

Comp# 200446391
Doc# 2528945
Date: 01/22/2019



STATE OF
COLORADO

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

Fwd: KPK Response to Contamination near Grant Tank Battery

1 message

Axelson - DNR, John <john.axelson@state.co.us>
To: "EnviroScan, OGCC" <ogcc.enviroscan@state.co.us>

Fri, Jan 11, 2019 at 2:37 PM

Cc. Complaint #200446391 - Correspondence

----- Forwarded message -----

From: **Ross Watzman** <RWatzman@kpk.com>
Date: Fri, Jan 11, 2019 at 11:12 AM
Subject: RE: KPK Response to Contamination near Grant Tank Battery
To: Steven Louis-Prescott <steven@astrellalaw.com>
Cc: John Axelson - DNR <john.axelson@state.co.us>, Susana Lara-Mesa <SLaraMesa@kpk.com>, Oakman - DNR, Kari <kari.oakman@state.co.us>

Steven,

KPK disagrees with your analysis and plain misrepresentation of the facts in this matter. As such, KPK agrees with Ms. Oakman's interpretation of the law; the COGCC does not have the regulatory authority to require KPK to re-sample while your consultant is present. KPK is currently investigating the alleged contamination and KPK's facilities on the property in relationship thereto. In order to expedite the process, KPK collected the samples as soon as possible, in accordance with the approved Form 27 remediation workplan. Moreover, contrary to your assertion, KPK has not denied the landowner's requests to work together. Mere sampling does not amount to "field activities" that you requested KPK keep you apprised of, nor does unilateral sampling infer improper sampling procedure and testing. KPK will provide the results of the sampling as soon as they become available.

Sincerely,

Ross Watzman

General Counsel | K.P. Kauffman Company, Inc.

1675 Broadway, Suite 2800 | Denver, CO 80202

T: (303) 825-4822 | rwatzman@kpk.com

From: Oakman - DNR, Kari <kari.oakman@state.co.us>
Sent: Friday, January 11, 2019 9:38 AM
To: Steven Louis-Prescott <steven@astrellalaw.com>

Cc: Ross Watzman <RWatzman@kpk.com>; John Axelson - DNR <john.axelson@state.co.us>; Susana Lara-Mesa <SLaraMesa@kpk.com>
Subject: Re: KPK Response to Contamination near Grant Tank Battery

Good morning Mr. Louis-Prescott,

The COGCC does not have the regulatory authority to require KPK to preform sampling while your consultant is present to observe their procedures. As always, we encourage operators and property owners to communicate and work together in an agreeable manner.

Per our letter dated 12/7/2018, we will provide you with an update once KPK has submitted their site investigation results.

Please let me know if you have any questions.

Kari Oakman

On Thu, Jan 10, 2019 at 2:39 PM Steven Louis-Prescott <steven@astrellalaw.com> wrote:

Ms. Oakman,

Please see the attached letter, which references the below correspondence, concerning the complaint filed at #200446391 – please add this correspondence to the complaint file.

The letter requests the COGCC's immediate attention and directive.

Thank you,

Steven

Steven Louis-Prescott, Esq.

Astrella Law, P.C.

1801 Broadway, Suite 1600

Denver, CO 80202

Ph: 303-292-9021

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From: Steven Louis-Prescott
Sent: Thursday, December 13, 2018 4:10 PM
To: 'rwatzman@kpk.com'
Cc: 'tglibota@comcast.net'; 'Oakman - DNR, Kari'
Subject: RE: KPK Response to Contamination near Grant Tank Battery

By way of follow up, Mr. Watzman, please be sure that KPK's field operations team provides at least 48 hours' notice by both email and phone to both me and BCL's environmental consultant, Tom Glibota, prior to any field activities related to the contamination on the property. Our contact information is as follows:

Steven Louis-Prescott
steven@astrellalaw.com
303-292-9021

Thomas Glibota
tglibota@comcast.net
720-810-3565

Thank you,

Steven Louis-Prescott
Attorney at Law
Astrella Law, P.C.
1801 Broadway, Suite 1600
Denver, CO 80202

303-292-9021

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From: Steven Louis-Prescott
Sent: Thursday, December 13, 2018 2:33 PM
To: rwatzman@kpk.com
Cc: Lance Astrella
Subject: KPK Response to Contamination near Grant Tank Battery

Mr. Watzman,

Our firm represents BCL Colorado, LP, owner of the property upon which KPK's Grant Tank Battery and the contamination referenced in the attached letter is located. We understand that, pursuant to the Commission's directive, KPK is investigating the contamination and KPK's facilities on the property in relationship thereto. Please keep me apprised of KPK's investigation, so that BCL may have its environmental engineer on site for it as well.

Thank you,

Steven

Steven Louis-Prescott

Attorney at Law

Astrella Law, P.C.

[1801 Broadway, Suite 1600](#)

[Denver, CO 80202](#)

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Kari Oakman
Environmental Protection Specialist



COLORADO
Oil & Gas Conservation
Commission
Department of Natural Resources

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