

Kubeczko, Dave

From: Kubeczko, Dave
Sent: Thursday, June 10, 2010 5:28 PM
To: Kubeczko, Dave
Subject: FW: TC Operating, Deer Creek SWD 1, NENE Sec 2 T14S R98W, Mesa County, Form 2A # 400060198 Review
Attachments: loadout rev.pdf

Scan No 2033192 CORRESPONDENCE 2A#400060198

From: J Craig Creel [mailto:jccreel@riochama.com]
Sent: Thursday, June 10, 2010 3:59 PM
To: Kubeczko, Dave
Cc: tapenergy@msn.com
Subject: Re: TC Operating, Deer Creek SWD 1, NENE Sec 2 T14S R98W, Mesa County, Form 2A #400060198 Review

Please see below -

After reading my responses, let me know if you need me to send the geotech reports.

Craig

----- Original Message -----

From: [Kubeczko, Dave](#)
To: jccreel@riochama.com
Sent: Thursday, June 10, 2010 3:07 PM
Subject: TC Operating, Deer Creek SWD 1, NENE Sec 2 T14S R98W, Mesa County, Form 2A #400060198 Review

J Craig,

I have been reviewing the Deer Creek SWD 1 **Form 2A** (#400060198). COGCC requests the following clarifications regarding the data TC Operating has submitted on or attached to the Form 2A prior to passing the Oil and Gas Location Assessment (OGLA).

1. **Current Land Use and Future Land Use (Sections 10 and 11):** Form 2A indicates the current land use is Other (Waste Disposal Site). However, based on review of the aerial photograph, the current land use is rangeland. It is not considered to be a waste disposal site for a disposal well. I can make the change if you send me an email with this request. **This acreage was approved by Mesa County and CDPHE as a waste disposal site in 2003. There are evaporative ponds adjacent to the drill site. You are correct in that there are no ponds immediately at the drill site, but all the acreage has been designated as a waste disposal site and we are within the protective berm built around the ponds. I think that makes it a waste disposal site, but you can change the land use description if you wish.**
2. **Rule 303.d.(3).F.ii.aa and bb:** Since the current and future land uses are non crop land (rangeland), a reference area needs to be indicated either on a topographic map or in the comments section if the reference area is adjacent to the proposed pad. In addition, four (each of the cardinal directions) color photographs taken during the growing season of the reference area are required within 12 months of the Form 2A permit application date (06/03/2010) unless the reference area is adjacent to the proposed pad and vegetation can be seen on the location pictures. If you can confirm that the reference area is adjacent to the pad and in what direction, I can make the change if you send an email with this request; otherwise, a reference area map and reference area photographs are required. **I included maps of the proposed expanded development as well as the current development of the disposal site. We are within the protective berms of the current ponds and these berms will serve as protection for the expanded ponds. The drill site is due north by 40 feet or so to**

the expanded ponds. I have attached a map showing the location of the well with respect to the final development of the facility.

3. **Water Resources (Section 14):** Form 2A indicates that the distance to the nearest surface water is 285 feet. COGCC guidelines require designating all locations with close proximity to surface water a **sensitive area** and requiring the following conditions of approval (COAs):
 - COA 4** - Location is in a sensitive area because of close proximity to surface water, therefore, operator must ensure 110 percent secondary containment for any volume of fluids contained at well site during drilling and completion operations.
 - COA 5** - Operator must implement best management practices to contain any unintentional release of fluids. **As mentioned previously, there is a protective berm that would handle the volume in the adjacent ponds. This berm would handle several multiples of the volume of fluids used during drilling.**
4. **Water Resources (Section 14):** Form 2A indicates the depth to groundwater to be 600 feet bgs for a well located 7712 feet from the well pad. COGCC's review found several water wells closer, including a monitoring well (Permit No. 201223-Gale Brent/Goodwin Septic, monitoring well) located approximately 1070 feet to the south; with a total depth of 31 feet bgs and a depth to groundwater of 21 feet bgs (based on top of perforated interval). I believe this well is indicative of groundwater conditions in this area. I can make the change if you send an email with this request. In addition, the following condition of approval (COA) will apply:
 - COA 1** - Location is in a sensitive area because of shallow groundwater; therefore either a lined drilling pit or closed loop system must be implemented. **My statement is correct - there is no ground water within 600' bgs. The monitoring well you mention, as well as the 5 other monitoring wells that we have drilled in the last 3 months, are there to insure that no water leaks from the ponds. The bottom interval of the monitoring wells is slotted and gravel packed to allow water to enter the wells. There is no water in any of the monitoring wells. I can send you a 20 MB geotech report we had prepared supporting all this, if you require. In my previous attempts to send it, COGCC personnel requested that I remove the file as it was too large and required too much time to review.**
5. **General:** Due to the potentially permeable nature of the surface materials (gravels and alluvium) in this area, the following conditions of approval (COAs) will also apply:
 - COA 38** - The moisture content of any drill cuttings in a cuttings pit, trench, or pile shall be as low as practicable to prevent accumulation of liquids greater than de minimis amounts. At the time of closure, the drill cuttings must also meet the applicable standards of table 910-1.
 - COA 39** - No portion of any pit that will be used to hold liquids shall be constructed on fill material, unless the pit and fill slope are designed and certified by a professional engineer, subject to review and approval by the director prior to construction of the pit. The construction and lining of the pit shall be supervised by a professional engineer or their agent. The entire base of the pit must be in cut. **The geotech reports I referenced also discuss the extremely low perm of the surface soils. Nevertheless, we will, of course, abide by the conditions listed above.**

COGCC would appreciate your concurrence with attaching these COAs to the Form 2A permit prior to passing the OGLA review. The other issues also need to be addressed prior to permit approval. If you have any questions, please do not hesitate to call me at (970) 625-2497 x5 (office) or (970) 309-2514 (cell), or email. Thanks. **Of course, we agree to the addition and attachment of these COA's to Form 2A. I assume you make that attachment or do I need to?**

Dave

David A. Kubeczko, PG
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