

# *Rule 304.d Lesser Impact Area Exemptions - a Refresher*

Operator Training

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**COLORADO**  
Oil & Gas Conservation  
Commission  
Department of Natural Resources

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## *Emerging Issue:*

### *Operators are requesting unnecessary exemptions for Plans and Attachments*

- Operator time spent creating Lesser Impact Area Exemption Request attachments
- Staff time spent reviewing unnecessary requests
- Operator & Staff time spent returning Form 2As to draft for corrections



## *Solution:*

*Submit only those Exemption Requests that are applicable*

- Read the Rule to see if the Plan, Attachment, or Info is actually required
- If the Plan/Attachment/Info is NOT required by Rule for a specific Location – DO NOT request an exemption



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Some Plans/Attachments are *ALWAYS* required:

- Attach the Plan, or
- Request a Lesser Impact Area Exemption

Some Plans/Attachments are only required under certain conditions:

- If the Location meets those conditions, attach the Plan or request an exemption
- If the Location does **NOT** meet those conditions, the Plan is not required. **DO NOT** attach the Plan, and **DO NOT** request an exemption



# EXAMPLES:

## ALWAYS REQUIRED:

Noise Mitigation Plan - 304.c.(2)

Emergency Response Plan - 304.c.(8)

Geologic Hazard Map - 304.b.(7).I

Access Road Map - 304.b.(7).F

## CONDITIONALLY REQUIRED:

Odor Mitigation Plan - 304.c.(4)

- Required ONLY if WPS is within 2000' of a BU or DOAA

Emergency Spill Response Program - 301.c.(1)

- Required ONLY if operations are within 2640' of a GUDI well, Type III well, or surface water that is 15 miles or less upstream from a PWS intake

Geologic Hazard Plan - 304.c.(21)

- Required ONLY if Geologic Hazards are identified

DIC Map - 304.b.(7).J

- Required ONLY if the Location is within 2000' of a RBU, HOBU, or School within a DIC



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# Summary:

- Read the Rule to determine if the Plan or Attachment is required
- Only request a Lesser Impact Area Exemption if the Plan/Attachment is required AND you believe the resource is not present or impacts are negligible
- See Rule 304.d Guidance on our webpage under *Regulation/Forms/Form 2A* → scroll down to *Plans/Guidance 304.D Lesser Impact Areas*



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*Questions?*  
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