



STATE OF
COLORADO

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Fwd: Form 27 - Sensitive Area Determination CM Production LLC, Rice #2 Well and Production Facility, API#05-121-07216, NOAV#200399090

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

Thu, Jun 5, 2014 at 8:18 AM

To: James Hix <jhix@olssonassociates.com>

Cc: "Teff, John" <johnt@cmproductionllc.com>, Jeremy Ferrin - DNR <jeremy.ferrin@state.co.us>, John Axelson - DNR <john.axelson@state.co.us>, "Kirk.mueller@dgsllaw.com" <Kirk.mueller@dgsllaw.com>, "Roger Freeman (roger.freeman@dgsllaw.com) (roger.freeman@dgsllaw.com)" <roger.freeman@dgsllaw.com>, OGCC EnviroScan - DNR <OGCC.EnviroScan@state.co.us>, Greg Deranleau - DNR <greg.deranleau@state.co.us>

CM Production LLC, Rice #2 Well and Production Facility, API#05-121-07216, NOAV#200399090, Remediation #8461, Document #2141171

James,

COGCC has assigned Remediation #8461 and Document #2141171 to the Form 27 for the CM Production Rice Production Facility. Comments and Conditions of Approval for the Form 27 are detailed below. A copy of the signed Form 27 is also attached for your records.

The COGCC inspection performed on January 14, 2014 (Document # 670600199) included sampling and analysis of soil and sediment collected adjacent to the facility. The findings from this limited assessment revealed apparent impacts from produced water. Based on these findings and other site conditions, COGCC prepared a Notice of Alleged Violation (NOAV), document #200399090, which was issued to CM Production on March 18, 2014. Specific abatement or corrective actions were listed on the NOAV with corrective action dates.

A Form 27, Site Investigation and Remediation Workplan was required by April 11, 2014 either for pit closure or for planning a Sensitive Area Determination if CM planned to continue using the pits. Olsson Associates submitted a Site Assessment Determination Report to COGCC in April 2014. COGCC received a Form 27 on May 27, 2014 for a Sensitive Area Determination and remediation work. The implementation schedule on the Form 27 was not filled out.

The Sensitive Area Determination Assessment Report partially fulfilled the Sensitive Area Determination in accordance with Rules 901.c. and 901.e. The Assessment Report included site specific information about the background and operational history. The Assessment Report also included a description of the regional geology, hydrogeology, and an evaluation of surface water drainages via topographic maps. However, the Assessment Report did not include site-specific groundwater conditions or characterization of potential/actual impacts to the nearby intermittent streams. The Assessment Report did not include a sampling/analysis plan to evaluate potential impacts to soil, groundwater and surface water.

The following information is necessary for completion of the Sensitive Area Determination in accordance with Rules 901.c. and 901.e. :

1. Install a temporary well or boring to log subsurface lithologies and to measure the depth to shallow groundwater or to verify that shallow groundwater is not present. Submit a map with the proposed

location to COGCC and complete the boring/well no later than July 3, 2014.

2. If shallow groundwater is present or if pathways to deeper groundwater are indicated, submit a plan with proposed groundwater monitoring locations, sampling, and analysis plan. The investigation shall be performed and results reported no later than 60 days after completion of the initial shallow groundwater determination.
3. Collect and analyze samples from the intermittent drainage east of the production facility to map the extent of the produced water impacts identified by COGCC and documented in Inspection #670600199. Complete the sampling/analysis by July 3, 2014.

The samples collected east of and adjacent to produced water pit bank by COGCC had elevated SAR and pH that may be from prior pit overflows or pit seepage. Determine if the produced water pits are actively seeping into the intermittent drainage to the east. Complete this study and report the findings to COGCC by July 3, 2014. If active seeps are occurring, provide a plan to COGCC for halting any seepage into the drainage. Also implement procedures to maintain a minimum of 2-feet of freeboard in the produced water pits in accordance with Rule 902.b.

Remediate/reclaim the impacted area south of the south produced water pit to establish uniform vegetative cover that reflects at least 80% of pre-disturbance levels excluding noxious weeds. Implement best management practices to prevent erosion and control weeds during reclamation. Begin remediation by July 7, 2014.

Please call or email if you have questions or concerns.

Thank you,

John Noto

Cc: Remediation #8461

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Form 27 Sensitive Area Determination FNL Binder 052714 signed.pdf

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