



June 15, 2011

Certified Mail Return Receipt Requested # 7011 0470 0003 6447 5360

Mr. Ken Valentine  
Valentine Ranch LLC  
23085 County Road 43.7  
Aguilar, CO 81020-9704

RE: Complaint 200278900  
Stormwater and Erosion Control Best Management Practices

Dear Mr. Valentine:

In response to the complaint you submitted on October 19, 2010, the Colorado Oil and Gas Conservation Commission (COGCC) conducted field visits to the lease road to the Blazer 24-1. You stated in your email complaint that Pioneer Natural Resources had not maintained the stormwater and erosion controls installed along the lease road to the Blazer 24-1 (05-071-08459) and that the operator had not done adequate interim reclamation along the lease road right of way.

### **FIELD INSPECTIONS**

I visited the site on October 19, 2010 in response to your complaint. I inspected the areas along the lease road. I contacted you by e-mail after performing that inspection. I did observe that maintenance of two of the installed best management practices (sediment traps) had recently been performed by the operator. Photographs 1 and 2 in Attachment 1 show the culverts and sediment traps as I observed them on October 19, 2010, which was the same day I received your complaint via e-mail. My observations on this day were that the road construction, erosion controls and maintenance of those controls as well as the interim reclamation practices of Pioneer Natural Resources were in compliance with applicable COGCC regulations (1000 series).

On November 23, 2010, Margaret Ash (COGCC Field Inspection Unit Manager) and Gary Helgeland (a COGCC reclamation specialist) visited the site. The report provide by Ms. Ash is included as attachment 2. Ms. Ash concluded after the November 2010 inspection that the lease road had been constructed and maintained in compliance with applicable rules of the COGCC.

I again visited the area on December 3, 2010 and a photo of alterations to the stormwater and erosion controls had been nearly completed by the operator. Photograph 3 (Attachment 1) shows that new culverts had been installed to lessen the flow through each culvert. In addition, the operator had constructed a filtering and retention area so that sediment would have an opportunity to settle out of stormwater before the water leaves the immediate area of the lease road.

Field Inspection 200310088 (Attachment 3) was conducted on May 10, 2011. During that visit I noted that interim reclamation and revegetation of areas disturbed in the fall of 2010 when Pioneer made improvements to the stormwater management along the lease road. Photograph 4 and Photograph 5 show progress of

reclamation efforts at that time. The inspection of the area did show maintenance issues in one portion of the 2010 construction area (Photograph 6 in Attachment 1). The inspection notice required that the operator perform maintenance in certain areas as sediment had come close to overtopping some of the BMPs installed in late fall of 2010. Ms. Ash had noted in her report that maintenance of stormwater controls would be needed and my May 2011 inspection noted that maintenance was now needed and must be performed by the operator.

Your complaint has been closed as staff did not observe any violations of COGCC rules with respect to issues raised in your complaint. If you have any questions or would like to discuss these matters further, please contact me at 719-846-3091 or by email at [peter.gintautas@state.co.us](mailto:peter.gintautas@state.co.us). Should you be unsatisfied with COGCC staff's handling and resolution of your complaint Rule 522.a. (4) allows you as the complainant to file with the Commission an application for an Order Finding Violation.

The staff of the COGCC issued a Notice of Alleged Violation (NOAV) to Pioneer Natural Resources regarding your 2008 complaint related to erosion issues along the Blazer lease road. That Notice of Alleged Violation was closed with no further enforcement action taken by the staff of the COGCC subsequent to the followup inspections of this area in October and November of 2010. Should you be unsatisfied with COGCC staff's handling and resolution of your 2008 complaint and the closing of the Notice of Alleged Violation with no further enforcement action, Rule 522.b. (4) allows you as the complainant to file with the Commission an application for an Order Finding Violation.

Sincerely,  
Colorado Oil and Gas Conservation Commission

Peter Gintautas, Ph.D.  
Environmental Protection Specialist

Attachments: Attachment 1 - Photographs of the Area Subject to the Complaint  
Attachment 2 - Report of Field Investigation (Ash and Helgeland)  
Attachment 3 - Field Inspection 200310088

cc: David Neslin, COGCC Director  
Debbie Baldwin, COGCC Environmental Protection Manager  
Margaret Ash, COGCC Field Inspection Manager  
Steve Lindblom, COGCC Environmental Protection Supervisor  
Dave Holland, Pioneer Natural Resources



Sediment trap installed in 2008. No signs of migration of sediment downhill from trap are seen in the 2010 photo. Fenced area is on Valentine Ranch and was reseeded and reclaimed subsequent to 2008 complaint and Notice of Alleged Violation (200192373)

Photograph 2

Sediment trap and rip rap installed subsequent to 2008 complaint. Recent maintenance of sediment trap is evident. No signs of migration of sediment past trap in 2010.



10.19.2010 14:31

retention and filtering BMP

Culvert added to divert flow to retention and filtering area before flow reaches bottom of road and culvert above gate.



Photograph 4

Culvert seen in  
Photograph 3.



05.10.2011 14:37

Photograph 5



Retention/Filtering  
BMP seen in  
Photograph 3 with  
interim reclamation  
evident.

Slope needing further seeding and plant growth to minimize erosion and downhill transport of sediment

Photograph 6

BMPs in need of maintenance

05.10.2011 14:40

**From:** [Ash, Margaret](#)  
**To:** [Gintautas, Peter](#)  
**Subject:** Blazer 24-1, 05-071-108459, Reclamation  
**Date:** Thursday, January 06, 2011 2:23:59 PM

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**To:** Peter Gintautas  
Complaint #[200278900](#)  
**Subject:** Blazer 24-1, 05-071-108459  
Reclamation and stormwater  
SESW1, 32S, 67W, 6  
**From:** Margaret Ash

On November 23, 2010 Gary Helgeland and I conducted an inspection of Blazer 24-1 well site and lease road. Construction was actively occurring on the lease road to improve stormwater best management practices. Upon inspection it was noted that; the road had been graveled to increase stabilization of road surface which will decrease movement of sediment and had been graded to slope into the cut face so that runoff will move towards cut wall and drainage ditch. Additionally, a series of culverts and sediment traps had been added on both sides of the road. Several of the new culverts drain have been designed to drain towards a larger sediment trap that was being constructed on the fill slope side of the road. The construction crew and Pioneer staff were interviewed and indicated that the fill slope would be hydro-seeded and that there was to be additional spot seeding.

The road is located, adequately sized and constructed to minimize erosion, alternation of natural features, to facilitate future reclamation, and is in compliance with COGCC Rule 1002.e.(1) Surface Disturbance Minimization. The construction of the road, culverts, and sediment traps also complies with COGCC stormwater requirements under 1002.f. Inspection and periodic maintenance of the BMPs will be required to maintain compliance.

A site inspection report and 18a have been completed.

**Margaret A. Ash**  
**Manager Field Inspection Unit**  
**Colorado Oil & Gas Conservation Commission**  
**Office: (303) 894-2100 Ext. 5110**  
**Fax: (303) 894-2109**  
**Cell: (303) 548-6298**  
[margaret.ash@state.co.us](mailto:margaret.ash@state.co.us)

# COGIS - Field Inspection Report

	
API Number: <b>05-071-08459</b>	Name: <b>BLAZER #24-1</b>
Location: <b>SESW 1 32S 67W</b>	Lat: <b>37.28106</b> Long: <b>-104.84185</b>
Operator #:	Operator Name: <b>PIONEER NATURAL RESOURCES USA INC</b>
Inspection Date: <b>5/10/2011</b>	Inspector: <b>PETER GINTAUTAS</b>

Inspection was: **Unsatisfactory**

Insp. Type: <b>ES</b>	Insp. Stat: <b>PR</b>	Reclamation (Pass, Interim or Fail):	P&A (Pass/Fail):
Brhd. Pressure:	Inj. Pressure:	T-C Ann. Pressure:	UIC Violation Type:
Violation: <b>Y</b>	NOAV Sent: <b>N</b>	Date Corrective Action Due: <b>6/30/2011</b>	Date Remedied:

**Field Inspection Comments and Observations**

Insp. Comment	Inspection/Violation Comments
ACTION	PERFORM MAINTENANCE AS NEEDED OF EROSION CONTROLS
MISC	INSPECTION OF STORMWATER CONTROLS ALONG LEASE ROAD. STORMWATER CONTROLS IN GOOD CONDITION WITH FEW EXCEPTIONS. BERM BUILT ALONG SOUTH EDGE OF FILTER/INFILTRATION DITCH IS ERODING IN SOME SPOTS WITH SOILS AS DEEP AS WATTLES ARE TALL