

STATE OF
COLORADO

EnviroScan - DNR, OGCC <dnr_ogcc.enviroscan@state.co.us>

Re: Beren Moyer Unit, Remediation #7985, AOC 1V-435, Compliance Schedule Extension Request

1 message

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

Wed, Jun 25, 2014 at 10:55 AM

To: Eric Lang <elang@ltenv.com>, Rodney Reynolds <Reynoldsr@berexco.com>

Cc: "Axelson - DNR, John" <john.axelson@state.co.us>, Peter Gowen - DNR <peter.gowen@state.co.us>, Jeremy Ferrin - DNR <jeremy.ferrin@state.co.us>, Mari Deminski <Mari.Deminski@state.co.us>, OGCC EnviroScan - DNR <OGCC.EnviroScan@state.co.us>

Eric,

The compliance schedule on the AOC is for proper treatment or disposal of oily waste in accordance with Rule 907.e by June 30, 2014. Documentation that the oily waste was treated or disposed is required by June 30, 2014. As stated on the AOC:

b. Beren will perform the following actions related to the Tank Battery and Pit Complex:

*Beren will cleanup all oily waste at tank battery, skim pit and produced water pit. and submit a Form 27 for approval prior to final pit closure. Include documentation that oily waste from tank battery **was properly treated or disposed** in accordance with Rule 907.e. This will be completed by June 30, 2014*

Beren is required to fully perform the work listed on the AOC by the compliance dates or the noncompliance will be considered a violation of the order. Compliance dates may only be extended by the Director for "good cause". The written request for an extension should provide an explanation of the circumstances and fully explain the cause for missing the compliance schedule. The request may be sent via email to me and to East Area Environmental Supervisor, John Axelson.

An approved Form 27 will be required if Beren plans land treatment. Surface owner consent is also necessary for land treatment.

Thank you,

John Noto

Cc: Remediation #7985

On Tue, Jun 24, 2014 at 4:10 PM, Eric Lang <elang@ltenv.com> wrote:

John,

Thanks for the prompt response. However, would a plan to implement soil landfarming onsite constitute the need to file for an extension or would having removed impacted soil; collected clean confirmation samples; and the intent to move forward into land treatment (as opposed to haul and dispose due to high cost) satisfy the Compliance order? I suppose I am little unclear on the specific details of the June 30th deadline. I was under the assumption that if oily waste was removed and

confirmed, the satisfaction of the Compliance order was not contingent on the disposition of the soil (as long as the intent was to submit a plan to treat the soil). If this is the case, there will be no need to request an extension on the Compliance date.

Any clarification on this matter would be greatly appreciated. Thanks.

Eric Lang, P.G.

Project Geologist

(303) 902-7704 Cellular

(720) 235-3096 Direct

From: Noto - DNR, John [mailto:john.noto@state.co.us]

Sent: Tuesday, June 24, 2014 3:40 PM

To: Rodney Reynolds; Eric Lang

Cc: John Axelson - DNR; Jeremy Ferrin - DNR; Peter Gowen - DNR

Subject: Beren Moyer Unit, Remediation #7985, AOC 1V-435, Compliance Schedule Extension Request

Eric,

To answer your question during our phone conversation today, Beren may request an extension to the June 30, 2014 compliance date for the Moyer Unit by sending (via email) a written/signed request to COGCC on company letterhead. COGCC will evaluate the request based on the explanation for the missed schedule. As stated on the AOC, "Compliance dates identified above may only be extended by the Director for good cause." Please note that multiple levels of review are necessary and the extension request must be submitted as soon as possible to be evaluated prior to the June 30, 2014 deadline.

Thank you,

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John Noto P.G.

Environmental Protection Specialist



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