



APA-2  
07/04

State Oil and Gas Board of Alabama

**NOTICE OF INTENDED ACTION**

AGENCY NAME: State Oil and Gas Board of Alabama

RULE NO. & TITLE: Rule 400-3-8-.03, Hydraulic Fracturing of Coal Beds

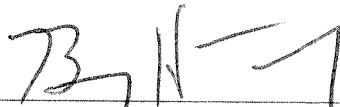
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The State Oil and Gas Board of Alabama proposes to amend Rule 400-3-8-.03, Hydraulic Fracturing of Coal Beds, to enhance regulation of hydraulic fracturing of coal beds to protect any fresh water supply well or any fresh water resources and to require public disclosure of well stimulation fluids used in hydraulic fracturing.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested parties may present their views in writing to the contact person listed below at any time prior to the period stated below.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written comments must be received by the State Oil and Gas Board no later than July 5, 2013.

CONTACT PERSON AT AGENCY: David Bolin, P.O. Box 869999, Tuscaloosa, AL 35486-6999, phone (205) 247-3579.



Berry H. (Nick) Tew, Jr.  
Supervisor

#### **400-3-8-.03. Hydraulic Fracturing of Coal Beds.**

(1) Each coal bed shall be hydraulically fractured so as not to cause irreparable damage to the coalbed methane (CBM) well, or to adversely impact any fresh water supply well or any fresh water resources.

(2) A proposal to fracture a coal group shall be accompanied by a check or bank draft in the amount of one hundred seventy five dollars (\$175) payable to the State Treasurer, State of Alabama, which sum is fixed as the fee for each proposal; however, in no case shall the fee paid for concurrent hydraulic fracturing operations in a single well exceed five-hundred twenty-five dollars (\$525) regardless how many coal groups are hydraulically fractured. The fee shall be deposited into the Alabama State Oil and Gas Board Special Fund pursuant to Section 9-17-24 of the *Code of Alabama* (1975).

(3) Coal beds shall not be hydraulically fractured until approval of the Supervisor is obtained. In order to receive approval, the operator shall submit to the Supervisor: a wellbore schematic showing the specifications of the casing and cementing program, including pressure tests and the depth interval(s) and name(s) of coal beds to be fractured; geophysical and cement bond logs; and (if applicable) an inventory of fresh water supply wells within a one quarter- (1/4-) mile radius of the CBM well. Further, the operator shall affirm to the Supervisor, in writing, that the well construction and pressure tests results, geophysical and cement bond logs, and (if applicable) inventory of fresh water supply wells have been evaluated and that the results of this evaluation indicate that the proposed hydraulic fracturing operations can be conducted without adverse impact on any fresh water supply wells or any fresh water resources.

(4) The operator of CBM wells with proposed fracturing operations in the depth interval of four hundred (400) to six hundred (600) feet shall prepare an inventory of fresh water supply wells within a one quarter- (1/4-) mile radius of the well to be fractured. Records of fresh water supply wells shall be used by the operator in delineating the construction and completion depths of such supply wells. ~~Published reports maintained in the library of The~~ records of the Geological Survey of Alabama (GSA) ~~and in open files of the Hydrogeology Division of the GSA~~ shall be the primary sources of information used in this evaluation process. Additionally, the operator shall conduct a field reconnaissance within a one quarter- (1/4-) mile radius of the CBM well to determine the location of any additional fresh water supply wells that may not be identified in the previously described documents. If possible, construction information for such additional fresh water supply wells must be obtained. Consideration shall be given to the records of all fresh water supply wells available and the operator shall report the results of his findings to the Supervisor. Fracturing operations shall not be conducted if it is determined that any fresh water resources or any fresh water supply well located within a one quarter- (1/4-) mile radius of the CBM well could be adversely impacted as a result of the fracturing operation.

(5) A program describing the proposed fracturing operation in the depth interval of four hundred (400) to six hundred (600) feet shall be used by the operator in conjunction with the evaluation process described in section (4) of this rule. Information to be considered shall include, but not be limited to, the maximum length and orientation of the fracture(s) to be propagated and the type fluids and materials that are to be utilized. Programs to hydraulically fracture shall be prepared by a person, or entity, familiar with the technicalities of fracturing coal beds in the area in which fracturing operations are proposed. Operators shall submit the fracturing program to the Supervisor. The program filed with the Board shall identify the person, or entity, that has prepared the fracturing program and be accompanied by a letter from the operator stating its intended application. Recurrent filing of a fracturing program will not be necessary if such program has previously been submitted to the Supervisor and is directly applicable to the fracturing proposal under consideration. Modification(s) to a fracturing program that would alter the maximum length and orientation of the fracture(s) to be propagated, or the type fluids and material to be utilized, shall be submitted to the Supervisor prior to its implementation in the field.

(6) Hydraulic fracturing of coal beds in the depth interval zero (0) to three hundred ninety nine (399) feet is prohibited.

(7) Diesel oil or fuel is prohibited in any fluid mixture used in the hydraulic fracturing of a coal bed.

(8) The Supervisor may request the submittal of additional information in order to clarify a proposal to hydraulically fracture a coal bed.

(9) The operator shall maintain all records associated with each proposal approved by the Supervisor and implemented by the operator to hydraulically fracture coal beds until such time that the CBM well has been plugged for permanent abandonment, but not less than three (3) years following completion of the fracturing operation. Upon request, copies of these records shall be made available to the Supervisor.

(10) In order to provide adequate disclosure of well stimulation fluids utilized in a hydraulic fracturing operation,

(a) The operator shall provide to the Board:

(1) a description of the fracture fluid identified by additive, e.g., acid, proppant, surfactant;and

(2) the name of the chemical compound and the Chemical Abstracts Service Registry number, as published by the Chemical Abstracts Service, a division of the American Chemical Society, for each constituent of the additive used.

(b) Within thirty (30) days after the fracturing of a well, the operator shall post the information to the Frac Focus website.

**Author:** S. Marvin Rogers

**Authority:** Section 9-17-1 *et seq.*, of the Code of Alabama 1975

**History:** May 16, 2011