



## Fwd: Form 2A Document #400787116

1 message

Fischer - DNR, Alex <alex.fischer@state.co.us>

Mon, Feb 29, 2016 at 11:57 AM

To: OGCC EnviroScan - DNR <dnr\_ogcc.enviroscan@state.co.us>

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Additional Instructions	This is an email chain with separate attachments.	

Thanks!

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Alex Fischer, P.G.

Environmental Supervisor, Western Colorado



P 303.894.2100 x5138 | F 303.894.2109

1120 Lincoln Street, Suite 801, Denver, CO 80203

|alex.fischer@state.co.us www.colorado.gov/cogcc

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From: **Deranleau - DNR, Greg** <greg.deranleau@state.co.us>

Date: Mon, Feb 29, 2016 at 11:51 AM

Subject: Form 2A Document #400787116

To: dave.goertz@westonsolutions.com

Cc: Alex Fischer <alex.fischer@state.co.us>, Dave Kubeczko <dave.kubeczko@state.co.us>, John Noto - DNR <john.noto@state.co.us>, Barbara Westerdale - DNR <barbara.westerdale@state.co.us>, dan.mcwilliams@oxbow.com

Dave,

Thank you for the discussion regarding the status of the Form 2A for the Spadafora Pits (doc #400787116). The following is intended to summarize the issues that would require resolution in order to process the Oil and Gas Location Assessment, as we discussed. If your client does not intend to pursue the permitting of the Centralized E&P Waste Management Facility at this time, you may choose to leave the Form 2A in draft status for as long as you wish. However, if your client wishes to move forward with processing the Form 2A, Oil and Gas Location Assessment, you will first need to update the Form to pass completeness, and then will need to address additional items during the technical review of the Form 2A.

Information needed for submittal and completeness:

1. A bond is required for the proposed facilities. Since this is a Centralized E&P Waste Management Facility, a Waste Management Surety ID will need to be provided prior to approval of the related Form 28. However, the Form 2A can be submitted without a bond, provided that the bond will be secured under Rule 704 prior to Form 28 approval and prior to Construction. Please include a statement in the comment box on the Submit Tab that indicates this is a proposed Centralized E&P Waste Management Facility and that appropriate financial assurance will be established through that permit process.
2. The proposed pits fall within COGCC's 100-Series definition of Production Pits, not within the definition of Special Purpose Pits. Therefore, the information on the Facilities Tab needs to be corrected. Making this change will allow for data to be entered on the Cultural Setbacks Tab describing the distances to certain cultural features.
3. Information on the Surface & Minerals Tab needs to be completed and corrected. Since no minerals are being produced at this proposed Oil and Gas Location, (which needs to be answered yes or no), the Oil and Gas Lease does not legally convey a right to use the surface for a Centralized E&P Waste Management Facility (or for Multi-Well Pits to be used for less than 3 years). A Surface Use Agreement must be secured to grant the right to construct. You must also provide a date for when the surface owner consultation was conducted in accordance with Rule 306.
4. Although the completeness review indicated that NRCS and location photos do not follow the

guidance documents developed by COGCC, it appears that the attachments do contain the necessary elements for those documents. Therefore, you should provide a statement in the operator comments box on the Submit Tab that the photos and NRCS description have been accepted by the Environmental Manager for submittal, and any deficiencies, if identified, will be addressed during technical review by operator and OGLA staff.

5. A brief description of the project should be provided in the operator comments box of the Submit Tab. This description should include overall project plans summarizing the Form 28 process and requirements.

6. The Form 28 document number should be included in the Related Forms Tab. If you plan to proceed with this Oil and Gas Location Assessment but leave the Form 28 on hold, COGCC requests that the Form 15 – Pit Permits be submitted with the form 2A (and referenced on the Related Forms Tab) for conditional approval. These forms will establish individual Facility ID Numbers for each of the pits for future reference and will also provide the opportunity for a technical review of the pits as required by Rule 903.

7. Current contact information will need to be provided.

Once the Form 2A passes completeness, it will be subject to standard COGCC technical review. Since this is in a Sensitive Wildlife Habitat, it will also require consultation with Colorado Parks and Wildlife, per Rule 306.c. The technical review of the Form 2A will include a detailed review of the project with respect to the protection of public health, safety, and welfare, and the environment including wildlife resources and is coordinated with other permit process within the COGCC, in this case, the Form 28 or Form 15s. This is why COGCC prefers that the Form 2A not be submitted until it is clear that your client plans to move forward with the entire project.

I hope this helps. Please do not hesitate to contact me with any further questions.

Greg

—

Greg Deranleau

Environmental Manager



P 303.894.2100 x5153

1120 Lincoln Street, Suite 801, Denver, CO 80203

[greg.deranleau@state.co.us](mailto:greg.deranleau@state.co.us) | [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

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**Alex Fischer, P.G.**

**Environmental Supervisor, Western Colorado**



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| [alex.fischer@state.co.us](mailto:alex.fischer@state.co.us) [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)