

COGCC Form 2A Modifications

Plans tab

Variances & Exemptions tab

Operator Training

January 12, 2021



COLORADO
Oil & Gas Conservation
Commission

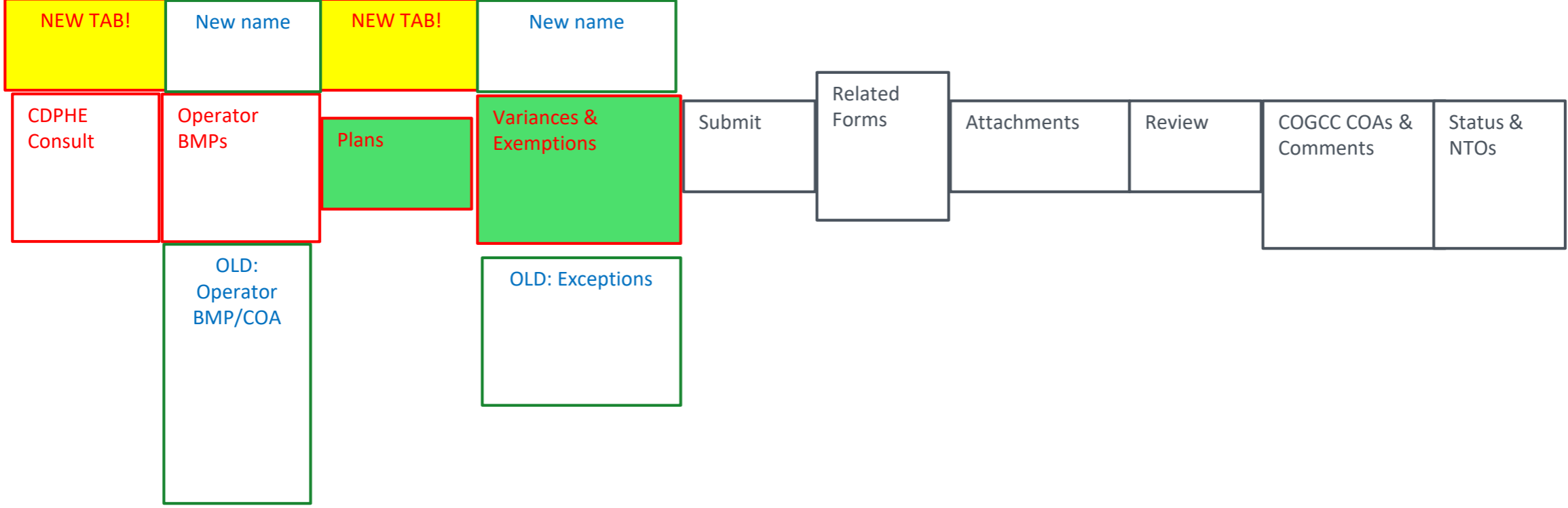
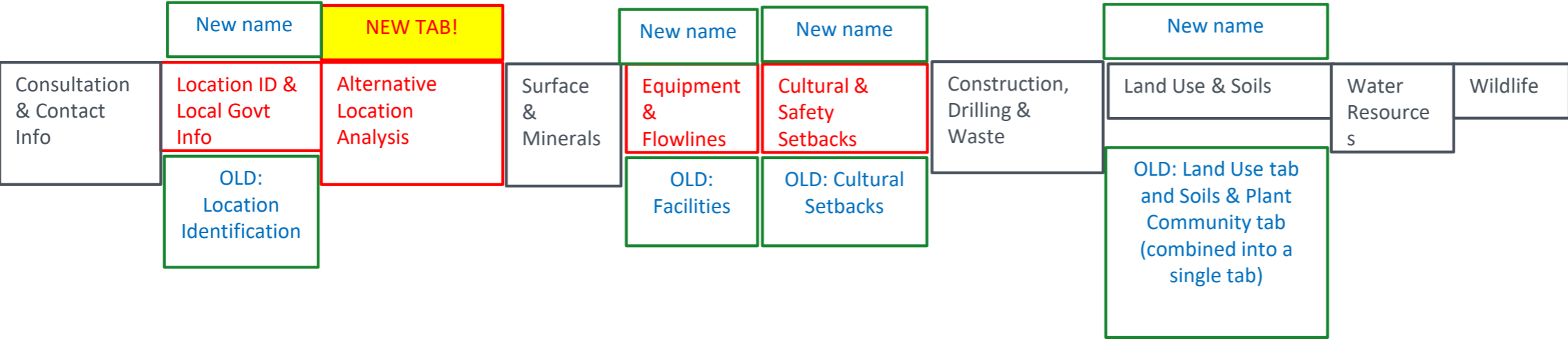
Department of Natural Resources

Overview

- Plans tab
- Variances & Exemptions tab
 - Lesser Impact Area Exemption Request attachment
 - Substantially Equivalent Information



Form 2A: Tabs in this training session



Plans tab 1 of 2 - Form 2A

Plans for Document: XXXXXXXXXXXXXXXX

Plans

- | | |
|-------------|--|
| Plan Upload | (1) Emergency Spill Response Program consistent with the requirements of Rules 411.a.(4).B, 411.b.(5).B, & 602.j |
| Plan Upload | (2) Noise Mitigation Plan consistent with the requirements of Rule 423.a |
| Plan Upload | (3) Light Mitigation Plan consistent with the requirements of Rule 424.a |
| Plan Upload | (4) Odor Mitigation Plan consistent with the requirements of Rule 426.a |
| Plan Upload | (5) Dust Mitigation Plan consistent with the requirements of Rule 427.a |
| Plan Upload | |
| Plan Upload | (7) Operations Safety Management Program consistent with the requirements of Rule 602.d |
| Plan Upload | (8) Emergency Response Plan consistent with the requirements of Rule 602.j |
| Plan Upload | (9) Flood Shut-In Plan consistent with the requirements of Rule 421.b.(1) |
| Plan Upload | (10) Hydrogen Sulfide Drilling Operations Plan consistent with the requirements of Rule 612.d |
| Plan Upload | (11) Waste Management Plan consistent with the requirements of Rule 905.a.(4) |
| Plan Upload | (12) Gas Capture Plan consistent with the requirements of Rule 903.e |
| Plan Upload | (13) Fluid Leak Detection Plan |
| Plan Upload | (14) Topsoil Protection Plan consistent with the requirements of Rule 1002.c |



Plans tab 2 of 2 - Form 2A

Plans for Document: XXXXXXXXXXXXXXXX

Plans

Plan Upload

(15) Stormwater Management Plan consistent with the requirements of Rule 1002.f

Plan Upload

(16) Interim Reclamation Plan consistent with the requirements of Rule 1003

Plan Upload

(17) Wildlife Plan consistent with the requirements of Rule 1201

Plan Upload

(18) Water Plan

Plan Upload

(19) Cumulative Impacts Plan

Plan Upload

(20) Community Outreach Plan

Plan Upload

(21) Geologic Hazard Plan



Plans tab - Example- Form 2A

Plans for Document: XXXXXXXXXXXXXXXX

Plans

Plan Upload	View Plan	(1) Emergency Spill Response Program consistent with the requirements of Rules 411.a.(4).B, 411.b.(5).B, & 602.j
Plan Upload	View Plan	(2) Noise Mitigation Plan consistent with the requirements of Rule 423.a
Plan Upload	View Plan	(3) Light Mitigation Plan consistent with the requirements of Rule 424.a
Plan Upload	View Plan	(4) Odor Mitigation Plan consistent with the requirements of Rule 426.a
Plan Upload	View Plan	(5) Dust Mitigation Plan consistent with the requirements of Rule 427.a
Plan Upload	View Plan	(6) Transportation Plan
Plan Upload	View Plan	(7) Operations Safety Management Program consistent with the requirements of Rule 602.d
Plan Upload	View Plan	(8) Emergency Response Plan consistent with the requirements of Rule 602.j
Plan Upload		(9) Flood Shut-In Plan consistent with the requirements of Rule 421.b.(1)
Plan Upload		(10) Hydrogen Sulfide Drilling Operations Plan consistent with the requirements of Rule 612.d
Plan Upload	View Plan	(11) Waste Management Plan consistent with the requirements of Rule 905.a.(4)
Plan Upload	View Plan	(12) Gas Capture Plan consistent with the requirements of Rule 903.e
Plan Upload	View Plan	(13) Fluid Leak Detection Plan
Plan Upload	View Plan	(14) Topsoil Protection Plan consistent with the requirements of Rule 1002.c



Plans tab - Checklist

Ref #	Form 2A Field	What is this?	How do you get it right?
1	PLANS	<p>1 - This is where all of the Rule 304.c. Plans are uploaded to the Form 2A.</p> <p>2 - Rule 304.c. Plans should NOT be attached via the Attachments tab.</p> <p>3 - For each plan, upload it using the corresponding upload button.</p> <p>4 - If a Lesser Impact Area exemption is being requested, then the Plan should not be uploaded and the corresponding Lesser Impact Area Exemption request checkbox should be checked on the "Variances & Exemptions" tab.</p>	
2	Emergency Spill Response Program	This is the Plan Upload button to upload the Rule 304.c.(1) Emergency Spill Response Program.	<p>1 - Refer to Rule 411.a.(4), 411.b.(5), & 602 for details on what information should be included in this Plan.</p> <p>2 - Refer to the COGCC Guidance Document on Noise Mitigation Plans for guidance specific to this Plan.</p>
3	Noise Mitigation Plan	This is the Plan Upload button to upload the Rule 304.c.(2) Noise Mitigation Plan.	<p>1 - Refer to Rule 423.a. for details on what information should be included in this Plan.</p> <p>2 - Refer to the COGCC Guidance Document on Noise Mitigation Plans for guidance specific to this Plan.</p>
4	Light Mitigation Plan	This is the Plan Upload button to upload the Rule 304.c.(3) Light Mitigation Plan.	<p>1 - Refer to Rule 424.a. for details on what information should be included in this Plan.</p> <p>2 - Refer to the COGCC Guidance Document on Light Mitigation Plans for guidance specific to this Plan.</p>
5	Odor Mitigation Plan	This is the Plan Upload button to upload the Rule 304.c.(4) Odor Mitigation Plan.	<p>1 - Refer to Rule 426.a. for details on what information should be included in this Plan.</p> <p>2 - Refer to the COGCC Guidance Document on Odor Mitigation Plans for guidance specific to this Plan.</p>



Variances & Exemptions tab - Form 2A

RULE 502.a VARIANCE REQUEST

This proposed Oil and Gas Location requires the approval of a Rule 502.a variance from COGCC Rule or Commission Order number:

RULE 304.d LESSER IMPACT AREA EXEMPTION REQUESTS

Check the boxes below for all Exemptions being requested. Lesser Impact Area Exemption Request must be attached.

- 304.b.(1). Local Government Siting Information
- 304.b.(2). Alternative Location Analysis
- 304.b.(3). Cultural Distances
- 304.b.(4). Location Pictures
- 304.b.(5). Site Equipment List
- 304.b.(6). Flowline Descriptions
- 304.b.(7). Drawings
- 304.b.(8). Geographic Information System (GIS) Data
- 304.b.(9). Land Use Description
- 304.b.(10). NRCS Map Unit Description
- 304.b.(11). Best Management Practices
- 304.b.(12). Surface Owner Information
- 304.b.(13). Proximate Local Government
- 304.b.(14). Wetlands
- 304.b.(15). Schools and Child Care Centers
- 304.c.(1). Emergency Spill Response Program
- 304.c.(2). Noise Mitigation Plan
- 304.c.(3). Light Mitigation Plan
- 304.c.(4). Odor Mitigation Plan
- 304.c.(5). Dust Mitigation Plan
- 304.c.(6). Transportation Plan
- 304.c.(7). Operations Safety Management Program
- 304.c.(8). Emergency Response Plan
- 304.c.(9). Flood Shut-In Plan
- 304.c.(10). Hydrogen Sulfide Drilling Plan
- 304.c.(11). Waste Management Plan
- 304.c.(12). Gas Capture Plan
- 304.c.(13). Fluid Leak Detection Plan
- 304.c.(14). Topsoil Protection Plan
- 304.c.(15). Stormwater Management Plan
- 304.c.(16). Interim Reclamation Plan
- 304.c.(17). Wildlife Protection Plan
- 304.c.(18). Water Plan
- 304.c.(19). Cumulative Impacts Plan
- 304.c.(20). Community Outreach Plan
- 304.c.(21). Geologic Hazard Plan

Variations & Exemptions tab - Checklist

Ref #	Form 2A Field	What is this?	How do you get it right?
1	RULE 502.a VARIANCE REQUEST (checkbox)	Checkbox indicates that the approval of the proposed oil and gas location requires the Commission to grant a Rule 502.a Variance from the requirements of a specific Rule or Order Number.	<p>1 - Check the box if the approval of the proposed oil and gas location for this well requires the Commission to grant a Rule 502.a Variance from the requirements of a specific Rule or Order Number.</p> <p>2 - If the box is checked, the number of the specific Rule or Spacing Order Number from which the variance is being requested must be entered below (Ref# 2).</p> <p>3 - If the box is checked, a Rule 502.a Variance Request Letter must be attached.</p> <p>4 - Refer to Form 2A Attachment Guidance for Variance Request requirements.</p> <p>5 - Discuss a variance with COGCC staff prior to submitting the Form 2A.</p>
2	Rule 502.a Variance Request from COGCC Rule or Order	The specific Rule or Order Number with which this proposed oil and gas location will not comply; it therefore requires the Commission to grant a Rule 502.a Variance for that specific Rule or Order Number.	<p>1 - Enter the number of the specific Rule or Order Number from which the Rule 502.a. Variance is being requested.</p> <p>2 - The checkbox above (Ref#1) must be checked.</p> <p>3 - A Rule 502.a Variance Request Letter must be attached.</p> <p>4 - Refer to Form 2A Attachment Guidance for Variance Request requirements.</p> <p>5 - Discuss a variance request with COGCC staff prior to submitting the Form 2A.</p>
3	RULE 304.d LESSER IMPACT AREA EXEMPTION REQUESTS	<p>1 - This section is where the Operator selects which information or plan requirement they are seeking a Lesser Area Exemption from.</p> <p>2 - If seeking a Lesser Impact Area Exemption, a "Lesser Impact Area Exemption Request" must be attached. See the Lesser Impact Area Exemption Request attachment guidance for more information on what needs to be included in this attachment.</p> <p>3 - If seeking a Lesser Impact Area Exemption for a Plan, there should be nothing uploaded to the corresponding Plan on the "Plans" tab.</p>	
4	304.b.(1). Local Government Siting Information	This check box indicates the Operator is seeking a lesser area exemption from providing some or all of the information required under Rule 304.b.(1). Local Government Siting Information.	<p>1 - This check box MUST be selected if a lesser area exemption from Rule 304.b.(1). Local Government Siting Information is being sought.</p> <p>2 - If the box is checked, there must be an explanation in the "Lesser Impact Area Exemption Request" attachment explaining either: how the resource of concern is not present OR how the impacts to the resource will be so minimal as to pose no concern.</p> <p>3 - If not seeking a lesser area exemption, leave box unchecked.</p>



Lesser Impact Area Exemption Request - attachment

- A SINGLE attachment will contain all lesser impact area exemption requests and will be cross-checked with the Variances & Exemptions tab and the Plans tab
- The exemption requests will be in a single long list with the following four item format:
 - Exemption being requested from:
 - ◆ The single rule the exemption is being requested from
 - Resource Concern:
 - ◆ The resource of concern the rule is addressing
 - Exemption Circumstance:
 - ◆ ONE of the following choices:
 - the impacted resource or resource concern are not present in the area
 - impacts to the resource will be so minimal as to pose no concern
 - Description:
 - ◆ A description of how the resource is not present and/or how impacts to the resource will be so minimal as to pose no concern.



Lesser Impact Area Exemption Request - example

- Requesting exemption from having to provide a Hydrogen Sulfide Drilling Plan (example):
 - Exemption being requested from: Rule 304.c.(15) Hydrogen Sulfide Drilling Plan.
 - Resource Concern: Hydrogen Sulfide.
 - Exemption Circumstance: the impacted resource is not present.
 - Description: Through a search of the COGCC records and from experience drilling in this area, hydrogen sulfide is not anticipated to be present and therefore not a concern.
- Would then move on and repeat the four items for the next rule that an exemption is being requested from.
- Rule 304.d. Lesser Impact Area Exemptions are granted during Completeness Review



Rule 304.e. Substantially Equivalent Information

- The Operator may submit substantially equivalent information or plans developed through a local or federal government land use or siting process in lieu of providing information or plans required by Rules 304.b & 304.c.
- How to submit substantially equivalent information or plans:
 - The document must have a coversheet that states the following:
 - ◆ Must state it is being submitted as a substantially equivalent document
 - ◆ Must state which local or federal government process it was developed for
 - ◆ Must state how it does not conform to COGCC rules or guidance
 - ◆ Must briefly describe why it should be accepted as substantially equivalent to the required COGCC information or plan

Rule 304.e. Substantially Equivalent Information

- Attach the information or upload the plan on the appropriate tab with the COGCC label that most reasonably approximates the information that is being submitted
 - Example: if submitting a substantially equivalent facility layout drawing, attach it via the Attachments tab and label it FACILITY LAYOUT DRAWING from the dropdown (it must have the coversheet)
- By attaching the coversheet you allow for the following:
 - Reviewer immediately knows the information is being submitted as substantially equivalent and should not immediately return the form to draft due to missing information in the attachment
 - ◆ Speeds up the process of review
 - No cover sheet = information and plan should comply with all COGCC rules and guidance

Completeness Review: Granting Exemptions and allowing Substantially Equivalent Information

- Passing Completeness by the Director Grants exemptions and accepts information or plans as substantially equivalent
 - Requests for exemptions and consideration of information or plans as substantially equivalent may be made, BUT not all requests will be granted
 - If it is determined that an exemption request or use of a substantially equivalent information or plan will not be granted, then the form will be returned to draft for the information or plan to be provided
 - Consulting with COGCC Staff prior to submittal can prevent forms being returned to draft unnecessarily
- Just because a request is granted via Completeness does not preclude the information from being requested later
 - Both Rule 301.e & Rule 303.b.(3) allow at any time before or after the granting of a Completeness determination that the Director or the Commission may request any relevant information necessary and reasonable to make a final determination of approval or denial on an OGD

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