

STATE OF
COLORADO

Trujillo - DNR, Aaron <aaron.trujillo@state.co.us>

Caerus - Surface Owner Variances

2 messages

Arthur - DNR, Denise <denise.arthur@state.co.us>
To: Mike Leonard - DNR <mike.leonard@state.co.us>
Cc: Aaron Trujillo <aaron.trujillo@state.co.us>

Tue, Dec 22, 2020 at 4:23 PM

Dear Mr. Leonard,

COGCC Staff has conducted a detailed assessment of the below surface owner final reclamation variances per the 1001.c rule and have found that the requests are sufficient and recommends approval. Staff finds that, in their current form, they are protective of public health, safety, welfare, and the environment, with the below conditions of approvals (COA). While Staff would like these variances approved, future variance requests will likely require additional information. Below is a summary of four locations for which Caerus is requesting a 1001.c variance.

Big Creek 9-1 Loc. #312406: Well Plugged and Abandoned 10/5/2015: Doc #402010401

Requesting a variance of select requirements of rule 1004.a and 1004.d, including not reclaiming the access road, a graveled turn-around area, and recontouring of the Location to its original relative position.

Conditions of Approval

1) The portion of Caerus Piceance LLC's variance request waiver to not contour and reclaim the access road, and the graveled turn-around area of the well pad is approved.

Note; the "turn-around" shall be restricted to its current size and area on the Location, and further expansion will not be permitted until the location has passed final reclamation.

2) The areas labeled, "Reclaimed Disturbance", as identified on the figures attached to this sundry, and any other areas disturbed by oil and gas not subject to the variance request, are subject to all COGCC 1000 series rule requirements including the requirement to establish 80% vegetation cover of reference area levels.

3) All corrective actions identified on a field inspection report must be performed by the corrective action date until final reclamation is passed.

4) Continue compliance with all Rules not eligible for a variance until final reclamation has been passed.

5) Continue to monitor and manage the site for erosion, weed control & establishment of vegetation until final reclamation is passed.

6) Stormwater controls shall be installed and maintained in accordance with good engineering practice for long-term erosion control.

7) Approval of the variance request does not absolve the Operator from enforcement due to past or future non-compliance with the rules or COAs.

Plateau Nichols 31-42 Loc. #312673: Well Plugged and Abandoned 9/24/2018: Doc #402525330

Requesting a variance of select requirements of rule 1004.a and 1004.d, including not reclaiming the access road, a graveled turn-around area, and recontouring of the Location to its original relative position.

Conditions of Approval

1) The portion of Caerus Piceance LLC's variance request waiver to not contour and reclaim the access road, and the graveled turn-around area of the well pad is approved.

Note; the "turn-around" shall be restricted to its current size and location, further expansion will not be permitted until the location has passed final reclamation.

2) Per language within the SOVR, the portion of the variance request to not recontour the Location to its original relative position, is approved.

3) The areas labeled, "Reclaimed Disturbance", as identified on the figures attached to this sundry, and any other areas disturbed by oil and gas not subject to the variance request, are subject to all COGCC 1000 series rule requirements including the requirement to establish 80% vegetation cover of reference area levels.

4) All corrective actions identified on a field inspection report must be performed by the corrective action date until final reclamation is passed.

5) Continue compliance with all Rules not eligible for a variance until final reclamation has been passed.

6) Continue to monitor and manage the site for erosion, weed control & establishment of vegetation until final reclamation is passed.

7) Stormwater controls shall be installed and maintained in accordance with good engineering practice for long-term erosion control.

8) Approval of the variance request does not absolve the Operator from enforcement due to past or future non-compliance with the rules or COAs.

Nichols 31-11 Loc. #312672: Well Plugged and Abandoned 9/21/2018: Doc #402525408

Requesting a variance of select requirements of rule 1004.a to not recontour and reclaim the access road, and to not contour the Location to its original relative position.

Conditions of Approval

1) The portion of Caerus Piceance LLC's variance request waiver to not recontour and reclaim the access road is approved.

2) Per language within the SOVR, the portion of the variance request to not recontour the Location to its original relative position, is approved.

3) The areas labeled, "Reclaimed Disturbance", as identified on the figures attached to this sundry, and any other areas disturbed by oil and gas not subject to the variance request, are subject to all COGCC 1000 series rule requirements including the requirement to establish 80% vegetation cover of reference area levels.

4) All corrective actions identified on a field inspection report must be performed by the corrective action date until final reclamation is passed.

5) Continue to monitor and manage the site for erosion, weed control & establishment of vegetation until final reclamation is passed.

- 6) Continue compliance with all Rules not eligible for a variance until final reclamation has been passed.
- 7) Stormwater controls shall be installed and maintained in accordance with good engineering practice for long-term erosion control.
- 8) Approval of the variance request does not absolve the Operator from enforcement due to past or future non-compliance with the rules or COAs.
- 9) Upon approval of this variance request, Caerus Piceance LLC will be required to gravel the access road as indicated within the variance request documents.

Rogers Federal 1 Loc. #312508: Well Plugged and Abandoned 2/13/2007: Doc #402525467

Requesting a variance of select requirements of rule 1004.a to not recontour and reclaim the access road, and to not contour the Location to its original relative position.

Conditions of Approval

- 1) The portion of Caerus Piceance LLC's variance request waiver to not recontour and reclaim the access road is approved.
- 2) Per language within the SOVR, the portion of the variance request to not recontour the Location to its original relative position, is approved.
- 3) The areas labeled, "Reclaimed Disturbance", as identified on the figures attached to this sundry, and any other areas disturbed by oil and gas not subject to the variance request, are subject to all COGCC 1000 series rule requirements including the requirement to establish 80% vegetation cover of reference area levels.
- 4) All corrective actions identified on a field inspection report must be performed by the corrective action date until final reclamation is passed.
- 5) Continue to monitor and manage the site for erosion, weed control & establishment of vegetation until final reclamation is passed.
- 6) Continue compliance with all Rules not eligible for a variance until final reclamation has been passed.
- 7) Stormwater controls shall be installed and maintained in accordance with good engineering practice for long-term erosion control.
- 8) Approval of the variance request does not absolve the Operator from enforcement due to past or future non-compliance with the rules or COAs.
- 9) Upon approval of this variance request, Caerus Piceance LLC will be required to gravel the access road as indicated within the variance request documents.

Caerus was provided a notice of the COAs listed above, and after 7 days Staff did not receive any requests to withdraw the variance(s). Staff believes there is no further action required by Upper Management unless you would like additional information or any action to occur on staff's part. Please let us know if you would like Staff to set up additional communications with you on these variances within five days. If there is no communication from you Staff will finalize the variances

Best, Denise T. Arthur, Ph.D.

Denise T. Arthur, Ph.D.
Reclamation Supervisor



COLORADO
Oil & Gas Conservation
Commission
Department of Natural Resources

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Leonard - DNR, Mike <mike.leonard@state.co.us>
To: "Arthur - DNR, Denise" <denise.arthur@state.co.us>
Cc: Aaron Trujillo <aaron.trujillo@state.co.us>

Wed, Dec 23, 2020 at 12:45 PM

I approve these variances

[Quoted text hidden]

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Mike Leonard

Compliance Unit Manager



COLORADO
Oil & Gas Conservation
Commission
Department of Natural Resources

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Always try to associate yourself with and learn as much as you can from those who know more than you do, who do better than you, who see more clearly than you.
Dwight D.Eisenhower