

Gentlemen,

In response to Jamie Jost's letter dated June 30, 2016 re: Kinder Morgan CO₂ Company, L.P. Conditions of Approval on Form 27 Remediation Workplans, this letter shall provide the basis for implementing the COAs that were attached to the REM projects in question.

Goodman Point #9:

The Conditions of Approval attached to Remediation Project #9672 (Document #2526258) include:

"Current COGCC Rules and Regulations regarding pit closures and clean-up standards shall be applied, specifically, but not limited to, the 900 and 1000 series rules. ***Given that there is no evidence or documentation of pit closure***, the current COGCC Rules and Regulations effective May 1, 2009 on federal lands and April 1, 2009 on fee surface shall apply." Emphasis added.

A Form 27, Site Investigation and Remediation Workplan (REM #9672) was submitted by Kinder Morgan on May 3, 2016 and approved on May 18, 2016 for the closure of the drilling pit associated with the GP #9 well. As this closure process is commencing in 2016 the COGCC Rules and Regulations effective at the time the Form 27 process is initiated shall apply. This is not retroactively applying the current Table 910-1; there is no documentation that the pit had been closed per COGCC standards prior to May 1, 2009 on federal land or April 1, 2009 on all other lands, or prior to the submittal of this Form 27.

A COA for REM #9672 requires the operator to evaluate the potential for shallow groundwater by advancing an additional boring to a depth of 50 bgs. A preliminary review of Colorado Division of Water Resources water well information indicates the nearest static water levels range from 40-130' bgs. Regardless of the proximity to domestic use, this COA was instituted to investigate the potential for groundwater impacts.

Goodman Point #11:

The Conditions of Approval attached to Remediation Project #9671 (Document #2526255) include:

"The operator shall collect discrete soil samples to adequately characterize impacted material. Composite samples will NOT be accepted for this purpose. Current COGCC Rules and Regulations regarding pit closures and clean-up standards shall be applied, specifically, but not limited to, the 900 and 1000 series rules. ***Given that there is no evidence or documentation of pit closure***, the current COGCC Rules and Regulations effective May 1, 2009 on federal lands and April 1, 2009 on fee surface shall apply." Emphasis added.

A Form 27, Site Investigation and Remediation Workplan (REM #9671) was submitted by Kinder Morgan on May 3, 2016 and approved on May 18, 2016 for the closure of the drilling pit associated with the GP #11 well. As this closure process is commencing in 2016 the COGCC Rules and Regulations effective at the time the Form 27 process is initiated shall apply. This is not retroactively applying the current Table 910-1; there is no documentation that the pit had been closed per COGCC standards prior to May 1, 2009 on federal land or April 1, 2009 on all other lands, or prior to the submittal of this Form 27.

A COA for REM #9671 requires the operator to evaluate the potential for shallow groundwater by advancing an additional boring to a depth of 50 bgs. A preliminary review of Colorado Division of Water

Resources water well information indicates the nearest static water levels range from 40-130' bgs. Regardless of the proximity to domestic use, this COA was instituted to investigate the potential for groundwater impacts.

Goodman Point #13:

The Conditions of Approval attached to Remediation Project #9666 (Document #2526252) include:

“The operator shall collect discrete soil samples to adequately characterize impacted material. Composite samples will NOT be accepted for this purpose. Current COGCC Rules and Regulations regarding pit closures and clean-up standards shall be applied, specifically, but not limited to, the 900 and 1000 series rules. ***Given that there is no evidence or documentation of pit closure***, the current COGCC Rules and Regulations effective May 1, 2009 on federal lands and April 1, 2009 on fee surface shall apply.” Emphasis added.

A Form 27, Site Investigation and Remediation Workplan (REM #9666) was submitted by Kinder Morgan on May 3, 2016 and approved on May 17, 2016 for the closure of the drilling pit associated with the GP #13 well. As this closure process is commencing in 2016 the COGCC Rules and Regulations effective at the time the Form 27 process is initiated shall apply. This is not retroactively applying the current Table 910-1; there is no documentation that the pit had been closed per COGCC standards prior to May 1, 2009 on federal land or April 1, 2009 on all other lands, or prior to the submittal of this Form 27.

The General Scope of Work for Goodman Point (GP-13), submitted by the operator, attached to the initial Form 27 (Document #200439556) indicates that a water well is located within 400 ft. of the location. An additional boring to evaluate the potential for shallow groundwater was included by the operator in the initial Form 27.

According to Kinder Morgan staff, groundwater was encountered while drilling the borehole to evaluate the potential for shallow groundwater on the GP-17 and GP-19 locations. Reportedly, groundwater was encountered at approximately 40'.