

## Kubeczko, Dave

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**From:** Kubeczko, Dave  
**Sent:** Wednesday, March 23, 2011 8:29 AM  
**To:** Kubeczko, Dave  
**Subject:** FW: Berry Petroleum, Latham CD-32 596 Pad, NWNW Sec 32 T5S R96W, Garfield County, Form 2A #400133999 Review

Scan No 2033652      CORRESPONDENCE      2A#400133999

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**From:** Moran, Kallasandra M. [mailto:kmoran@bry.com]  
**Sent:** Wednesday, March 23, 2011 7:47 AM  
**To:** Kubeczko, Dave  
**Subject:** RE: Berry Petroleum, Latham CD-32 596 Pad, NWNW Sec 32 T5S R96W, Garfield County, Form 2A #400133999 Review

Dave,

Berry Petroleum Company concurs with the COA's.

Thanks!

Kallasandra M. Moran  
Regulatory Compliance Specialist  
Berry Petroleum Company  
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**From:** Kubeczko, Dave [mailto:Dave.Kubeczko@state.co.us]  
**Sent:** Tuesday, March 22, 2011 11:08 AM  
**To:** Moran, Kallasandra M.  
**Subject:** Berry Petroleum, Latham CD-32 596 Pad, NWNW Sec 32 T5S R96W, Garfield County, Form 2A #400133999 Review

Kallasandra,

I have been reviewing the Latham CD-32 596 Pad **Form 2A** (#400133999). COGCC would like to attach the following conditions of approval (COAs) to the Form 2A permit based on the data Berry has submitted on or attached to the Form 2A prior to passing the Oil and Gas Location Assessment (OGLA) review.

1. **General Roan Rim:** COGCC's review indicates that the well pad location is approximately 7972 feet to the west of the current edge of the area defined in the notice to operators (NTO) for drilling wells on the Roan Plateau in Garfield County. COGCC is currently revising the Roan Rim NTO to expand the area covered by the NTO based on the surface geology; therefore, this location will be designated a **sensitive area**. Due to the highly fractured nature of the surface material in the area around the Roan Rim, the following conditions of approval (COAs) will apply:

**COA 21** - Operator must comply with all provisions of the June 12, 2008 Notice to Operators (NTO) Drilling Wells Within  $\frac{3}{4}$  Mile of the Rim of the Roan Plateau in Garfield County – Pit Design, Construction, and Monitoring Requirements.

**COA 22** - After installation of the uppermost liner and prior to operating the pit, the synthetic liner(s) shall be tested by filling the pit with at least 4 feet of fresh water, measured from the base of the pit (not to exceed the 2-foot freeboard requirement). The operator shall monitor the pit for leaks for a period of 72 hours prior to draining the pit and commencing operations. Operator shall notify the COGCC Oil and Gas Location Assessment (OGLA) Specialist for Western Colorado (Dave Kubeczko; email [dave.kubeczko@state.co.us](mailto:dave.kubeczko@state.co.us)) 48 hours prior to start of the hydrotest. Hydrotest monitoring results must be maintained by the operator for the life of the pit and provided to COGCC prior to using the pit.

**COA 23** - Operator must ensure 110 percent secondary containment for any volume of fluids contained at the water handling facility site during natural gas development activities and operations; including, but not limited to, construction of a berm or diversion dike, diversion/collection trenches within and/or outside of berms/dikes, site grading, or other comparable measures (i.e., best management practices (BMPs) associated with stormwater management) sufficiently protective of nearby surface water. Any berm constructed at the well pad location will be stabilized, inspected at regular intervals (at least every 14 days), and maintained in good condition.

**COA 5** - Operator must implement best management practices to contain any unintentional release of fluids, including any fluids conveyed via buried or temporary surface pipelines.

**COA 90** - Notify COGCC Oil and Gas Location Assessment (OGLA) Specialist for Western Colorado (Dave Kubeczko; email [dave.kubeczko@state.co.us](mailto:dave.kubeczko@state.co.us)) and the COGCC Field Inspection Supervisor for Northwest Colorado (Shaun Kellerby; email [shaun.kellerby@state.co.us](mailto:shaun.kellerby@state.co.us)) 48 hours prior to start of construction or use of existing pit.

**COA 39** - No portion of any pit that will be used to hold liquids shall be constructed on fill material, unless the pit and fill slope are designed and certified by a professional engineer, subject to review and approval by the director prior to construction of the pit. The construction and lining of the pit shall be supervised by a professional engineer or their agent. The entire base of the pit must be in cut.

**COA 47** - The completion/flowback fluids multi-well pit must be double-lined. The pit will also require a leak detection system (Rule 904.e).

**COA 48** - Operator must submit a professional engineer (PE) approved/stamped as-built drawing (plan view and cross-sections) of the completion/flowback pit within 14 calendar days of construction.

**COA 41** - The nearby hillside and fill-material bermed portions of the pit must be monitored for any day-lighting of fluids throughout pit operations.

**COA 49** - The completion/flowback fluids multi-well pit must be fenced and netted. The operator must maintain the fencing and netting until the pit is closed in accordance with Rule 905. Closure of Pits, and Buried or Partially Buried Produced Water Vessels.

**COA 25** - Flowback and stimulation fluids must be sent to tanks to allow the sand to settle out before the fluids can be placed into any pipeline or pit. The flowback and stimulation fluid tanks must be placed on the pad in an area with additional downgradient perimeter berming. The area where flowback fluids will be stored/reused must be constructed to be sufficiently impervious to contain any spilled or released material (per Rule 604.a.(4)).

**COA 27** - Submit additional disposal facilities (wells, pits, etc.) for pit contents to COGCC via a Form 4 Sundry prior to disposal.

**COA 20** - Surface water samples from Little Creek and the north tributary to Little Creek Operator shall be collected prior to pit use and every 12 months to evaluate potential impacts from pit operations. At a minimum, the surface water samples will be analyzed for the following parameters: major cations/anions (chloride, fluoride, sulfate, sodium); total dissolved solids (TDS); and BTEX/DRO.

**COA 91** - At the time of pit closure, operator must submit disposal information via a Form 4 Sundry Notice to the COGCC Location Specialist for Western Colorado (Dave Kubeczko; email [dave.kubeczko@state.co.us](mailto:dave.kubeczko@state.co.us)). The disposal method will need to be approved prior to operator starting pit closure. In addition, operator will collect a pit water sample and, at a minimum, analyze for the following parameters: pH; alkalinity; specific conductance; major cations/anions (chloride, fluoride, sulfate, sodium); total dissolved solids (TDS);

BTEX/DRO; TPH; PAH's (including benzo[a]pyrene); and metals (arsenic, barium, calcium, chromium, iron, magnesium, selenium). At the time of closure/disposal of pit water, COGCC may require additional analytes, as appropriate.

COGCC would appreciate your concurrence with attaching these COAs (Item 1) to the Form 2A permit prior to passing the OGLA review. These COAs will also be attached to the Form 15 Pit Permit. If you have any questions, please do not hesitate to call me at (970) 309-2514 (cell), or email. Thanks.

Dave

**David A. Kubeczko, PG**  
**Oil and Gas Location Assessment Specialist**

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