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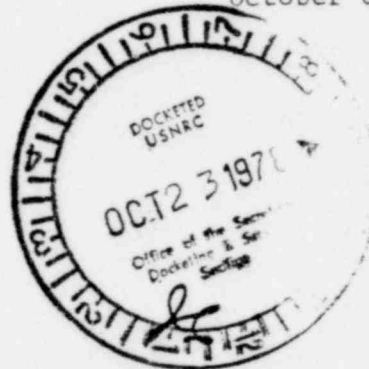


OIL AND GAS CONSERVATION DIVISION
ROOM 236

DOCKET NUMBER
PROPOSED RULE

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PR-30,70(43FR44547)

October 6, 1978



U.S. Nuclear Regulatory Commission
Secretary of the Commission
Docketing & Service Branch
Washington, D.C. 20555

Gentlemen:

These written comments are in reference to Nuclear Regulatory Commission's proposed rules covering requirements for abandonment of irretrievable well logging sources, as published in the Federal Register, Vol. 43, #189, Thursday, September 28, 1978.

The Oklahoma Corporation Commission has statutory responsibility for the prevention of pollution of surface and sub-surface fresh water associated with all phases of oil and gas drilling and production operations including the irretrievable loss of radio-active logging sources.

The Oklahoma Corporation Commission has adopted rules and regulations pertaining to the abandonment of irretrievable well logging sources with a copy of the rule (No. 3-406) being enclosed. It will be noted that all of the provisions of your proposed rules are provided for with the exception that the determination of "reasonable effort" to recover the source is that of the Oklahoma Corporation Commission and not that of the Nuclear Regulatory Agency.

With very few exceptions, the loss of a radio-active logging source occurs on active drilling wells with daily operational costs ranging from thousands of dollars per day to tens of thousands of dollars per day, depending upon size and complexity of the drilling equipment. The proposal, that the determination as to when a logging source should be deemed to be irretrievable be that of the Nuclear Regulatory Agency, should be carefully considered so that no unusual delay would result with unnecessary loss of money to the oil operator. The Oklahoma Corporation Commission is staffed with competent personnel, including Petroleum Engineers and Geologists, all of whom are experienced in

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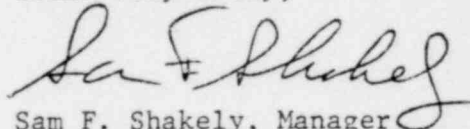
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all phases of oil drilling and production operations, including the fishing for lost tools, and in our opinion are qualified to determine when a logging source should be declared irretrievable. This State authority has proven to be acceptable and results in a minimum of costly delay to the oil operator. If it is decided that the Nuclear Regulatory Agency be the sole entity for determination of irretrievability, considerable delay will result with loss of many dollars for the well operator.

It is suggested that the state regulatory agency be vested with authority for determining when a source is irretrievable, which, in my opinion, would be more workable than that proposed.

Yours very truly,



Sam F. Shakely, Manager
Pollution Abatement

SFS:alh

cc: Mr. Coleman Smith
Radiological Health
State Health Department
Interagency Mail