

**From:** [Steven Louis-Prescott](#)  
**To:** [Canfield - DNR, Chris](#)  
**Cc:** [Lance Astrella](#); [Louis Conrad Migneault](#); [trent.lindley@state.co.us](mailto:trent.lindley@state.co.us); [jeff.robbins@state.co.us](mailto:jeff.robbins@state.co.us)  
**Subject:** RE: COGCC Complaint #200448619, Grant Tank Battery, Frederick, CO  
**Date:** Thursday, April 9, 2020 1:42:03 PM  
**Attachments:** [image002.png](#)  
[Grant KPK Produced Water Tank April 8 2020 4 of 4.jpg](#)  
[Grant KPK Produced Water Tank April 8 2020 1 of 4.jpg](#)  
[Grant KPK Produced Water Tank April 8 2020 2 of 4.jpg](#)  
[Grant KPK Produced Water Tank April 8 2020 3 of 4.jpg](#)  
[KPK COGIS NOAV Report.docx](#)

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Mr. Canfield,

Our environmental consultant was on site yesterday and took the attached pictures. They show the KPK produced water tank in an open excavation with an accumulation of water at the excavation base, and stockpiled soil in the background, likely excavated from around the tank.

The produced water tank remains as it was when the COGCC issued KPK a Notice of Alleged Violation (NOAV) in 2019. See attached COGIS NOAV report.

This email follows my request from a week ago for COGCC action requiring prompt remediation and soil excavation by KPK. The current state of contamination and failure of KPK to take action in response to the COGCC's NOAV and BLC's complaints related to soil and groundwater contamination on its property remain legitimate risks to public health, safety, welfare, and the environment and prevent planned surface development to the substantial detriment of BCL.

I look forward to hearing from you on this matter.

Regards,  
Steven



Steven Louis-Prescott  
Special Counsel  
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**From:** Steven Louis-Prescott

**Sent:** Thursday, April 2, 2020 11:05 AM

**To:** 'Canfield - DNR, Chris' <[chris.canfield@state.co.us](mailto:chris.canfield@state.co.us)>

**Cc:** Lance Astrella <[lance@astrellalaw.com](mailto:lance@astrellalaw.com)>; Louis Conrad Migneault <[louisc@surgehomes.com](mailto:louisc@surgehomes.com)>; 'trent.lindley@state.co.us' <[trent.lindley@state.co.us](mailto:trent.lindley@state.co.us)>

**Subject:** RE: COGCC Complaint #200448619, Grant Tank Battery, Frederick, CO

Dear Mr. Canfield,

Please see the attached letter regarding your email below. BCL asks that the COGCC require completion of KPK's soil excavation plan within 30 days.

Thank you,  
Steven



Steven Louis-Prescott  
Special Counsel  
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**From:** Canfield - DNR, Chris [<mailto:chris.canfield@state.co.us>]

**Sent:** Wednesday, April 1, 2020 7:17 AM

**To:** Louis Conrad Migneault <[louisc@surgehomes.com](mailto:louisc@surgehomes.com)>

**Cc:** Steven Louis-Prescott <[steven@astrellalaw.com](mailto:steven@astrellalaw.com)>; Lance Astrella <[lance@astrellalaw.com](mailto:lance@astrellalaw.com)>; John Axelson <[john.axelson@state.co.us](mailto:john.axelson@state.co.us)>; Jeremy Ferrin - DNR <[jeremy.ferrin@state.co.us](mailto:jeremy.ferrin@state.co.us)>; Rick Allison <[rick.allison@state.co.us](mailto:rick.allison@state.co.us)>; Mark Schlagenhauf <[mark.schlagenhauf@state.co.us](mailto:mark.schlagenhauf@state.co.us)>

**Subject:** COGCC Complaint #200448619, Grant Tank Battery, Frederick, CO

Dear Mr. Migneault,

On February 4, 2020, the Colorado Oil & Gas Conservation Commission (COGCC) received your complaint concerning both engineering (flowline) and environmental issues at the subject location. The attached letter is in response to the environmental issues. You will receive a separate response regarding the engineering issues. If you have any questions or concerns related to the COGCC response to your complaint, please contact me.

Sincerely,

Chris Canfield

Chris Canfield, P.G.

Environmental Protection Specialist



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