

200 Series

Records and Reports Rules

Rule 205

Access to Records

205 - Access to Records

- Basis of Rule
 - Requires operators, producers...extraction plant operators to keep appropriate books, and records covering operations in the State.
- Rule adds requirements.
 - Natural gas meter calibration reports.
 - MSDS maintenance.
 - Chemical Inventory.

205 - Access to Records (Cont'd)

Purpose

- Assist COGCC in investigation of spills, releases, complaints and exposure incidents.
- COGCC requires accurate information to be supplied within short time frame.
- MSDS for proprietary products often do not contain adequate information.

205.b - MSDS Maintenance

- By 4/1/2009
 - Shall maintain MSDS sheets for all Chemical Products brought to well site on all non-federal land.
- By 5/1/2009
 - Shall maintain MSDS sheets for all Chemical Products brought to a well site on federal land.

205.c - Chemical Inventory

- By 6/1/2009
 - Shall maintain a Chemical Inventory by well site for each **Chemical Product** used downhole or stored for use downhole in an amount exceeding 500 lbs during any quarterly reporting period.
 - Shall maintain a Chemical Inventory by well site for **fuel** stored at the well site in an amount exceeding 500 lbs during any quarterly reporting period.
 - 500 lb based on cumulative maximum amount of a Chemical Product present at the well site during the quarterly reporting period.
 - Shall be updated quarterly throughout the life of the well site.
 - Shall be maintained in a readily retrievable format at the operator's local field office. It will **NOT** be submitted to the COGCC unless requested.
 - CDPHE may obtain this information upon written request to the COGCC.

100 - Definitions

- Chemical Inventory:
 - Shall mean a list of the **Chemical Products** (including Material Safety Data Sheets):
 - brought to a well site for use **downhole** during drilling, completion, and workover operations, including fracture stimulations, and
 - the maximum capacity of **fuel stored** on the oil and gas location during those operations.
 - The Chemical Inventory shall include how much of the Chemical Product was used, how it was used, and when it was used.

100 – Definitions (Cont'd)

- **Chemical Product:**
 - Shall mean any substance consisting of one or more constituent chemicals that is marketed or sold as a commodity.
 - Chemical Products shall not include substances that are known to be entirely benign, innocuous, or otherwise harmless, such as sand, walnut shells, and similar natural substances.

205.d - Trade Secret Chemical Products

- If a Chemical Product is a Trade Secret, Operators will only be required to **maintain the identity of the Trade Secret Chemical Product** (e.g. Desco Deflocculant) and not the specific chemical constituents therein.
- The Vendor or Service Provider shall provide the COGCC a list of chemical constituents contained in a Trade Secret Chemical Product **upon receipt of a letter from the Director** stating such information is necessary to respond to a spill or complaint.
- Information provided to the COGCC **will not become a part of the Chemical Inventory and will not be considered publicly available.**

205.d - Trade Secret Chemical Products

(Cont'd)

- The Vendor or Service Provider shall provide the chemical constituents contained in a Trade Secret Chemical Product to any health professional who provides a written statement that the information is needed to diagnose and treat a patient that may have been exposed to said product and knowledge of the chemical constituents will assist in diagnosis or treatment and executes a Confidentiality Agreement (Form 35).
- Where a medical emergency exists and this knowledge is needed for emergency treatment the Vendor or Service Provider shall provide this information immediately upon verbal request by a health professional. The Vendor or Service Provider may then request written confirmation of need and a Form 35.
- Information provided to the health professional will not become a part of the Chemical Inventory and will not be considered publicly available.

205.f – Records Retention

- Books, records and copies of reports required by the Commission shall be kept on file and available for inspection by the Commission for at least 5 years; except
- Chemical Inventory shall be kept on file and available for inspection for the **life** of the applicable well or location and for **5 years after plugging and abandonment**.

205.h & i – Operator Reporting & Waivers

- Should a Vendor or Service Provider not provide the information required by Rules 205.d, 205.e or 205.f, the Operator is then responsible for providing the information, unless
- An Operator can obtain a variance from the Director if they can demonstrate that they lack the right to obtain the information required by Rules 205.d, 205.e or 205.f.

Interpretation:

- MSDS's shall be kept for all well sites where drilling, completion and workover activities occur **after 4/1/2009** – there is no quantity limitation. Those w/out downhole activity after 4/1/2009 will be **grandfathered** until such time a downhole action occurs.
- Chemical Inventories will only be maintained for well sites meeting the 500 lb/quarter criteria per Chemical Product.
- A Chemical Product, by weight, includes the entire product as packaged, not just the “hazardous” constituents of the product. *e.g. – entire bag of concrete, not just lime % wt.*
- In all cases only for Chemical Products for use **downhole**.

Interpretation (Cont'd)

- Quarterly reporting period = three (3) consecutive months.
- Multi-well pads are considered a well site and the 500 lb/quarter criteria will apply to the entire well site; hence operators may need/want to coordinate with each other if sharing a pad.
- Some sites such as shallow wells or CBM, may not trigger the Chemical Inventory requirement but will still need to maintain MSDSs for all Chemical Products brought to the well site.

Rule 206

Compliance Checklist – Form 36

206.b. - Compliance Checklist - Form 36

Basis of Rule

- Tool for ensuring that operators pay regular attention to compliance status.
- Applies to GARFIELD, MESA, GUNNISON, & RIO BLANCO COUNTIES, where highest levels of drilling were occurring.
- False information could result in civil, but not criminal enforcement, as provided in Oil & Gas Act 34-60-121(2)

206.b. - Compliance Checklist - Form 36

Rule adds requirements.

- Form 36 required for each OIL AND GAS FACILITY.
- Completed by August 15, 2009, then updated annually.
- Signed by authorized representative & maintained at local field office.
- Provided to Director within 5 days of receiving a written request.

100 - Definitions

- Oil & Gas Facility:
 - Equipment or improvements used or installed at an oil & gas location for the exploration, production, withdrawal, gathering, treatment, or processing of oil or natural gas.
- Oil & Gas Location:
 - a definable area where an operator has disturbed or intends to disturb the land surface to locate an oil & gas facility.

Form 36 - Compliance Check List

(NOTE: ALL "NO" OR "N/A" ANSWERS REQUIRE A WRITTEN EXPLANATION ATTACHED TO THIS FORM)

COGCC Form 36: COMPLIANCE CHECKLIST (REQUIRED FOR: GARFIELD, MESA, GUNNISON, & RIO BLANCO COUNTIES)		Checklist Year _____
Company Name: Company Number: Facility Name: Location, API, or Facility Number: Facility Location: Lat: _____ Long: _____ (In accordance with Rule 215) QtrQtr _____ Sec. _____ Twp. _____ Rng. _____ Meridan _____		
Chemical Inventory Requirements (See Rule 205)		
1.a. Has your business maintained a Chemical Inventory for each Chemical Product used downhole or stored for use downhole during drilling, completion and workover operations, including fracture stimulation, in an amount exceeding five hundred (500) pounds during any quarterly reporting period?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
1.b. Has your business maintained a Chemical Inventory for fuel stored during drilling, completion, and workover operations including fracture stimulation in an amount exceeding five hundred (500) pounds during any quarterly reporting period?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
2.a. Is your business updating the Chemical Inventory on a quarterly basis?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
2.b. Is your business maintaining the Chemical Inventory in a readily accessible form at your local field office?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Exploration and Production Waste Management Requirements (See 600 & 900 Series Rules)		
3.a. Is this facility a Centralized E&P Waste Management Facility?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
3.b. If yes, does the Centralized E&P Waste Management Facility have an approved COGCC permit (Form 28)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
3.c. FACILITY NUMBER: _____ COGCC APPROVAL DATE: _____		
4. Does this facility have a pit that requires an Earthen Pit Report/Permit, COGCC Form 15? COGCC FACILITY NUMBER OF PIT: _____ COGCC APPROVAL DATE: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

Form 36 - Compliance Check List (Cont'd)

COGCC Form 36: COMPLIANCE CHECKLIST (REQUIRED FOR: GARFIELD, MESA, GUNNISON, & RIO BLANCO COUNTIES)		Checklist Year
5. Have you inspected the facility's pits?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
6. If the pits are lined has the lining been maintained in accordance with the manufacturer's specifications and good engineering practices (See Rule 904.b.(2).)?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
7. Are all pits at this facility constructed, monitored, and operated to provide for a minimum of two (2) feet of freeboard at all times between the top of the pit wall at its point of lowest elevation and the fluid level of the pit? (See Rule 902.b.)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8. What method of monitoring and maintaining freeboard is employed at this facility? (See Rule 902.b.) _____		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
9. Have you inspected the facility's secondary containment structures and maintained them in good condition? (See Rule 603.e.12. or Rule 604.a.4.)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Odor Management Requirements (See Rule 805) (REQUIRED FOR GARFIELD, MESA, OR RIO BLANCO COUNTIES)		
10. Have you inspected all required odor control devices and determined that they are in good working order?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Public Water System Protection (See Rule 317B)		
11. Is your facility a drilling, completion, production and storage operation located within a buffer zone associated with a Surface Water Supply Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
12. If yes, has your facility implemented and maintained applicable best management practices and operating procedures?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Stormwater Management Requirements (See Rule 1002.f)		
13.a. Is there a CDPHE – WQCD <i>Stormwater Construction Permit</i> for this facility?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
13.b. Is there a <i>Post Construction Stormwater Program</i> for this facility?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
14. Have you inspected this facility in accordance with the established inspection schedule and determined that applicable BMPs are in place, and are maintained and operating properly?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
I, the undersigned, as an authorized company representative, have personally examined this oil and gas facility and certify that to the best of my knowledge, the information contained in this form is accurate".		
Signature of Authorized Company Representative _____	Printed Name _____	Date: _____
Title _____	Phone Number _____	

206 - Compliance Checklist

Questions:

- Compliance with Rule 205 - Chemical Inventory?
- Centralized E&P Waste Management Facility?
- Pits inspected & operated in compliance with rules?
- Secondary containment inspected & maintained in compliance with rules?
- Odor control devices inspected & maintained in compliance with rules?

206 - Compliance Checklist (Cont'd)

Questions:

- Location in buffer zone of Surface Water Supply Area?
- Buffer Zone BMPs implemented and maintained?
- CDPHE – WQCD Stormwater Permit?
- Post Construction Stormwater Program?
- Odor control devices inspected & maintained in compliance with rules.
- Stormwater BMPs inspected, maintained, and operating properly?

Rule 210

Signs & Markers

Topics

- **100 Definitions**
- **210.d. Tanks and Containers**
 - 210.d.(1)
 - 210.d.(2)

100 - Definitions

- **Tank**

- Shall mean a stationary vessel that is used to contain fluids, constructed of non-earthen materials (e.g. concrete, steel, plastic that provide structural support.

- **Container**

- Shall mean any portable device in which a hazardous material is stored, transported, treated, disposed of or otherwise handled.

210.d.(1) All Tanks

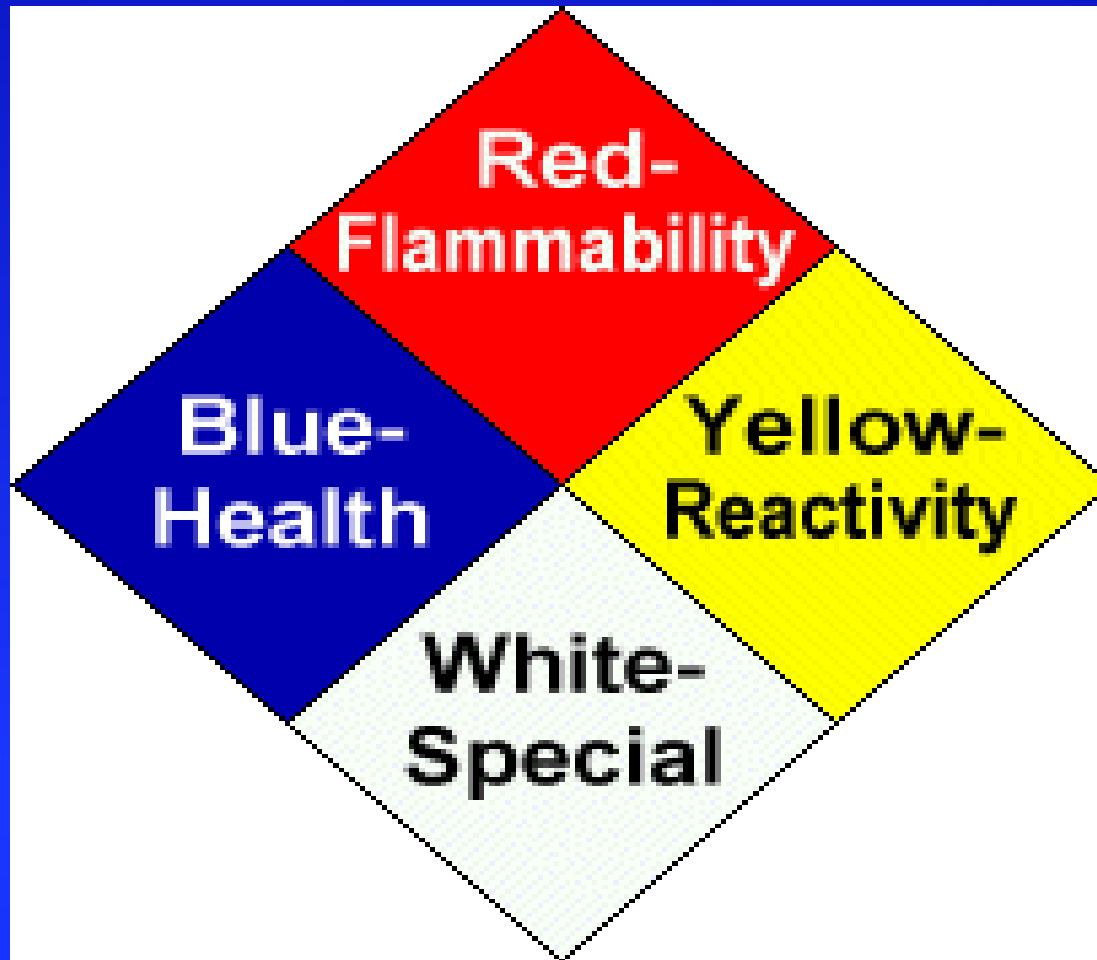
● With a capacity of 10 bbls or greater shall be labeled or posted with following information:

- Name of Operator.
- Operators emergency contact telephone number.
- Tank capacity.
- Tank Contents.
- The National Fire Protection Association (NFPA) label. This label is frequently referred as the “NFPA Hazard Diamond” .
- Effective September 1, 2009.

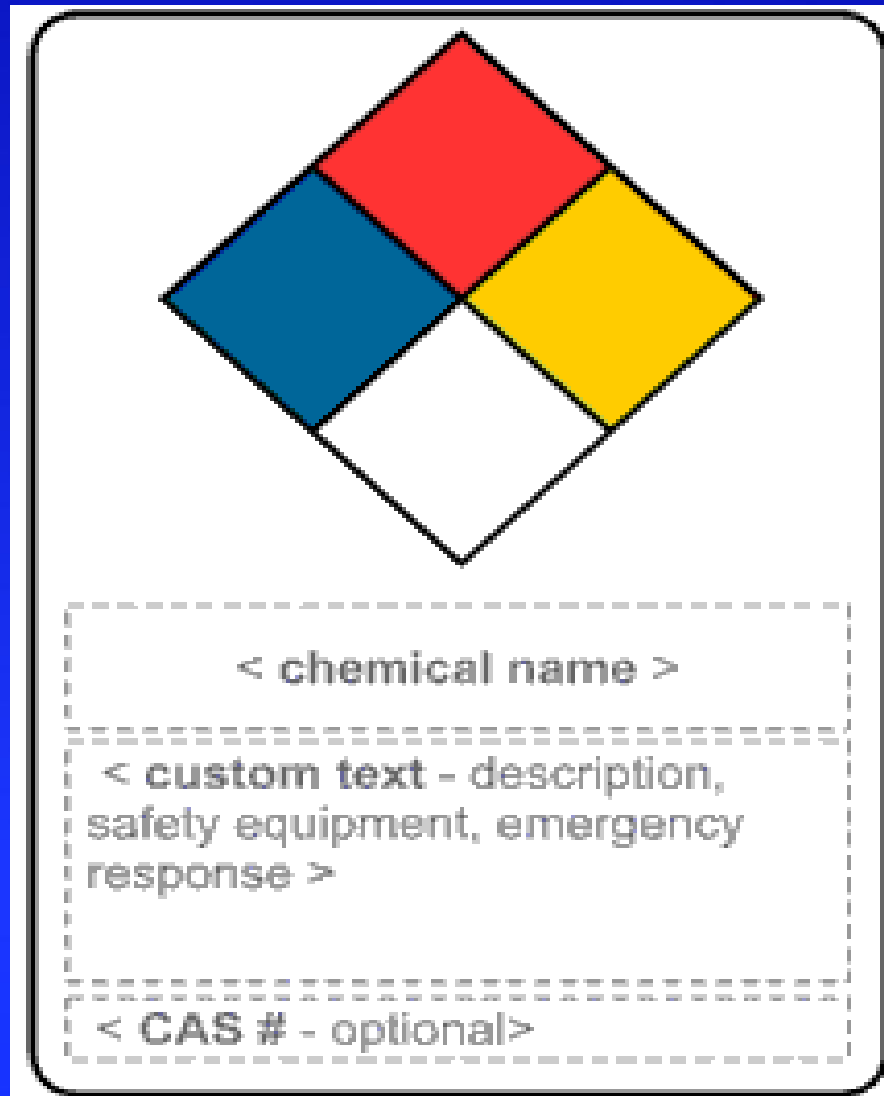
210.d.(2) Containers

- Used to store, treat or otherwise handle a hazardous material.
- Which are required to be placarded or labeled in accordance with the USDOT's Hazardous Materials Regulations shall.
 - Retain the markings, labels or placards on the container.
 - Until it is sufficiently clean of residue and purged of vapors to remove any potential hazard.

NFPA Hazard Diamond



NFPA Label



Labelmaster's Placard Finder SM



1267





