

Objective Criteria Review Memo *Bayswater Exploration & Production, LLC., West Eaton 2-A, Form 2A 402179770*

This summary explains how COGCC staff conducted its technical review of the Bayswater Exploration & Production, LLC. (Bayswater), West Eaton 2-A, Form 2A, Doc no 402179770 within the context of SB 19-181 and for the required Objective Criteria. This proposed Location is for twelve wells, thirteen separators, six oil tanks, two produced water tanks, and meets the following Objective Criteria:

1. (Criteria #1) The proposed Location lies within 1,500 feet of a Building Unit or High Occupancy Building, which include Urban Mitigation Area (UMA) and Large UMA Facility (LUMAF) location. (the closest Building Unit is an estimated 849 feet from the Oil and Gas Location); and
2. (Criteria #5.c) The proposed Location lies within a Sensitive Area for water resources (within an area of potential shallow groundwater and proximity to surface water).

COGCC staff met with the Director to discuss the Objective Criteria for the Form 2A with the proposed Best Management Practices (BMPs) and applied Conditions of Approval (COAs). The following sections provide details regarding the evaluation of each criterion.

Criteria 1: Oil and Gas Locations within 1,500 feet of a Building Unit or High Occupancy Building, which include Urban Mitigation Area (“UMA”) and Large UMA Facility (“LUMAF”) locations.

Site Specific Description of Applicability of Criteria 1: Based on the technical review and desktop evaluation, this location is in a Buffer Zone. The nearest residential Building Unit is located approximately 749 feet north of the proposed Location and is owned by the surface owner. The nearest residential Building Unit that is not owned by the surface owner is located approximately 1,152 ft south of the location. There are two building units within 1,000 feet of the location, both owned by the surface owner. There are an additional three building units within 1,500 feet of the location, of which two are owned by the surface owner. There are no tenants living in any of the surface owner’s buildings, however, the operator was unable to confirm whether any members of the surface owner’s family were living in these buildings. There are no high density building units or neighborhoods within 1,500 feet of the proposed location.

Site Specific Measures to Address Criteria 1: Bayswater met with the nearest non-surface owner resident to discuss the location. The landowner had questions about location and timing of the operations and expressed concerns about traffic, lights, noise, and expressed a desire for sound walls. Bayswater agreed to route the majority of its traffic to the north, away from the house, to install a sound wall on the south side of the location, and had BMPs to further control light and noise. The landowner was reportedly satisfied. Operator sent all occupants within 2,000 feet Health Study notices.

Bayswater proposed BMPs to address nuisance issues including noise, lights, odor, and dust. Bayswater will be installing 32 foot sound walls on the north, west, and south sides of the location. The odor BMP includes the use of an odor neutralizer. The closest public roads to this location are both paved, reducing potential dust exposure to nearby residents. This location also contains the set of Rule 604.c. required BMPs. In addition to daily visits by the pumper, a remote monitoring system will be installed that will be capable of performing a remote shut down. This location will have oil takeaway by pipeline. Water takeaway is currently undetermined.

Summary: During the technical review process, COGCC staff requested additional information and clarification regarding Bayswater's proposal and BMPs. The information received has been added to the application materials. Bayswater provided enhancements and clarifications to proposed BMPs as requested by COGCC staff.

Criteria 5.c: Oil and Gas Locations within a Sensitive Area for water resources.

Site Specific Description of Applicability of Criteria 5.c: The Location is in a sensitive area due to the potential for shallow groundwater. Estimated depth to groundwater is at 9 feet based on a nearby water well. An upgradient surface water ditch runs adjacent to the Location.

Site Specific Measures to Address Criteria 5.c: Bayswater placed BMPs on the Form 2A for protection of the shallow groundwater at the Location. BMPs include secondary containment include a lined metal berm for the tanks and a metal berm for the separators. Above-ground tanks will be in steel-walled containment with a liner. The Location is inspected daily for leaks or spills. The ditch adjacent to the location is upgradient of the pad. The pad is also graded away from the ditch so the location will drain towards the stormwater drainage pond at the northeast corner of the location. Bayswater committed to daily inspections and the installation of a remote monitoring system capable of remotely shutting the site down.

Summary: Bayswater provided BMPs that address ground and surface water resource protections. The BMPs include engineering controls (construction and containment) and administrative controls (inspections).

Director Determination: Based on the Objective Criteria review. The Director has determined that this permit application meets the standard for protection of public health, safety, welfare, the environment and wildlife resources set by SB 19-181.