



Noto - DNR, John <john.noto@state.co.us>

Conoco Moran Trust 2 well - LGD Comments

3 messages

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Tue, Mar 19, 2013 at 4:27 PM

To: dkocis@co.arapahoe.co.us

Cc: Greg Deranleau - DNR <greg.deranleau@state.co.us>

Diane, This is a followup to our discussion about Arapahoe County's comments that were entered into the Form 2 for the Moran Trust 2 well. The comments and the accompanying responses (prepared by OGLA Supervisor Greg Deranleau) that are listed below will be placed into the Form 2A. As also noted below, the COGCC will contact Conoco to address items 6., 7., and 10. Please feel free to contact me with questions or comments.

The County requests incorporation of the following into approved forms 2 and 2A as BMPs

Please note, in the future surface related comments placed by the LGD on the Form 2 Application for Permit to Drill may not be addressed. Comments related to surface activities should be made to the Form 2A Oil and Gas Location Assessment so that appropriate COGCC staff can address in a timely manner.

1. The Applicant and/or contractors are responsible for dust control and mitigation on unpaved roads and the well pad.

COGCC cannot place this requirement on a Form 2 or Form 2A. COGCC has no regulatory authority over the use of public roads. The requirement is not specific as to which roads the operator would be responsible for. COGCC Rule 805.c. requires operators to control fugitive dust.

2 The Applicant will conduct baseline water sampling of all water wells within a 1/2 mi radius according to COGCC protocol that be will effective 5-1-13.

COGCC Rule 609 requiring groundwater monitoring at new oil and gas wells statewide goes into effect May 1, 2013, and will only be applicable for Wells *permitted* after that date (Rule 609.a.(1)). The operator has indicated that they will sample the nearest 2 water wells in accordance with the COGA Voluntary Groundwater Monitoring Program, as described in the BMP placed on the Form 2A. COGCC will not require additional groundwater monitoring.

3. The Applicant will use a closed-loop system.

The Form 2A (Document #400380020) specifies that the operator will utilize a closed loop drilling system.

4. All lights will be directed downward during the drilling process.

COGCC Rule 803 requires that lighting be directed downward and inward to prevent glare on buildings

within 700'. The nearest building is a residence approximately 1175' to the northwest. COGCC will not make additional lighting control a requirement for this project. If complaints are received as a result of nuisance light during drilling, COGCC reserves the authority to require mitigation.

5. The Applicant will be responsible for noxious weed control from pad construction to closure of the well.
- Control of noxious weeds are addressed by COGCC Rule 1003.f. and the Colorado Noxious Weed Act, C.R.S. §35-5.5-115. If noxious weeds are found to be present during any inspection, the operator will be required to submit a weed control plan.

6. The Applicant will provide a 24/7 phone contact number for noise complaints.

The operator is required to post company contact information at the well and tank battery location in accordance with Rule 210.b. The signs required to be posted during drilling (Rule 210.a.) do not require this information. Therefore, COGCC will incorporate, as a condition of approval the requirement to post 24-hour company contact information at the intersection of the access road and public road concurrent with MIRU.

7. The Applicant and contractors will work with applicable school district(s) to minimize conflicts with school buses.

COGCC has no regulatory authority over the use of public roads. However, COGCC will encourage the operator to develop a BMP which addresses the timing of mobilizations and hauling to minimize conflicts with school bus routes.

8. The Applicant will obtain a will serve letter from the appropriate fire protection district indicating that they have received a copy of the Emergency Response Plan.

COGCC does not have the regulatory authority to require or enforce this.

9. Berms will be inspected on a weekly basis and within 48 hours of a precipitation event.

COGCC Rule 604.a.(4) requires that berms be sized "to provide secondary containment for the largest single tank and sufficient freeboard to contain precipitation." Rule 604.a.(4) also requires berms "be inspected at regular intervals and maintained in good condition" and "be sufficiently impermeable to contain any spilled or released material." Due to the arid climate on the eastern plains of Colorado, berms are generally designed to contain 110% of the largest tank capacity to accommodate precipitation and it is not generally required for an operator to inspect berms immediately after precipitation events. Since a pumper generally visits the Well Sites daily, any spills or releases should be noticed and addressed by the operator immediately.

10. Any spill or release that is reportable to the Commission will be simultaneously reported to the County.

COGCC cannot require this simultaneous reporting without an explicit reporting mechanism in place. Different spill volumes and types trigger different actions by the operator. COGCC will require as a condition of approval that the operator submit copies of any Form 19 submitted to COGCC for this Well or its Production Facilities be sent to the LGD for Arapahoe County.

11. Except for facilities that must be painted a certain color for safety reasons, operator will paint all new production facilities with uniform, non-contrasting, non-reflective color tones generally matched to the surrounding landscapes.

COGCC Rule 804 requires production facilities to be painted as described.

The following is a list of County COAs addressed through the USR process:

COGCC does not have the regulatory authority to require or enforce conditions of the USR process.

1. The Applicant will obtain all necessary County permits, including building and access permits, as applicable.
2. The applicant will obtain an approved GESC permit.
3. The Applicant will obtain necessary Oversize/Overweight vehicle permits.
4. A floodplain development permit must be approved for any encroachment of a FEMA or County designated floodplain.

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