendix D – Federal, State, and Local Permits and/or Approvals

### Federal, State, and Local Permits and/or Approvals for Oil and Gas Exploration, Development, and Production Activities

<table>
<thead>
<tr>
<th>Regulatory Agency</th>
<th>Permit/Approval Actions/Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Agencies</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **Alaska Department of Environmental Conservation (ADEC)** | • 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 et seq.); AS 46.03.020; 18 AAC chapters 15, 70, and 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, and .710; 18 AAC Chapters, 10, 15, and 70, and §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 chapter 72).  
  • Approves Spill Cleanup Plans for oil spills (18 AAC chapter 75).  
  • Reviews and approves the Oil Discharge Prevention and Contingency Plan and the Certificate of Financial Responsibility for storage or transport of oil under AS 46.04.030 and 18 AAC chapter 75.240. 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 PSD permit under Clean Air Act Amendments (Title V) for air pollutant emissions from construction and operation activities (18 AAC chapter 50).  
  • Approves the siting of hazardous waste management facilities (18 AAC chapter 63). |
| **Alaska Oil and Gas Conservation Commission (AOGCC)** | • Issues a Permit to Drill (20 AAC § 25.05).  
  • Issues approval for annular disposal of drilling waste (20 AAC § 25.080).  
  • Authorizes plugging, abandonment, and location clearance (20 AAC § 25.105 through 25.172).  
  • Authorizes production practices (20 AAC §§ 25.200 through 25.245).  
  • Authorizes Class II waste disposal and storage (20 § AAC 25.252).  
  • Approves Workover Operations (20 § AAC 25.280).  
  • Reports (20 AAC §§ 25.300 through 25.320).  
  • Authorizes enhanced recovery operations (20 AAC § 25.402 through 25.460). |
Federal, State, and Local Permits and/or Approvals for Oil and Gas Exploration, Development, and Production Activities

<table>
<thead>
<tr>
<th>Regulatory Agency</th>
<th>Permit/Approval Actions/Requirements</th>
</tr>
</thead>
</table>
| Alaska Department of Natural Resources (ADNR) | • Issues a Temporary Water Use and Water Rights permit under AS 46.15 for water use necessary for construction and operations.  
• 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.), Alaska Historic Preservation Act (AS 41.35.010 through .240).  
• Issues Fish Habitat Permits (AS 41.l4.840 and AS 41.l4.870) for activities within fish-bearing streams that may impede fish passage. Stream diversion, gravel removal, stream crossings (fords), ice bridge/road construction, water withdrawal, and bridge or culvert construction are activities that normally require a Title 41 (Fish Habitat) Permit.  
• Requires that major energy facilities be sited to allow for the free passage and movement of fish and wildlife, to the extent feasible and prudent (6 AAC 80.070(b)(11) and (12)).                                                                                                                                                                                                                                                                                                                                 |

**Key:**
AAC = Alaska Administrative Code.  
AS = Alaska Statute.  
USC = United States Code.