

(30) days of December 30, 1997. The Sundry Notice, Form 4 shall include a copy of the existing pit permit, if a permit was obtained, and a description of the closure process.

- (2) Pits closed prior to December 30, 1997 were required to be reclaimed in accordance with the 1000 Series rules. Pits closed after December 30, 1997 shall be closed in accordance with the 900 Series rules and reclaimed in accordance with the 1000 Series rules.
- (3) Operators of steel, fiberglass, concrete or other similar produced water vessels buried or partially buried and located in sensitive areas were required to repair or replace vessels and tanks found to be leaking. Operators shall repair or replace vessels and tanks found to be leaking. Operators shall submit to the Director a Sundry Notice, Form 4, describing the integrity testing results and action taken within thirty (30) days of December 30, 1997.
- (4) Closure of pits and steel, fiberglass, concrete or other similar produced water vessels, and associated remediation operations conducted prior to December 30, 1997 are not subject to Rules 905., 906., 907., 909. and 910.

**912. VENTING OR FLARING NATURAL GAS**

- a. The unnecessary or excessive venting or flaring of natural gas produced from a well is prohibited.
- b. Except for gas flared or vented during an upset condition, well maintenance, well stimulation flowback, purging operations, or a productivity test, gas from a well shall be flared or vented only after notice has been given and approval obtained from the Director on a Sundry Notice, Form 4, stating the estimated volume and content of the gas. The notice shall indicate whether the gas contains more than one (1) ppm of hydrogen sulfide. If necessary to protect the public health, safety or welfare, the Director may require the flaring of gas.
- c. Gas flared, vented or used on the lease shall be estimated based on a gas-oil ratio test or other equivalent test approved by the Director, and reported on Operator's Monthly Production Report, Form 7.
- d. Flared gas that is subject to Sundry Notice, Form 4, shall be directed to a controlled flare in accordance with Rule 903.b.(2) or other combustion device operated as efficiently as possible to provide maximum reduction of air contaminants where practicable and without endangering the safety of the well site personnel and the public.
- e. Operators shall notify the local emergency dispatch or the local governmental designee of any natural gas flaring. Notice shall be given prior to flaring when flaring can be reasonably anticipated, or as soon as possible, but in no event more than two (2) hours after the flaring occurs.

**Table 910-1  
CONCENTRATION LEVELS<sup>1</sup>**

<b>Contaminant of Concern</b>	<b>Concentrations</b>
<b>Organic Compounds in Soil</b>	
<b>TPH (total volatile and extractable petroleum hydrocarbons)</b>	<b>500 mg/kg</b>
<b>Benzene</b>	<b>0.17 mg/kg<sup>2</sup></b>
<b>Toluene</b>	<b>85 mg/kg<sup>2</sup></b>
<b>Ethylbenzene</b>	<b>100 mg/kg<sup>2</sup></b>
<b>Xylenes (total)</b>	<b>175 mg/kg<sup>2</sup></b>
<b>Acenaphthene</b>	<b>1,000 mg/kg<sup>2</sup></b>
<b>Anthracene</b>	<b>1,000 mg/kg<sup>2</sup></b>
<b>Benzo(A)anthracene</b>	<b>0.22 mg/kg<sup>2</sup></b>

Benzo(B)fluoranthene	0.22 mg/kg <sup>2</sup>
Benzo(K)fluoranthene	2.2 mg/kg <sup>2</sup>
Benzo(A)pyrene	0.022 mg/kg <sup>2</sup>
Chrysene	22 mg/kg <sup>2</sup>
Dibenzo(A,H)anthracene	0.022 mg/kg <sup>2</sup>
Fluoranthene	1,000 mg/kg <sup>2</sup>
Fluorene	1,000 mg/kg <sup>2</sup>
Indeno(1,2,3,C,D)pyrene	0.22 mg/kg <sup>2</sup>
Napthalene	23 mg/kg <sup>2</sup>
Pyrene	1,000 mg/kg <sup>2</sup>
<b>Organic Compounds in Ground Water</b>	
Benzene	5 µg/l <sup>3</sup>
Toluene	560 to 1,000 µg/l <sup>3</sup>
Ethylbenzene	700 µg/l <sup>3</sup>
Xylenes (Total)	1,400 to 10,000 µg/l <sup>3,4</sup>
<b>Inorganics in Soils</b>	
Electrical Conductivity (EC)	<4 mmhos/cm or 2x background
Sodium Adsorption Ratio (SAR)	<12 <sup>5</sup>
pH	6-9
<b>Inorganics in Ground Water</b>	
Total Dissolved Solids (TDS)	<1.25 x background <sup>3</sup>
Chlorides	<1.25 x background <sup>3</sup>
Sulfates	<1.25 x background <sup>3</sup>
<b>Metals in Soils</b>	
Arsenic	0.39 mg/kg <sup>2</sup>
Barium (LDNR True Total Barium)	15,000 mg/kg <sup>2</sup>
Boron (Hot Water Soluble)	2 mg/l <sup>3</sup>
Cadmium	70 mg/kg <sup>3,6</sup>
Chromium (III)	120,000 mg/kg <sup>2</sup>
Chromium (VI)	23 mg/kg <sup>2,6</sup>
Copper	3,100 mg/kg <sup>2</sup>
Lead (inorganic)	400 mg/kg <sup>2</sup>
Mercury	23 mg/kg <sup>2</sup>
Nickel (soluble salts)	1,600 mg/kg <sup>2,6</sup>
Selenium	390 mg/kg <sup>2,6</sup>
Silver	390 mg/kg <sup>2</sup>
Zinc	23,000 mg/kg <sup>2,6</sup>
<b>Liquid Hydrocarbons in Soils and Ground Water</b>	
Liquid hydrocarbons including condensate and oil	Below detection level

COGCC recommends that the latest version of EPA SW 846 analytical methods be used where possible and that analyses of samples be performed by laboratories that maintain state or national accreditation programs.

<sup>1</sup> Consideration shall be given to background levels in native soils and ground water.

<sup>2</sup> Concentrations taken from CDPHE-HMWMD Table 1 Colorado Soil Evaluation Values (December 2007).

<sup>3</sup> Concentrations taken from CDPHE-WQCC Regulation 41 - The Basic Standards for Ground Water.

<sup>4</sup> For this range of standards, the first number in the range is a strictly health-based value, based on the WQCC's established methodology for human health-based standards. The second number in the range is a maximum contaminant level (MCL), established under the Federal Safe Drinking Water Act which has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. The WQCC intends that control requirements for this chemical be implemented to attain a level of ambient water quality that is at least equal to the first number in the range except as follows: 1) where ground water quality exceeds the first number in the range due to a release of contaminants that occurred prior to September 14, 2004 (regardless of the date of discovery or subsequent migration of such contaminants) clean-up levels for the entire contaminant plume shall be no more restrictive than the second number in the range or the ground water quality

resulting from such release, whichever is more protective, and 2) whenever the WQCC has adopted alternative, site-specific standards for the chemical, the site-specific standards shall apply instead of these statewide standards.

<sup>5</sup> Analysis by USDA Agricultural Handbook 60 method (20B) with soluble cations determined by method (2). Method (20B) = estimation of exchangeable sodium percentage and exchangeable potassium percentage from soluble cations. Method (2) = saturated paste method (note: each analysis requires a unique sample of at least 500 grams). If soils are saturated, USDA Agricultural Handbook 60 with soluble cations determined by method (3A) saturation extraction method.

<sup>6</sup> The table value for these inorganic constituents is taken from the CDPHE-HMWMD Table 1 Colorado Soil Evaluation Values (December 2007). However, because these values are high, it is possible that site-specific geochemical conditions may exist that could allow these constituents to migrate into ground water at levels exceeding ground water standards even though the concentrations are below the table values. Therefore, when these constituents are present as contaminants, a secondary evaluation of their leachability must be performed to ensure ground water protection.

## 1000-SERIES RECLAMATION REGULATIONS

### 1001. INTRODUCTION

- a. **General.** The rules and regulations of this series establish the proper reclamation of the land and soil affected by oil and gas operations and ensure the protection of the topsoil of said land during such operations. The surface of the land shall be restored as nearly as practicable to its condition at the commencement of drilling operations.
- b. **Additional requirements.** Notwithstanding the provisions of the 1000 Series rules, when the Director has reasonable cause to believe that a proposed oil and gas operation could result in a significant adverse environmental impact on any air, water, soil, or biological resource, the Director shall conduct an onsite inspection and may request an emergency meeting of the Commission to address the issue.
- c. **Surface owner waiver of 1000-Series Rules.** The Commission shall not require compliance with Rules 1002. (except Rules 1002.e.(1), 1002.e.(4), and 1002.f, for which compliance will continue to be required), Rule 1003, or Rule 1004 (except Rules 1004.c.(4) and 1004.c.(5), for which compliance will continue to be required), if the operator can demonstrate to the Director's or the Commission's satisfaction both that compliance with such rules is not necessary to protect the public health, safety and welfare, including prevention of significant adverse environmental impacts, and that the operator has entered into an agreement with the surface owner regarding topsoil protection and reclamation of the land. Absent bad faith conduct by the operator, penalties may only be imposed for non-compliance with a Commission order issued after a determination that, notwithstanding such agreement, compliance is necessary to protect public health, safety and welfare. Prior to final reclamation approval as to a specific well, the operator shall either comply with the rules or obtain a variance under Rule 502.b. This rule shall not have the effect of relieving an operator from compliance with the 900 Series Rules.

### 1002. SITE PREPARATION AND STABILIZATION

- a. Effective June 1, 1996:
  - (1) **Fencing of drill sites and access roads on crop lands.** During drilling operations on crop lands, when requested by the surface owner, the operator shall delineate each drillsite and access road on crop lands constructed after such date by berms, single strand fence, or other equivalent method in order to discourage unnecessary surface disturbances.
  - (2) **Fencing of reserve pit when livestock is present.** During drilling operations where livestock is in the immediate area and is not fenced out by existing fences, the operator, at the request of the surface owner, will install a fence around the reserve pit.