

October 24, 2022

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

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

Dear Mr. Allison:

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

**The facility did operate and discharge treated wastewater during the month of September 2022. A compliance sample was collected at Outfall 001A on September 08<sup>th</sup>, submitted to PACE Laboratory, analyzed, and the laboratory data is attached. All parameters at Outfall 001A were in compliance. An additional sample was collected at Outfall 001A on September 20<sup>th</sup>. The additional sample was only analyzed for all specific parameters that indicate the performance of the reverse osmosis system. The laboratory results for the additional samples indicate that the sample was in compliance with the discharge limits at Outfall 001A and the laboratory data is attached.**

**Monthly samples were collected from the existing five monitoring wells on September 8, 2022, analyzed, and the laboratory data is attached. All sample parameters were within the permit limits except for boron at Outfall 050B.**

**An additional sample was collected on September 20<sup>th</sup> from Outfall 050B and analyzed for boron, barium, sodium, TDS, chloride, fluoride, and sulfate. All sample parameters were within the permit limits except for boron.**

**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 March 2022 Outfall 050B sample analyzed for chloride detected the following result:

Parameter	Result	Sample Date
Boron	0.848 mg/L	September 08, 2022
Boron	0.839 mg/L	September 20, 2022

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 – During the history of operation and discharge to the rapid infiltration basins (RIBs) since operations began in 2006 boron has only been required to be reported and did not have a discharge limit. Boron maintained a discharge of 2 to 3 mg/L over those years of operation. The results could be expected to have a buildup of boron in the soils below the RIBs. The boron is now being leached out of the soils by the treated water discharged by the RO system recently installed at the water treatment plant and as a result is being carried by the water to the Outfall 050B. The water currently being discharged by the RO system has ranged from 1.5 to 2.0 mg/L. Any water that infiltrates through the bottoms of the RIB can be expected to carry the boron present in the soils to Outfall 050B.

(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.

(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. The reverse osmosis filtration system has been installed and the process is being adjusted to determine if the boron can be reduced prior to Outfall 001A.
2. WOC has purchased and is awaiting the delivery of additional RO membranes that are expected to reduce the boron discharge at Outfall 001A to less than the limit at Outfall 050B.

- 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 September 2022. This water balance is being submitted voluntarily and is not required by the current discharge permit.

WOC is also submitting a summary of the permeate data for conductivity for the combined discharge water from the reverse osmosis system.

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