

September 2020 Public Comment on the update to UDC Chapter 12 - Oil & Gas

Comment	Action
Definitions	All will be reviewed before final adoption
Linear Features – Leave first sentence only?	ok - will review
Decibel – there are various ways to calculate...should we indicate the ratio of measurement squared to the reference value, also squared...?	CGRS Confirm
Expansive Soils and Rocks – Consider adding after “swelling” Any mineral, clay, rock or other type of geologic deposit having the property of absorbing water with an accompanying swelling.	
Site – operations of surface extraction <i>and</i> surface above fracking array	Legal Concern
Significantly Degrade – “significant vs trifling” very difficult to resolve infraction in grey zone	
Closed loop system – remove definition? Phrase does not appear in document?	Required by Town
Acronyms used should be defined – CDC, AQCC, WQCD, EPA,	will be added
Geologic Hazard – include coal mines	will confirm are included
Comprehensive Area Plans	not used in regs
Comprehensive Drilling plans	not used in regs
Comprehensive Drilling plans	not used in regs
High Occupancy Building Unit	not used in regs
LGD	Definition provided
10.12.1.B – Town will/can deny application if doesn’t comply with regulations	Already addressed
10.12.1.E.6 – life of permit, should not exceed life of COGCC permit? (expire after 2 years)	ok - will add
10.12.2 – notification 1 mile from posed development on new and modified development applications	Already addressed
10.12.2.E.2 – Add that NOAV’s be included and whatever resolved	COGCC retains info
10.12.2.E.3 – Retain flexibility to increase insurance amount based on size and scope of operation	ok - will review
10.12.2.E.5 – topographic map require specific area surrounding application, also include relevant geohazard and wildlife area.	Already addressed
10.12.2.E.9.b – expand CIA to include: (items listed...included in other areas of chapter), ozone levels? Air quality in non-attainment area?	Already addressed
10.12.2.E.9.c – Alternative site analysis is problematic. Only require to develop if approvable under these regulations. Reiterate no guarantee permit will be approved.	Already addressed
10.12.2.E.9 – Have plan cover area as great as the radius of longest lateral drilled from proposed location	Jurisdiction limited to surface land use impacts in Erie
10.12.2 – redundant to require neighborhood meeting and community outreach plan	ok - will review
10.12.2 – cumulative impact analysis, this is repetitive. Asking the operator to predict the future. Every operator would like to have zero impacts.	ok - leave in
10.12.2 – air quality mitigation – once an operator has met requirements, they should not be required to adhere to NEW regulations., Creates undo hardship to operator.	Does not apply to previous permitted, only new.
10.12.2. – 2,000 is arbitrary and senseless. Do this on a case by case basis or vote of the people of Erie	Board requested
10.12.2 – why not pigging? Asking operator to shut down on air quality action days, can cause greater harm. Remove ii., iii., iv., v	CGRS Confirm

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10.12.2 – well completion , seems not possible or safe – remove	CGRS Confirm
10.12.2 Noise – decided on case by case basis, re-word to reflect	Already addressed
AA – visual quality – who is in charge of defining this? Include standard for qualify or remove	ok - will review
NN – statement unclear. If operator meets all requirements, can Town still say no, don't like it?	ok - will review
10.12.2.E.9.d.i.(A) – add over the fracking array	ok - will review
10.12.2.E.9.d.i.(C) – add Colorado Geological Survey mine subsidence history	ok - will review
10.12.4 – require applicant to provide financial documents to prove applicant has necessary expertise and financial capability (could be performance bonds, irrevocable letters of credit, irrevocable trusts, forms satisfactory to Erie.)	Already addressed
10.12.4.E.3 – seismic limits must be defined	Already addressed
10.12.4.Z – strengthen	ok - will review
10.12.4.F – monitor methane	Already addressed
10.12.5.A – estimate cost of remediating orphaned locations in state	not needed in regs
10.12.7 – Enforcement. 1. Inspection ...the Town LGD shall comply with all Safety and PPE regulations required by the operator, as well as those required by the Town.	CGRS Confirm
10.12.7.C – transfer permit, attestation by operator ho permit being transferred financially able to meet requirement.	Covered by current regulation
10.12.7.D.2 – Public can find out what is happening at any given time.	not needed in regs
10.12.4	
G Odor Management – “noxious odors shall not be detectable by occupants of nearby neighborhoods”	Already addressed
I Water quality – “shall not cause significant degradation of water quality”, is there a parts per million or? Do we have to allow any degradation of water quality?	Already addressed
F. Air quality, t. Minimization of emissions 98%...who/how determines	Operator demonstrates, consultant/expert reviews, to COGCC
Y. Noise level – standards specific (will be ok with new HI zone too)	Already addressed
EE. Transportation/Traffic hours – change to 3-6 or 4-6pm vs current 3-5pm	ok - will review
NN. Benefits outweigh adverse impacts– who determines that it is mitigated?	Board of Trustees
10.12.4 Air Quality - Any flaring that is done shall be done with a flare that has a manufacturer Specification of 99% destruction removal efficiency or better. o Zero emission desiccant gas processing dehydrators or other zero emitting dehydrators. o 95% control of emissions from pigging operations. o Hydrocarbon control of 99% or better for crude oil, condensate. o Produced water tanks with uncontrolled actual emissions of VOCs greater than two TPY VOCs. o Manufacture test or other data demonstrating hydrocarbon destruction or control efficiency that complies with a design destruction efficiency of 98% or better. o Venting prohibited during all phases except for safety.	Already addressed
Flares - Recommend a requirement that any flaring that is done shall be done with a flare that has a manufacturer specification of 99% destruction removal efficiency or better.	Already addressed

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Vibration - Recommend a requirement that vibration from oil and gas operations, including seismic testing, must not create vibrations significant enough or long enough in duration to cause adverse impacts to the health, safety, welfare, or quality of life of surrounding residents and occupants or damage to existing structures.	Already addressed
Anchoring - Recommend a requirement that anchoring is required within floodplain or geological hazard areas, as needed to resist flotation, collapse, lateral movement, sinking, or subsidence, and in compliance with Federal Emergency Management Agency (FEMA). All guy line anchors left buried for future use shall be identified by a marker of bright color not less than four feet in height and not greater than one foot east of the guy line anchor	Already addressed
Burning - Recommend a more detailed requirement on burning that states no open burning of trash, debris or other flammable materials.	Can add
Berms - Recommend a more detailed requirement on berms that states berms or other secondary containment devices around crude oil, condensate, and produced water storage tanks enclosing an area sufficient to contain and provide secondary containment for 150% of the largest single tank. Berms or other secondary containment devices shall be sufficiently impervious to contain any spilled or released material. Inspection of all berms and containment devices at regular intervals, but not less than monthly. Maintenance of all berms and containment devices in good condition. A prohibition on the storage of ignition sources inside the secondary containment area unless the containment area encloses a fired vessel.	Already addressed