



October 2, 2014

**Beren Moyer Unit – Compliance Meeting
Administrative Order by Consent 1V-435**

- The Amended AOC received by COGCC on June 29, 2014 is not approved.
- The three Form 27s submitted June 30, 2014, for land treatment of oily waste at the three Moyer Unit locations listed below are not approved:
 - Gerry Pit Complex Fac IDs 100578, 100579;
 - Moyer B Pit Complex Facility IDs 100580, 100581, 100582;
 - Moyer Pit Complex Facility IDs 100576 & 100577).
- Beren shall submit updated Form 27s for treatment or disposal of the contaminated soil at the three referenced locations no later than October 31, 2014. The Form 27s shall provide a detailed plan to treat or dispose of the oily waste with a final completion schedule of October 31, 2015. Waste can be treated or disposed as follows:
 - Disposal at a commercial solid waste disposal facility
 - Enhanced on site bioremediation or other treatment method resulting in documentation that all waste complies with Table 910-1 standards by October 31, 2015 or;
 - Land treatment at a centralized E&P waste management facility permitted in accordance with Rule 908.
- If Beren chooses to treat material on site, a minimum of one confirmation sample shall be required for each 100 cubic yards of waste to verify compliance with Table 910-1 standards.
- If Beren chooses to dispose at a commercial solid waste disposal facility, provide all disposal documentation in accordance with Rule 907.b.(2).
- If Beren chooses to properly permit a Centralized Waste Management Facility, submit a complete Form 28 no later than October 31, 2014, with appropriate Financial Assurance and a copy of Surface Owner Agreement.
- Regardless of remedial alternative – Beren must complete all required treatment or disposal, backfill, surface contouring, implementation of stormwater best management practices and seeding no later than October 31, 2015.
- For the Moyer B Pit Complex, Beren shall perform a complete groundwater characterization to verify that shallow groundwater has not been impacted by past



operation of the pit and production facility. With the Form 27 submittal, include proposed temporary groundwater monitoring points. At a minimum, propose one each assumed up gradient location, cross gradient, down gradient and one monitoring point immediately adjacent the open excavation and the intermittent stream bottom. Beren shall provide a detailed report with groundwater depth at each monitoring point, groundwater gradient and flow direction and analytical results. Each sample shall be analyzed for the constituents as described in the COGCC model sampling and analysis plan. In addition, Beren shall collect a sample from the stock well DWR Permit #36769. The groundwater characterization shall be completed and report submitted no later than November 30, 2014.