

Attachment A

This Sundry Notice is intended to request a variance from the requirements in Rule 908.b.5.D for Marathon Oil Company's Water Storage Facility 32C.

"Centralized facilities shall have a fire lane of at least ten (10) feet in width around active treatment areas and within the perimeter fence. In addition, a buffer zone of at least ten (10) feet shall be maintained within the perimeter fire lane."

The facility's pond was previously constructed on a pad site and Marathon is currently in the process of permitting it as a Centralized E & P Waste Management Facility. Marathon is concurrently submitting a Form 28 application to support the request to change the status of this existing pond. The pond was originally constructed on the edge of a pad location to allow room for wells and other activities. This existing situation makes compliance with Rule 908.b.5.D extremely difficult.

Marathon has familiarized Grand Valley Fire Protection District (GVFPD), the local fire protection agency, with the location, terrain, and any access issues that may be associated with the 32C facility. Please see attached email from GVFPD. The District does not have any issues with the variance request. They have the proper equipment to respond to an emergency at this facility.

The district is familiar with the location, terrain and conditions and is confident that the facility location is easily accessible using any of the departments brush units, or other four-wheel or all-wheel drive equipment vehicles. The brush units are Ford F550 4WD trucks, which are similar to Ford vehicles in Marathon's fleet. Marathon personnel access this facility via the access roads and parking areas with these vehicles routinely.

Chemicals are not stored at this facility and fire is highly unlikely due to the lack of flammable materials. However, a fire is the most likely emergency scenario. In any event when GVFPD vehicles could not directly accessing the facility, the District has sufficient hoses to travel the short distance from the pad location to the pond. While the water storage facility does not the full ten (10) feet of emergency access zone and ten (10) feet of buffer zone, all areas of the facility are accessible using hoses.

Marathon has also submitted a copy of our Emergency Response Plan with the Form 28 application, detailing how emergencies are managed by Marathon.

Marathon respectfully submits this information in order to provide the COGCC the information required to grant a variance of Rule 908.b.5.D.



GRAND VALLEY FIRE PROTECTION DISTRICT

0124 STONE QUARRY RD
PARACHUTE, CO 81635
PHONE: 285-9119, FAX (970) 285-9748

December 18, 2012

Zach Toellner
Marathon Oil Company
970-244-5743

Re: Emergency Access – marathon's 596-32C Pond.

Mr. Toellner;

This letter is to clarify the access to the 596-32C pond area. We do have the necessary equipment needed to access this property and around all pond. The 25 foot wide road is assessable by our brush units and the 10 to 12 feet is ok for a buffer zone. This project is within our response district and I am very knowledge about the project area. All of our brush units, tenders and one structure type engine are all four wheel drive or all wheel drive. I also have the site plan and proposed changes to the location and I do not have any objections with this project. The 569-32C pond area is protected on the two sides with high vertical dirt areas there is no need for a buffer zone at these points. Our Fire District is complemented with all necessary equipment for this location as well as certified personnel to handle the incident if/when it arises. If you should have any further questions please feel free to contact me at the number in the letterhead. It was nice working with you this morning about this project and look forward to working together on future projects.

Sincerely,


Rob Ferguson
Deputy Fire Chief – Operations
GVFPD

Mission Statement

We, the members of the Grand Valley Fire Protection District, dedicate our efforts to the protection of the lives, property and environment of the citizens of, and visitors to the Grand Valley Fire Protection District.