

TO: Kinder Morgan CO2 Company, L.P.
17801 Highway 491
Cortez, CO 81321

Deliver To: Bob Clayton

FAX Number: 882-5521

From: J. Earl Wenger & Cindy L. Tout
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Date: December 2, 2013

Time: 15:15

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December 1, 2013

Kinder Morgan CO2 Company, L.P.
17801 Highway 491
Cortez, CO 81321

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, CO 80203

Commissioner Ernie R. Williams
P. O. Box 608
Dove Creek, CO 81324

Dear Sirs:

We are writing in response to the letter dated November 12, 2013 from Kinder Morgan regarding their submission of a Form 2A Oil and Gas Location Assessment.

While this letter was dated November 12, 2013, and sent by certified mail, we did not receive it until November 26, greatly shortening our time to respond.

In that letter we were invited to "place any comments, including those regarding mitigation measures or Best Management Practices to be used at the Oil and Gas location."

We would like to raise the following issues:

- 1 On the Facilities List on page 2 of 8 there is no mention of the depleted argon extraction equipment.
- 2 This Facilities List also indicates that there is not a Vapor Recovery Unit at the Doe Canyon plant. If that is the case it is a direct violation of the Land Development Agreement which Kinder Morgan entered into with Dolores County. The emanation of unpleasant odors from the plant has been an ongoing problem. We have filed complaints with the Colorado Oil and Gas Conservation Commission, notified the Dolores County Sheriff's Department when the odors have been overwhelming and discussed the issue exhaustively with the Dolores County Commissioners. We continue to suffer from these odor issues, and are very disheartened that the promised 'state of the art' vapor recovery unit has either not been installed, or is not working to remove the odors. We have repeatedly expressed our concerns regarding negative health effects we have experienced over the past several years as a result of living with these emissions. The effects include headaches, sore throats, and other respiratory ailments.
- 3 Under Plant Community on page 4 of 8 it is stated that there are no noxious weeds on the site. This seems highly unlikely since a variety of noxious weeds are endemic in this area.
- 4 Regarding Best Management Practices, item 3. The lighting at the plant continues to be an ongoing problem. Despite assurances that all lighting will be downcast, and only used at night on an emergency basis, the lights at the plant are not downcast, and are routinely left on all night, generating a significant amount of light pollution.
- 5 Item 5 in Best Management Practices addresses the issue of storm water and erosion control. This fall there was major erosion caused in an adjacent field owned by Mark Coffey immediately west of the Kinder Morgan Doe Canyon plant. This event followed heavy rainfall and took runoff water from the plant across County Road 15, through the field, and finally ran out onto County Road M west and south of our house. While this happened following an extreme rain event, we feel that it is incumbent on Kinder Morgan to plan for such events and be prepared to protect surrounding properties from damage following such events.

6 Item 6 in Best Management Practices addresses Material Handling and Spill Prevention. On at least 2 occasions we have noticed spills at the Kinder Morgan Doe Canyon Compressor Plant. The first one occurred during the first 6 months of operation. It has been noted that no vegetation has grown on the affected area since that time. We are concerned that this may indicate that an extremely toxic spill took place which may require significant reclamation measures.

7 Item 9 in Best Management Practices addresses Noise Mitigation. As noted in the document the results of the noise testing which was requested by Dolores County are still pending. We have heard conversationally that before the completion on the expansion of the plant that the plant was operating right at the threshold of allowable noise. We understand that older fans have been swapped out for newer, quieter fans, but have no direct experience of this. We feel that it is likely that the plant is exceeding allowable sound levels at times, but can not back that feeling up with data. We question whether the engineering on the 'sound barrier wall' was sufficient for the project, and would welcome an opportunity to see the engineering which backs up that portion of the sound mitigation for the Doe Canyon Plant. In addition, the amount of construction work which has taken place at the Plant in recent months has made it difficult to separate operations sound levels and construction sound levels.

8 There was a lot of discussion of a buffer zone of "fast growing" trees that would be planted between the plant and County Road 15. At this point it appears that approximately 50% of these trees have died. While these trees were watered some in the early years, it appears that they have been largely abandoned at this point. Without a consistent irrigation plan it is unlikely the remaining trees will survive.

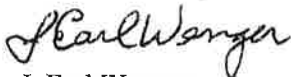
9 On the last page of the submitted document, which is the Site Plan for the Doe Canyon Compressor Plant, it is indicated that the plant is located in Montezuma County. The plant is actually located in Dolores County.

10 An issue not addressed in the document is vibration felt in surrounding homes when the plant is operating. We have spoken with various people at Kinder Morgan regarding the vibration problem in our home, and have heard experts hired by Kinder Morgan explain how 'harmonics' would provide a solution to the problem when the expansion of the plant was completed. Our experience is that the expansion has only made the problem worse not better. We have been assured by several people at Kinder Morgan that this problem would be solved. At this point it has not been.

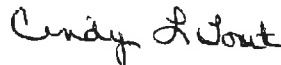
In closing we would like to once again express our serious concerns about how Kinder Morgan has decided to pursue it's efforts at the Doe Canyon Plant. While there have been numerous public hearings and meetings where we have been assured that all of our concerns would be seriously considered and addressed, we continue to feel that it has been nothing but lip service, and that our concerns continue to fall upon deaf ears.

Please feel free to contact us if you require any further information regarding any of the issues we've raised today.

Sincerely,



J. Earl Wenger
PO Box 208
Dove Creek, CO 81324



Cindy L. Tout
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Dove Creek, CO 81324