BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF CHANGES TO THE RULES OF PRACTICE AND PROCEDURE OF THE OIL & GAS CONSERVATION COMMISSION OF THE STATE OF COLORADO	))))	CAUSE NO. 1R DOCKET NO. **1211-RM-03**

ALTERNATE RULE PROPOSAL OF ROUTT COUNTY, COLORADO

Basis and Purpose

The mission statement of the Colorado Oil and Gas Conservation Commission (Commission) declares that it is the mission of the Commission to foster the responsible development of Colorado's oil and natural gas resources and further states that responsible development results in the prevention and mitigation of adverse environmental impacts. Prevention of adverse impacts should be preferred over mitigation of same. Thus, preventing the contamination of local water sources should be preferred to mitigating damage that has already occurred. Proposed Rule 609 may only result in detection of already contaminated water sources because it limits water testing to existing groundwater sources or springs. Testing such sources will not produce viable data for use in the early detection of contamination or its source. Furthermore, proposed Rule 609 e.(2) does not address subsequent monitoring and the constituent list is inadequate.

Alternate Proposal

Replace subpart a. with the following:

a. **Sampling locations:** Initial baseline samples and subsequent monitoring samples shall be collected from one or more dedicated monitoring wells designed, constructed and located in accordance with the following criteria:

(1) A monitoring well or wells shall, where practicable, be located on the conceptual flow pathway between the oil or gas well and the water sources that could be contaminated by leaks. Consideration shall be given to local topography and known or reasonably inferable local hydrogeology of both ground water and surface water flow directions with preference given for down-gradient locations particularly those between the proposed well and wells and other water sources used for domestic water.

(2) Each monitoring well shall be designed and completed to allow separate sampling of each aquifer encountered while drilling to the expected depth of the proposed oil or gas well. The top and bottom depth of each aquifer encountered shall be logged and reported to the Director.

(3) The distance of the monitoring well from the oil or gas well shall be determined based on the depth of the oil or gas well, the aquifers being monitored, and the distance between the oil or gas well and the receptors which should become contaminated. The location shall be far enough from the oil or gas well to improve the chance of detection but far enough from the receptors to provide an adequate warning time. The monitoring well will generally be halfway between the well and receptors, but the distance shall not exceed one-half mile from the oil or gas well or be closer than 100 feet.

Delete subpart b.

Amend subpart c. to include sufficient pre-drilling sampling to account for seasonal fluctuations of naturally occurring constituents.

Replace subpart d. with the following:

d. **Subsequent monitoring sampling:** Subsequent monitoring sampling shall be conducted:

(1) At least quarterly after oil or gas well completion. Wells that are drilled and abandoned without ever producing hydrocarbons are exempt from this requirement

(2) Additional "post-completion" tests may be required if changes in water quality are identified during follow-up testing.

(3) The Director may require further water well sampling at any time in response to complaints from water well owners.

Amend subpart e.(2) to include subsequent monitoring sampling and by adding the following constituents for testing: TPH_GRO, TPH_DRO, Lower Explosive Limit, arsenic, cadmium, chromium (total), copper, lead, mercury, silver, hardness, methylene blue active substances and silica.

Amend subpart e.(4) to require all test results to also be given to the LGD.