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September 2, 2020

Mr. John Noto
Oil and Gas Location Assessment Supervisor
Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203
Via Electronic Mail to: john.noto@state.co.us

RE: Vulcan 6-64 10-8 Pad
T6S-R64W-SEC 10: SE/4SW/4
Wildcat (Exploratory) Well

Dear Mr. Noto:

On August 5, 2019 GMT Exploration Company LLC ("GMT") submitted a form 2A, Document #401805353, to the Colorado Oil and Gas Conservation Commission ("COGCC") for the Vulcan 6-64 10-8 Pad (the "Vulcan Pad") and associated wells. Included with the form 2A is a Rule 502.b: Variance Request from 805.b.(3)B.v. requesting to flare the initial well from the Vulcan Pad as an exploratory well test (the "Variance"). Pursuant to COGCC Rule 306.d, the CDPHE had been asked to consult on the Variance and provide a recommendation on whether to approve the request. On July 14, 2020, the CDPHE provided GMT and the COGCC with its recommendation, attached hereto as Exhibit "A" (the "Recommendation"). This letter is intended to (1) provide the reasoning in which the Variance has been sought by GMT; (2) inform the COGCC of GMT's plans to cause the construction and installation of gas gathering infrastructure sufficient to gather the gas produced from the Vulcan Pad (the "Infrastructure"); (3) respond to the Recommendation; and (4) provide potential solutions to reasonably address the concerns raised by the CDPHE in the Recommendation.

Reasoning for Variance: GMT is seeking authorization to flare one well from the Vulcan Pad for up to six months as an exploratory well test sufficient to perform a productivity test. The results of the productivity test will be analyzed by GMT to determine whether to invest in additional development opportunities throughout its leasehold offsetting the Vulcan Pad. Once the productivity test concludes the well will be shut in. At this time GMT will make the decision whether to finance and cause the construction and installation of gas gathering infrastructure necessary to gather the production from the Vulcan Pad (the "Infrastructure"). If the productivity test is successful, GMT intends to continue to build out the Infrastructure, and drill additional delineation wells offsetting the Vulcan Pad (the "Delineation Wells"). If the determination is made to complete the Infrastructure, then the well on the Vulcan Pad will only be returned to production once it has been connected to the system. If commercial quantities of salable gas are achieved at each of the Delineation Wells, the gas for each well shall be immediately directed to the Infrastructure or shut in and conserved.

The Well: The initial well on the Vulcan Pad is a Wildcat (Exploratory) Well located greater than 4,000' from any occupied building unit and will be the first horizontal Niobrara well drilled in Elbert county. Based on GMT's geological review, if the Vulcan test well is a success, GMT anticipates up to 90 individual wells (including the Vulcan Wildcat (Exploratory) Well test) to be drilled from 6 separate pad sites, throughout 9 independent drilling and spacing units in the northwestern portion of Elbert county. The planned well pads in Elbert county are outside of the Denver 1-hour ozone attainment/maintenance areas, any nonattainment area for the 1-hour ozone standard and the 8-hour Ozone Control Area, as described in Regulation Number 7, Appendix A. The results of the Vulcan Wildcat (Exploratory) Well test will generally determine if GMT will continue to pursue horizontal Niobrara development in Elbert county. See the attached map as Exhibit B for unit layout and available pipeline infrastructure.

The Field Conditions: When the leasehold interest for the Vulcan drilling and spacing unit was purchased the Anadarko Third Creek Gathering System was operational and connected to a producing well less than ¼ mile from the Vulcan Pad, the Nordman Estates 10-7. GMT intended to connect to that system to sell its gas. The Anadarko Third Creek Gathering System has since been shut down. There is no alternative pipeline infrastructure in place to route the gas from the initial well creating field conditions which would prevent GMT from utilizing green completion practices and directing all salable quality gas to a sales line.

Midstream Solution: To address the lack of gas gathering in the area, GMT has been working with several midstream companies to design a gathering system to service GMT's Elbert county operated position.

As it stands, there are two options for gas takeaway in the general vicinity of the Vulcan Pad. Rocky Mountain Midstream LLC, a Williams Company ("RMM") owns and operates the closest non-proprietary gathering system that is available for GMT's connection. The RMM gathering system begins in Weld county and terminates in Adams county, 14 miles to the North of the Vulcan Pad. The RMM system has adequate capacity to accept gas from GMT. GMT has been in negotiations with RMM to generate commercial terms to contract with RMM to permit, construct and operate an extension of the existing gathering system to GMT's Elbert county position (the "GMT Extension"). The gas will be transferred North through the GMT Extension to Weld county and processed at an RMM gas plant. The GMT Extension will be built to connect to the Vulcan Pad and extended to service additional pad sites in drilling units to the south and west.

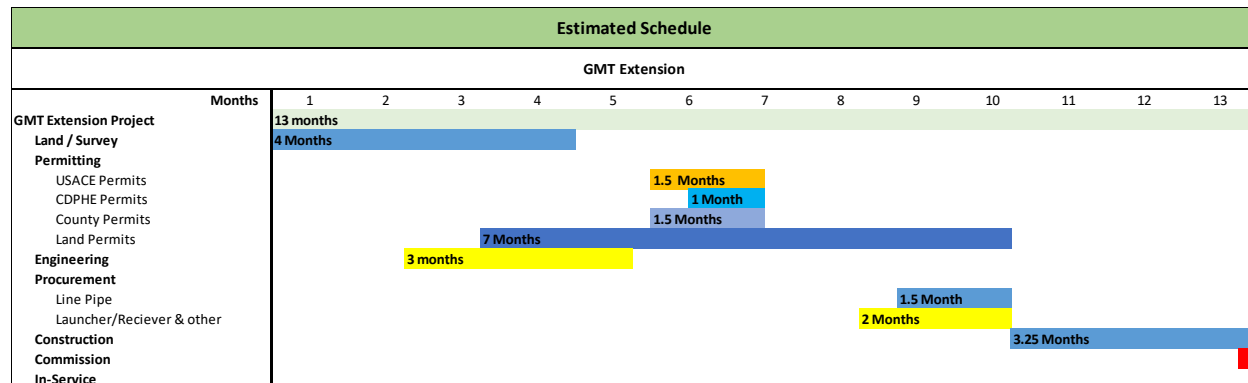
The second option would be for GMT to connect to the proprietary Bronco Gathering System. The Bronco Gathering System may have volume constraints and may not be able to fully service GMT's full development volumes. Any connection made to the Bronco Gathering System would likely be a temporary solution utilized by GMT prior to the full construction of the GMT Extension.

The Plan: The first phase of the GMT Extension pipeline is constructed as a 6" steel line and services GMT's initial Vulcan well and the subsequent Delineation Wells in the field. If it is determined from the production of the Vulcan Well and the Delineation Wells that full-field pad development is economical, and multi-well pad drilling is pursued, the second phase of the GMT Extension pipeline commences.

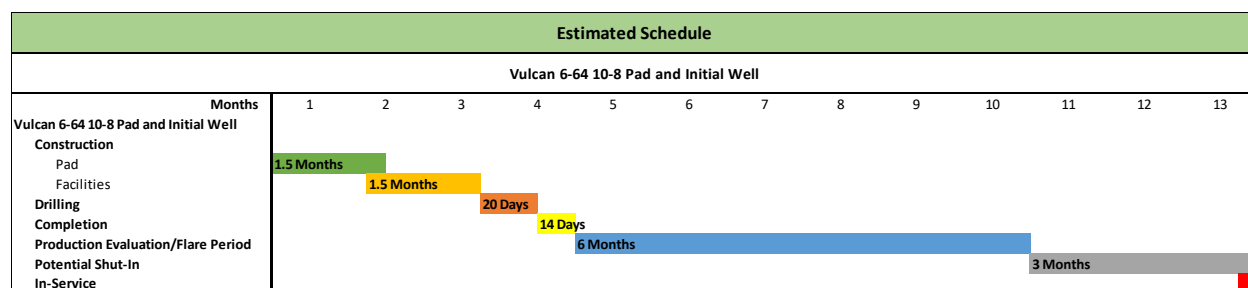
During the second phase, the original 6" gas pipeline line converts to an oil gathering pipeline. A more substantial gas pipeline is constructed in the same right-of-way to gather the gas from the future development wells. The facilities are modified to transfer both oil and gas by pipeline, reducing onsite tanks, emissions, truck traffic, and visual impacts throughout the field.

Scheduling: Phase one of the GMT Extension project will be kicked off upon approving the Form 2A and the Variance. Immediately following approval, RMM begins surveying, purchasing Right-of-Way, permitting, engineering, and procuring equipment and materials to construct the pipeline. On or before the

completion of the 6-month variance period, construction for the pipeline commences. Installation of the pipe is estimated to last 3 ¼ months. The planning, permitting, and construction activities for the pipeline are expected to take place over approximately 13 months; however, the actual commencement of construction is subject to GMT completing an adequate evaluation of the production potential of the reservoir as later described.



Construction operations for the Vulcan Pad and facilities commence on or before April 2021 and are expected to last 90 days. Drilling and completion operations follow construction and last approximately 30 days. The evaluation period begins when the well starts flowback and lasts 6 months.



Evaluating the Well: The production from the Vulcan Wildcat (Exploratory) Well must be assessed to determine if the reservoir in the area can produce commercial quantities of gas before the Infrastructure can be designed, engineered and sanctioned. The production rate of the newly completed well is monitored to observe the resource’s ability to “flowback” and produce up the wellbore unassisted. The time frame for this “flowback” period is dependent on the well and the reservoir characteristics and may continue for several weeks. When the well will no longer flowback unassisted artificial lift will be installed. The observed rate of decline over time is applied to the initial production rates providing insight to the estimated ultimate recovery (“EUR”) for the life of the well. The most critical facet of this evaluation period is having sufficient time to determine the rate of decline for the well. With this information, the decision will be made whether to invest in the GMT Extension pipeline.

The production data is also used to determine the requirements for the needed Infrastructure capacity and equipment sizing. Typically, the production from a Wildcat (Exploratory) Well should be observed for a minimum of 12 months to predict its EUR. GMT understands that combusting gas for 12 months is not in the best interest of the local community and environment, and requests it be allowed to combust the gas for a period of 6 months. GMT considers any period time less than 6 months insufficient to evaluate the potential of the well. Miscalculating the potential could result in an under or overdesigned gas gathering system, which could create inefficiencies.

Combusted Gas: 196,670 mcf of gas is estimated to be incinerated through the combustion device during the 6-month test period. The rate of VOCs emitted is estimated to average 0.22153 tons per day, totaling 40.43 tons during the test. The VOC emissions will greatly reduce when the Vulcan well is connected to the GMT Extension pipeline, and VOC emissions will continue to decline as the production of the well declines. The annual VOCs emitted from the test well, including the emissions during the test period, on the Vulcan Pad are not anticipated to exceed the Facility-Wide Emission Limitations outlined in a CDPHE General Permit for Oil and Gas Well Production Facilities, form GP09.

Emission Reduction:

- A. **Offsets.** GMT does not currently operate other assets in Colorado and cannot offer to reduce emissions on other sites to offset potential emissions from the Vulcan Pad.
- B. **MRU.** During the 6-month evaluation period all produced gas will pass through and be treated by a mechanical refrigeration unit (“MRU”). The MRU will remove the natural gas liquids from the production stream. The remaining dry gas product will then be directed to a combustion device and incinerated. Stripping the liquids out of the stream lowers the BTU in the gas, reducing the total emissions when combusted.
- C. **Electric Drilling Rig.** The electrical grid in Elbert county is not currently designed to properly handle the load required to power an electric drilling rig. If the system is improved, GMT will consider deploying electric rigs for drilling future wells in the area.

Potential Beneficial Use: GMT is exploring a beneficial use with Crusoe Energy for the combusted gas. The beneficial use involves converting the gas into electricity for computational power through modular data centers that are onsite and connected to the internet via satellite.

Pipeline Availability: The date of availability of the gas gathering line is variable, depending on two critical milestones, (1) the approval of the for 2A and the Variance, and (2) sufficient data collection to determine a probable decline rate. Ideally, the GMT Extension project should be kicked off 10 or more months before the scheduled date of the first production. 10 months provides RMM adequate time to acquire the proper rights and permits for the pipeline and procure the materials and equipment necessary to begin construction. GMT requests that a decision on the Variance is made on or before 9/30/2020.

Lease Expiration: GMT has a critical lease that will expire in **July of 2021**. The lease covers several hundred acres within the drilling and spacing unit associated with the wells planned on the Vulcan Pad. The lease may only be extended by establishing production in paying quantities from the leased premises, or by conducting operations in good faith to establish production in paying quantities.

GMT Response to Recommendation: The Recommendation provided by the CDPHE provides for proposing certain requirements, measures, and conditions to approve GMT’s application to satisfy the intent of several “draft rules” that have not yet been approved and are not currently in effect. The Recommendation suggests that the COGCC intentionally delay its consideration of the application until after the new rulemakings are complete. GMT hopes that the COGCC acknowledges that GMT has contractual obligations to fulfill in the form of a large lease set to expire on **July 16th, 2021**. The COGCC has been in possession of the Vulcan Pad form 2A for over a year. Any further unnecessary delay is likely to cause irreparable damages to GMT. In an effort to accelerate the COGCC’s approval process GMT has developed responses to the Recommendation, which are included here as Exhibit C.

Please do not hesitate to contact me with any additional requests, questions, or concerns.

Sincerely,

GMT EXPLORATION COMPANY LLC

A handwritten signature in blue ink, appearing to read "Hans Schuster", is positioned above a horizontal line.

Name: Hans C. Schuster

Title: DJ Basin Land Manager

Encl. Exhibit A, B, C

EXHIBIT A

July 14, 2020

Julie Murphy, Director
Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

Re: GMT Exploration Company, LLC Variance Request from Rule 805.b.(3)B.v.

Dear Director Murphy:

Pursuant to Colorado Oil and Gas Conservation Commission (COGCC) Rule 306.d.(1)A.ii.ff., the Colorado Department of Public Health and Environment (CDPHE) has been asked to consult on GMT Exploration Company, LLC's (GMT) June 2, 2020 request for a variance from Rule 805.b.(3)B.v. Through this variance request, GMT is seeking authorization to flare one well from the Vulcan 6-64 10-8 Pad (Vulcan Pad) for up to six months as an exploratory well test for sufficient volume of gas to connect to a sales line. For the reasons discussed below, CDPHE recommends that COGCC delay a decision on the variance request until after the Mission Change rulemaking is complete. Alternatively, if COGCC decides to proceed before the Mission Change rulemakings, CDPHE recommends that COGCC add a condition to the Form 2A requiring GMT to comply with the COGCC and Air Quality Control Commission (AQCC) rules that are in effect at the time that any flaring occurs at the Vulcan Pad. If COGCC intends to make a decision on the variance request before the Mission Change Rulemaking is complete, then CDPHE recommends conditional approval of GMT's variance request to allow flaring for a maximum of 60 days.

CDPHE is concerned about the potential impacts of emissions from a variety of sources on ozone concentrations in the Denver Metro/North Front Range (DMNFR) ozone nonattainment area, the mandate to minimize emissions from oil and gas facilities pursuant to SB19-181 and the greenhouse gas emissions reduction goals outlined in HB19-1261. The flaring of natural gas produces carbon dioxide (CO₂), methane, nitrogen oxides (NO_x) and Volatile Organic Compound (VOC) emissions, which contribute to ozone formation. CO₂ and methane are greenhouse gases, which contribute to climate change. Although the Vulcan Pad is located approximately 6.5 miles outside of the DMNFR Ozone Nonattainment Area, emissions from outside the nonattainment area can contribute to ozone formation within the nonattainment area. Moreover, they can degrade the air quality in areas that are in attainment. CDPHE is particularly concerned with the fact that the emissions associated with GMT's variance request are likely to occur during the summer months, when ozone concentrations tend to be the highest.



Accordingly, we recommend deferring consideration of this application until after the Mission Change rulemakings are complete. If COGCC decides to proceed with a waiver sooner, CDPHE believes any variance should be at most a conditional, 60 day variance. Allowing flaring for a longer duration would be an unnecessary waste of a resource that could complicate Colorado's efforts to attain federal ozone standards, minimize emissions from oil and gas facilities and reduce greenhouse gas emissions.

If COGCC ultimately approves GMT's request to flare (for any duration), then CDPHE recommends several conditions of approval above and beyond the best management practices currently outlined in the Form 2A and GMT's variance request.

First, GMT should be required to explore and implement all available options for minimizing and offsetting any emissions that might occur from flaring at the Vulcan Pad. This could include, but is not limited to: plugging and abandoning legacy wells; using electric drill rigs potentially using distributed energy resources; developing tankless well production facilities; using group 3 drilling muds that do not contain benzene, toluene, ethylbenzene and xylene (BTEX) and; limiting flaring to non-ozone season or evenings. If limiting flaring to non-ozone season or evenings isn't feasible, then at the very least, GMT should be required to implement some or all of the following mitigation measures on ozone action days:

- Avoid flaring altogether or ensure that the Mechanical Refrigeration Unit (i.e. NGL skid) is fully functional to limit the quantity of natural gas that is flared;
- Postpone flowback;
- Minimize vehicle and engine idling;
- Reduce truck traffic and worker traffic;
- Postpone the refueling of vehicles;
- Properly maintain vehicles and equipment;
- Suspend or delay the use of fossil fuel powered ancillary equipment;
- Postpone construction activities;
- Reschedule non-essential operational or maintenance activities.

Second, COGCC should review the attached gas capture plan provided by GMT to determine whether it satisfies the intent of the draft Mission Change rules. These draft rules require a detailed description of the operator's plan to connect the facility to a gathering line or otherwise utilize the gas in the future (Rule 903c.(3)B.iii)) or a description of any issues related to the operator's ability to connect to a gas gathering line (Rule e.(1)B.iv). If GMT's attached plan does not satisfy the intent of the draft Mission Change rules, then GMT should be required to submit additional information. If it does satisfy the intent of the Mission Change rules, then COGCC should include it as an attachment to GMT's variance request in the documents associated with the Vulcan Pad.

Finally, GMT should be required to conduct air quality monitoring in accordance with the proposed requirements contained in AQCC's June 2, 2020 draft revisions to Regulation Number 7. The proposed monitoring requirements are contained in Part D, Section VI.C and AQCC will hold a hearing on the proposed revisions to Regulation Number 7 on September 17, 2020.



In recommending this conditional approval as a second choice to waiting until after the Mission Change rulemaking, CDPHE notes that the circumstances of any future variance request of this nature will most certainly differ from this request. We will consider any such request on a case-by-case basis, taking into consideration the unique circumstances of each request. However, generally speaking, CDPHE does not want to give the applicant or COGCC the impression that this application should serve as a precedent for further requests for waiver from the flaring rules.

Sincerely,



Sean Hackett
Energy Liaison
Colorado Department of Public Health and Environment



EXHIBIT B

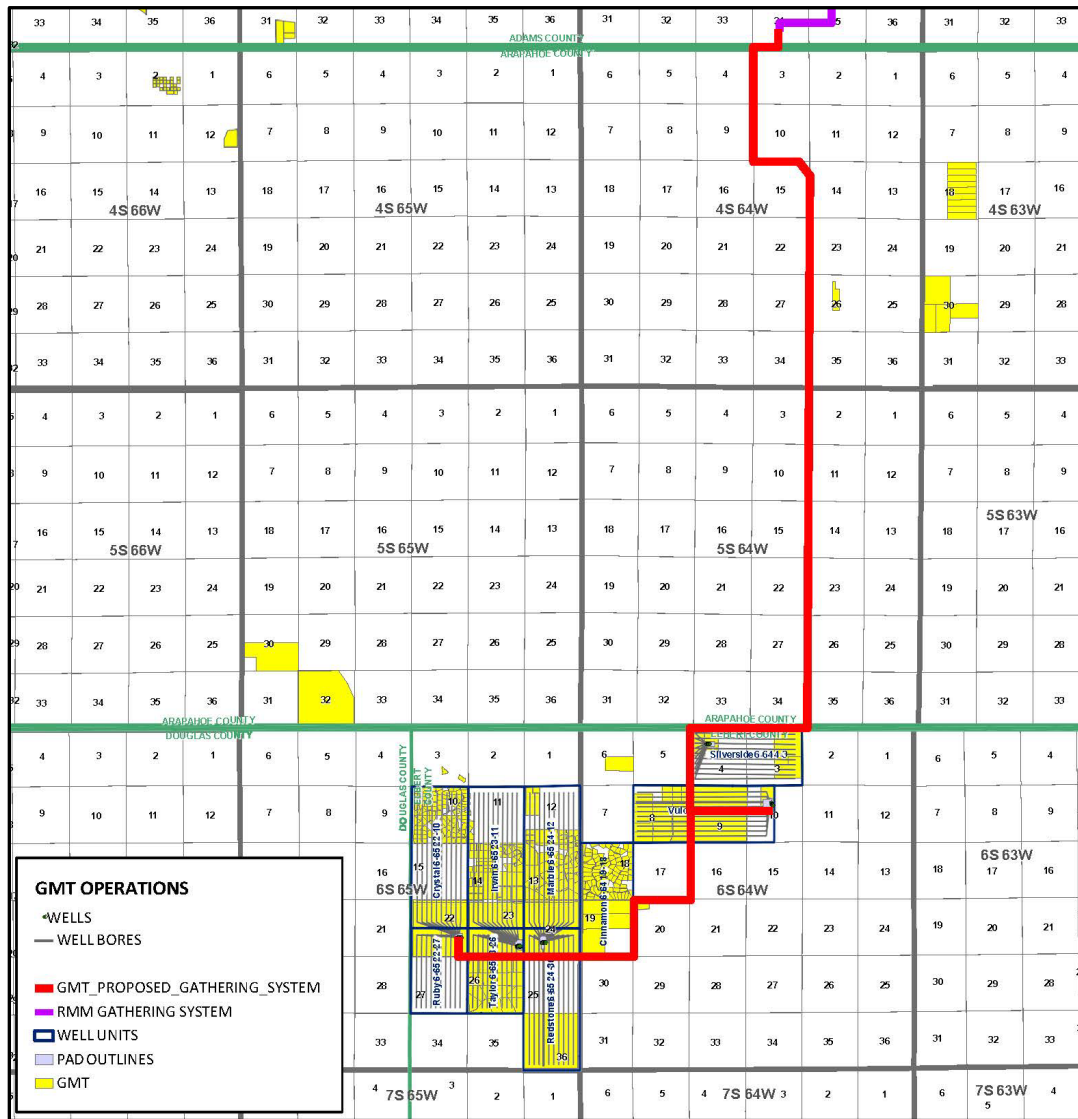


EXHIBIT C

- CDPHE RECOMMENDATION: COGCC delay a decision on the variance request until after the Mission Change rulemaking is complete.

GMT RESPONSE: *GMT hopes that the COGCC acknowledges that GMT has contractual obligations to fulfill in the form of a large lease set to expire on July 16th 2021. The COGCC has been in possession of the Vulcan Pad form 2A for over a year. Any further unnecessary delay is likely to cause irreparable damages to GMT.*

- CDPHE RECOMMENDATION: Alternatively, if COGCC decides to proceed before the Mission Change rulemakings, CDPHE recommends that COGCC add a condition to the Form 2A requiring GMT to comply with the COGCC and Air Quality Control Commission (AQCC) rules that are in effect at the time that any flaring occurs at the Vulcan Pad.

GMT RESPONSE: *GMT will comply with all of the applicable COGCC and Air Quality Control Commission (AQCC) rules that are in effect at the time operations at the Vulcan Pad commence.*

- CDPHE RECOMMENDATION: If COGCC intends to make a decision on the variance request before the Mission Change Rulemaking is complete, then CDPHE recommends conditional approval of GMT's variance request to allow flaring for a maximum of 60 days.

GMT RESPONSE: *The production from the Vulcan Wildcat (Exploratory) Well must be assessed to determine if the reservoir in the area can produce commercial quantities of gas before the Infrastructure can be designed, engineered and sanctioned. The most critical facet of this evaluation period is having sufficient time to determine the rate of decline for the well. Typically, the production from a Wildcat (Exploratory) Well should be observed for a minimum of 12 months to predict its potential. GMT understands that combusting gas for 12 months is not in the best interest of the local community and environment, and requests it be allowed to combust the gas for a period of 6 months. GMT considers any period time less than 6 months insufficient to evaluate the potential of the well. Miscalculating the potential could result in an under or overdesigned gas gathering system, which could create inefficiencies.*

- CDPHE RECOMMENDATION: CDPHE is concerned about the potential impacts of emissions from a variety of sources on ozone concentrations in the Denver Metro/North Front Range (DMNFR) ozone nonattainment area, the mandate to minimize emissions from oil and gas facilities pursuant to SB19-181 and the greenhouse gas emissions reduction goals outlined in HB19-1261. Although the Vulcan Pad is located approximately 6.5 miles outside of the DMNFR Ozone Nonattainment Area, emissions from outside the nonattainment area can contribute to ozone formation within the nonattainment area. Moreover, they can degrade the air quality in areas that are in attainment.
- ***GMT RESPONSE:*** *The planned well pads in Elbert county are outside of the Denver 1-hour ozone attainment/maintenance areas, any nonattainment area for the 1-hour ozone standard and the 8-hour Ozone Control Area, as described in Regulation Number 7, Appendix A. GMT would like to be evaluated by where the pad is, not where it is not; 6.5 miles is a significant distance.*

- CDPHE is particularly concerned with the fact that the emissions associated with GMT's variance request are likely to occur during the summer months, when ozone concentrations tend to be the highest.
- ***GMT RESPONSE: The planned construction start date is planned for April 2021. If the project progresses without any delays the anticipated date for first production falls during the period of time between late-August and mid-September. Most of the production test would take place during the fall and winter months of October through January.***
- GMT should be required to explore and implement all available options for minimizing and offsetting any emissions that might occur from flaring at the Vulcan Pad. This could include, but is not limited to:

- plugging and abandoning legacy wells;

GMT RESPONSE: GMT does not operate any wells in Colorado and therefore cannot plug and abandon legacy wells.

- using electric drill rigs potentially using distributed energy resources;

GMT RESPONSE: GMT made a good faith effort to plan to connect the Vulcan pad to the local electric grid. Currently the electric grid would not support GMT using electric drilling rigs at this pad.

- developing tankless well production facilities;

GMT RESPONSE: GMT cannot commit to developing tankless well production facilities at the Vulcan Pad due to the lack of infrastructure in the area needed to perform a production test. If full field development through pad drilling is pursued in the future GMT is committed to making good faith efforts to design the field development in a way that mitigates production facility emissions from tanks and trucks.

- using group 3 drilling muds that do not contain benzene, toluene, ethylbenzene and xylene (BTEX)

GMT RESPONSE: BMP to add to the form 2A –The drilling mud used will be category II, low aromatic mud with an aromatic content of 0.5-5%. Conventional drilling mud has an aromatic content of 5-35% (Group/Category I drilling fluids).

- limiting flaring to non-ozone season or evenings.

GMT RESPONSE: It is not practical to start and stop the production test once it has commenced. The production testing needs to be continuous once started in order to gather accurate data and not compromise the reservoir.

- If limiting flaring to non-ozone season or evenings isn't feasible, then at the very least, GMT should be required to implement some or all of the following mitigation measures on ozone action days:

- Avoid flaring altogether or ensure that the Mechanical Refrigeration Unit (i.e. NGL skid) is fully functional to limit the quantity of natural gas that is flared;

GMT RESPONSE: BMP to add to the form 2A – *To reduce the BTU content of the natural gas that is flared a Mechanical Refrigeration Unit skid will be utilized at this location, for as long as the gas is being flared, until such time that the Well is connected to a sales line.*

- Postpone flowback;

GMT RESPONSE: *It is not practical to start and stop the production test once it has commenced. The production testing needs to be continuous once started in order to gather accurate data and not compromise the reservoir. Additionally, postponing flowback at this location will delay the productivity test and will create down schedule impacts on the wells to be drilled following the production test. Any further unnecessary delay is likely to cause irreparable damages to GMT.*

- Minimize vehicle and engine idling;

GMT RESPONSE: Submit Tab Comment – *GMT will use its best efforts to minimize vehicle and engine idling at all times while on location.*

- Reduce truck traffic and worker traffic;

GMT RESPONSE: Submit Tab Comment – *The use of MLVT and lay flat lines to transfer water to the MLVT will reduce truck traffic.*

Submit Tab Comment – *Non-essential traffic will be discouraged from visiting the location.*

- Postpone the refueling of vehicles;

GMT RESPONSE: Submit Tab Comment – *GMT will request that all personnel and contractors refuel during off-peak hours.*

- Properly maintain vehicles and equipment;

GMT RESPONSE: BMP to add to the form 2A – *All vehicles and equipment on location will always be maintained .*

- Suspend or delay the use of fossil fuel powered ancillary equipment;
- ***GMT RESPONSE: Distributed power for ancillary equipment is not available at this location.***
- Postpone construction activities;

GMT RESPONSE: It is not practical to start and stop the construction operations on the location once they have commenced. Additionally, postponing construction activities at this location will delay the productivity test and will create down schedule impacts on the wells to be drilled following the production test. Any further unnecessary delay is likely to cause irreparable damages to GMT.

- Reschedule non-essential operational or maintenance activities.

GMT RESPONSE: Submit Tab Comment – In the event of an ozone action day GMT will use reasonable efforts to reschedule non-essential operational or maintenance activities at this location.

- GMT should be required to conduct air quality monitoring in accordance with the proposed requirements contained in AQCC's June 2, 2020 draft revisions to Regulation Number 7. The proposed monitoring requirements are contained in Part D, Section VI.C and AQCC will hold a hearing on the proposed revisions to Regulation Number 7 on September 17, 2020.

GMT RESPONSE: Submit Tab Comment – GMT will comply with all applicable State and Federal regulations in place at the time operations are commenced.

BMP/COMMENT SUMMARY

BMPS to Be Added to Form 2A:

Air Emissions: GMT will comply with all of the applicable COGCC and Air Quality Control Commission (AQCC) rules that are in effect at the time operations at the Vulcan Pad commence.

Odor: The drilling mud used will be category II, low aromatic mud with an aromatic content of 0.5-5%. Conventional drilling mud has an aromatic content of 5-35% (Group/Category I drilling fluids).

Air Emissions: To reduce the BTU content of the natural gas that is flared a Mechanical Refrigeration Unit skid will be utilized at this location, for as long as the gas is being flared, until such time that the Well is connected to a sales line.

General Housekeeping: All vehicles and equipment on location will always be maintained.

Submit Tab Comments:

GMT will use its best efforts to minimize vehicle and engine idling at all times while on location.

The use of MLVT and lay flat lines to transfer water to the MLVT will reduce truck traffic.

Non-essential traffic will be discouraged from visiting the location.

GMT will request that all personnel and contractors refuel during off-peak hours.

In the event of an ozone action day GMT will use reasonable efforts to reschedule non-essential operational or maintenance activities at this location.

GMT will comply with all applicable State and Federal regulations in place at the time operations are commenced.