

May 27, 2021

Mr. Rick Allison
Colorado Oil and Gas Commission
1120 Lincoln Street
Denver, CO 80203

Subject: **Noncompliance Notification & Discharge Monitoring Report for April 2022 for Wellington Operating Co. – COGCC Permit Numbers 281818, 281824, & 416077**
Submitted electronically

Dear Mr. Allison:

Attached please find the Discharge Monitoring Reports (DMRs) for the subject Wellington Operating Company (WOC) facility for April 2022.

The facility did operate and discharge treated wastewater during the month of April 2022. A compliance sample was collected and analyzed during April 2022 and the laboratory data is attached. As expected, the barium and fluoride exceed the new discharge limits but the portion of the month of April while treated wastewater was discharged is within our compliance schedule.

Additionally, the total amount of Radium 226 and Radium 228 exceeded the discharge limit for the month of April and the treated wastewater was discharged is within our compliance schedule. Rick Allison of COGCC was notified within 24 hours of receiving the Radium 226 and Radium 228 results. No other analyzed parameters exceeded their discharge limits at Outfall 001A. This was the first time Radium 226 and 228 had been reported at a level that exceeded the permitted limit. The RO system being installed to filter the water is expected to remove up to 90 percent of the Radium from the treated water.

Quarterly samples were collected and analyzed from the existing five monitoring wells and the laboratory data is attached.

As requested, WOC has prepared and attached a copy of a water balance sheet for the Wellington Produced Treatment facility and the Wellington Muddy Sand Stone Unit – South Battery for April 2022. This water balance is being submitted voluntarily and is not required by the current discharge permit.

To comply with the permit, the facility did not discharge any treated wastewater on or after April 28th due to delays in receiving the control panel and the reverse osmosis main pressure pump. The last day that treated water was discharge was April 24, however due to the recording and reporting of discharge flows a portion of the water is reported as discharged on April 25th.

Noncompliance Notification Required by;

Part I, A TERMS AND CONDITIONS, 2. Compliance Schedule, of the permit issued on October 29, 2021; paragraph 2 requires the following:

2. Operator will install an additional monitoring well adjacent to and south of the Rapid Infiltration Basin (RIB) on the south side of County Road 70 as described in Part I.B.1. Operator will complete monitoring well installation and provide COGCC a copy of the boring log and well construction record by April 28, 2022.

WOC Response – The current landowner of the parcel where the monitoring well 050G was to be installed decided to not allow the installation of the monitoring well and as a result Wellington Operating cannot comply with this requirement. A variance on behalf of Wellington Operating Company has been filed with the COGCC by Beatty & Wozniak, P.C. on April 28, 2022, requesting the following: WHEREFORE, Applicant respectfully requests that pursuant to Rule 502.a., the Commission grant the requested variance and enter an order modifying the Permit to remove the installation and compliance requirements related to the 050 G Monitoring Well.

Noncompliance Notification Required by;

PART II, A. Management Requirements, 3. Noncompliance Notification;

The April 2022 Outfall 050B sample analyzed for boron detected the following result:

Parameter	Result
Boron	0.91 mg/L

Permit Limit 0.75 mg/L; results in a permit exceedance for boron.

a) If, for any reason, the permittee does not comply with or will be unable to comply with any discharge limitations or standards specified in this permit, the permittee shall, at a minimum, provide the Oil and Gas Conservation Commission, the Water Quality Control Division, and with the following information:

(i) A description of the discharge and cause of noncompliance;

WOC Response – The boron levels at the monitoring well have increased during the past months. This is suspected due to a higher rate of infiltration from the RIB's. The boron may be accumulating near the well. Decreasing water table level at the monitoring well may be resulting in higher concentrations of treated water at the monitoring well.

(ii) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and

WOC Response – The we are unable to determine exact dates or times that the condition occurred, however there was limited discharges from the facility to the RIBs during April. The water in the RIBs continues to infiltrate toward the Monitoring Well 050B as long as there is water in the RIB.

(iii) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge, including, but not limited to temporary suspension of discharge.

WOC Response - WOC is taking the following steps to prevent exceedances in the boron discharge from the facility;

- 1. Installing a reverse osmosis filtration system to treat the wastewater will remove a significant amount of boron from the treated wastewater resulting in**

lowering the boron level at Outfall 050B once the system has flushed the previously discharged water from the area between the RIBs and the monitoring well.

- b) The permittee shall report the following instances of noncompliance orally within twenty-four (24) hours from the time the permittee becomes aware of the noncompliance, and shall submit to the COGCC a written report on COGCC Form 19 Initial Spill/Release Report within seventy-two (72) hours after becoming aware of the noncompliance:

WOC Response – This Section does not apply

- (i) Any instance of noncompliance which may endanger health or the environment regardless of the cause of the incident;
- (ii) Any unanticipated bypass;
- (iii) Any upset or spill which causes an exceedance of any effluent limitation in the permit;
- (iv) Daily maximum violations for any toxic pollutants or hazardous substances limited by PART I-A of this permit and specified as requiring 24-hour notification.

- c) The permittee shall report all other instances of non-compliance which are not required to be reported within 24 hours at the time Discharge Monitoring Reports are submitted. The reports shall contain the information listed in sub-paragraph (a) of this section.

WOC Response –This report is providing the information on the noncompliance.

As requested, WOC has prepared and attached a copy of a water balance sheet for the Wellington Produced Treatment facility and the Wellington Muddy Sand Stone Unit – South Battery for April 2022. The water balance is being submitted voluntarily and is not required by the current discharge permit.

Mr. Randy Evans is the current operator in responsible charge for the facility.

If you have questions regarding facility operations, please contact Randy Evans at cell 970-402-0418; email: rgrevans477@gmail.com.

Sincerely,



Randy R. Evans
Operator in Responsible Charge