

EH&S PERSPECTIVE

FROM A
COGCC COMMISSIONER

Observations and Trends
in Regulatory Oversight



WHO IS THIS PERSON?

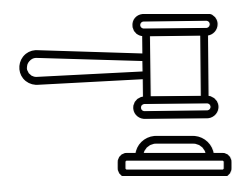


- Commissioner since October 2016
- B.S. and M.S. in geology
- Vice President of Regional Offices for LT Environmental, Inc.
- 16 years in environmental consulting in San Juan, Raton, Piceance, Bakken, Uintah, Permian, and Delaware basins
- Technical background in overall environmental compliance:
 - Soil and groundwater assessment and remediation
 - Baseline groundwater monitoring
 - Due Diligence
 - Fugitive methane seep investigations
 - Risk assessment
 - Negotiations with regulators and stakeholders
 - Federal, state, tribal, and local applicability

“The truth is I have a hard time saying no....”

Commissioner	2 Executive Directors	2 West of Continental Divide	3 With Substantial O&G Experience	2 out of 3 with degree in Petroleum Geology or Petroleum Engineering	1 Local Government Official	1 with Substantial Environment or Wildlife Protection Experience	1 with Substantial Soil Conservation or Reclamation Experience	1 engaged in Agricultural Production and a Royalty Owner	Maximum of 4 from Same Political Party (excluding directors)
Ashley Ager		X					X		D
John Benton			X	X					R
Howard Boigan			X						D
James Hawkins			X	X					D
Tommy Holton					X				R
Kent Jolley		X						X	R
Erin Overturf						X			D
Bob Randall	X								
Larry Wolk	X								

COMMISSION MAKEUP



Modified in 2007
More members and more diverse



Permanent Seats
Director of Natural Resources
Director of CDPHE



Appointment
4-year unpaid gubernatorial
appointee confirmed by Senate



Other
No more than 4 appointments
from one political party
2 from Western Slope

PURPOSE

MISSION



Foster responsible development of Colorado's oil and gas natural resources, resulting in:

- Efficient exploration and production of resources in a manner consistent with public health, safety, and welfare
- Prevention of waste
- Protection of mineral owners' correlative rights
- Prevention and mitigation of adverse environmental impacts

VALUES



- Earn the trust of the People of Colorado every day
- Conduct work with integrity, technical excellence, and a commitment to innovation
- Be as committed to protecting public health and the environment as we are to fostering development
- Provide exceptional customer service (responsive, fair, and consistent)
- Accountable to one another
- Improve every day

COMMISSION AUTHORITY



COLORADO
Oil & Gas Conservation
Commission

Department of Natural Resources

Oil and Gas Act

Jurisdiction over all persons and property, public and private, necessary to enforce the provisions of this article, and has the power to make and enforce rules, regulations, and orders pursuant to this article, and to do whatever may reasonably be necessary to carry out the provisions of the article.

au·thor·i·ty

a : power to influence or command thought, opinion, or behavior

b : freedom granted by one in authority

Foster development; prevent significant adverse impacts and protect public health, safety, welfare, including environment and wildlife, taking into account cost-effectiveness and technical feasibility;

Prevent waste; Protect Correlative Rights

COMMISSION AUTHORITY



Different than
Legislation

Different than
Judge and Jury



Attorney General
is our Legal
Advisor



The Act does not preempt
county home-rule
authority to enact land-
use regulations

When operational
conflicts exist, yield to the
state

HEARINGS

Any person, or the AG on behalf of the state, may apply for any hearing before the commission, or the commission may initiate proceedings upon any question relating to the administration of the Act, and jurisdiction is conferred upon the commission to hear and determine the same and render its rule, regulation or order with respect thereto...



QUASI-JUDICIAL

An individual or organization which has powers resembling those of a court of law or judge, able to remedy a situation or impose a legal penalty on a person or organization

HEARINGS

FREQUENCY

About 9 per year

TOPICS

Spacing and Pooling
Enforcement/NOAVs/Fines
Protests
Rules and Regulations



COLORADO

Oil & Gas Conservation
Commission

Department of Natural Resources

**FINAL
FULL**

**HEARING AGENDA
(AS OF 01/26/2018)**

**COGCC offices
The Chancery Building
1120 Lincoln Street, Suite 801
Denver, CO 80203**

Please silence all cell phones and personal communication devices during the hearing.
Please note that all beverages should have a spill proof lid.

The times associated with each docketed item are subject to change. The Commission reserves the right to call any and all agenda items out of order. The Hearing Agenda is a guidance document and not part of the record for purposes of Notice.

Monday, January 29, 2018

General Session

- ⌚ 9:00 a.m. Roll Call of Commissioners
- Approval of Minutes
- ⌚ 9:05 a.m. Report from the Executive Director's Office
- ⌚ 9:10 a.m. Report from the Director – Staff Report available
- ⌚ 9:40 a.m. Commissioner Comments
- ⌚ 10:00 a.m. Audience Comments
- ⌚ 12:00 p.m. Lunch Break/Executive Session: LOGIC Petition for Rulemaking - To receive legal advice and analysis, as authorized by 24-6-402(3)(a)(II), C.R.S., on the December 6, 2017 petition for rulemaking from the League of Oil and Gas Impacted Coloradans.
- ⌚ 1:00 p.m. Consent Agenda

90 Hearing Officer Recommendations under Rule 511.

General

Group A (12)
ConocoPhillips

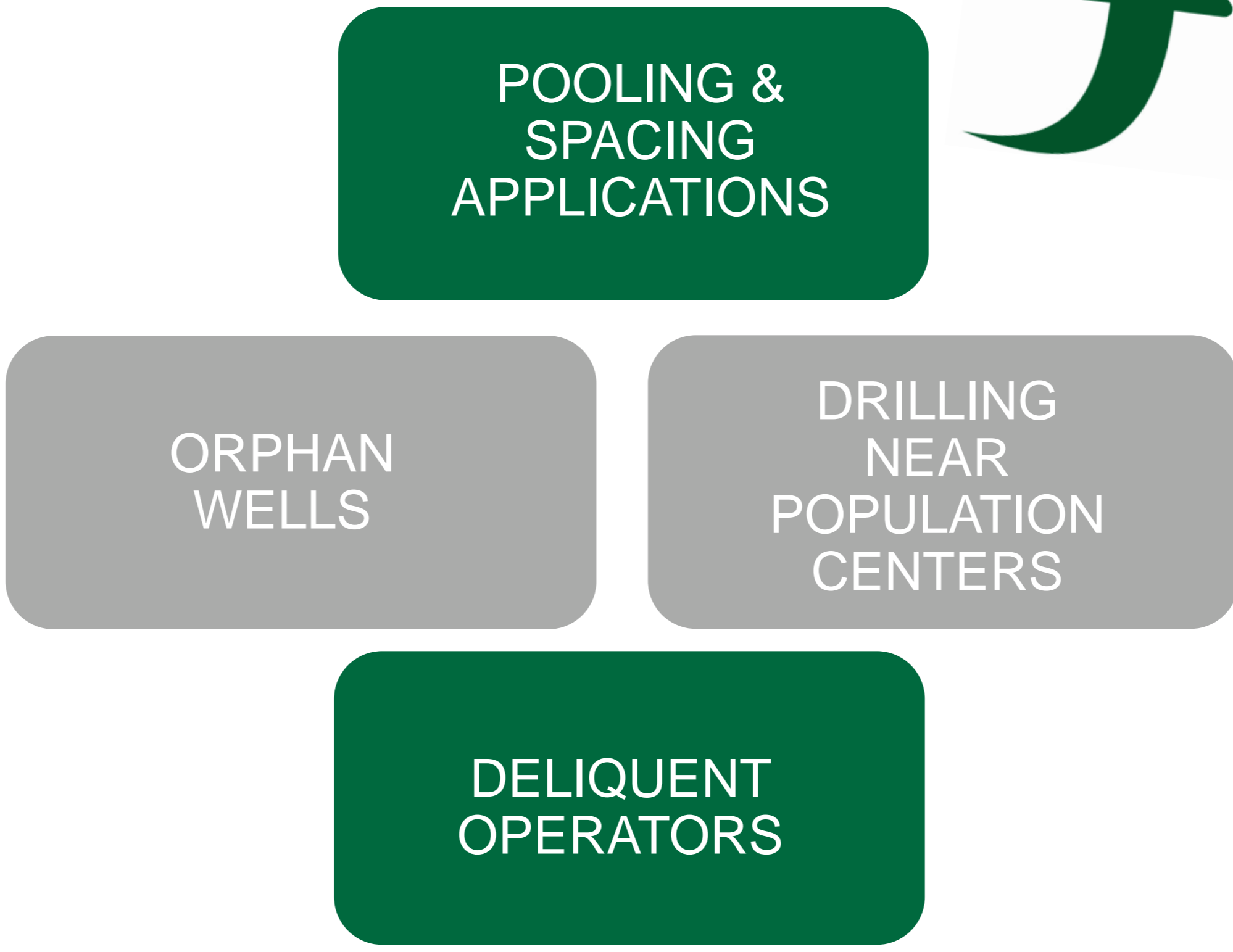
Group B (4)
Great Western

TRENDS

First to File
—
Volume, protests, complicated



FINANCIAL ASSURANCE/
BONDING
—
Additional funding for wells



POOLING &
SPACING
APPLICATIONS

ORPHAN
WELLS

DRILLING
NEAR
POPULATION
CENTERS

DELIQUENT
OPERATORS

PUBLIC PARTICIPATION AND PERCEPTION

Report: Living near oil and gas wells could increase risk of cancer, other health problems

By LAURA SANTHANAM
Published: April 9, 2018



“Orphaned’ oil and gas wells are on the rise

By Joshua Zaffos
Published: January 21, 2018



Proposed Oil and Gas Operation Causes Tension



Published: October 24, 2017

Garfield County to study sources of air pollution



By Dennis Webb
Published: March 22, 2018

Colorado oil and gas regulators face flak from communities as they refine pipeline rules

By Bruce Finley
Published: January 9, 2018



Draft environmental assessment for potential oil drilling near Colorado Sand Dunes doesn’t say much

By Rae Ellen Bichell
Published April 10, 2018



Colorado AG, oil and gas industry groups urge state Supreme Court to relax rule for protecting public health and the



environment

By Bruce Finley
Published: August 3, 2018

Three Colorado Democrats debate fracking as they run for governor of Colorado



By Corey Hutchins
Published: April 12, 2018

PUBLIC PARTICIPATION



New Process and Interface for Public Comments



Up to three hours of public testimony each hearing, aggressive, organized, and certain; elected officials; affected individuals

NEW PARTICIPANTS & NEIGHBORS

NOTIFICATIONS

HIGHER
EXPECTATIONS

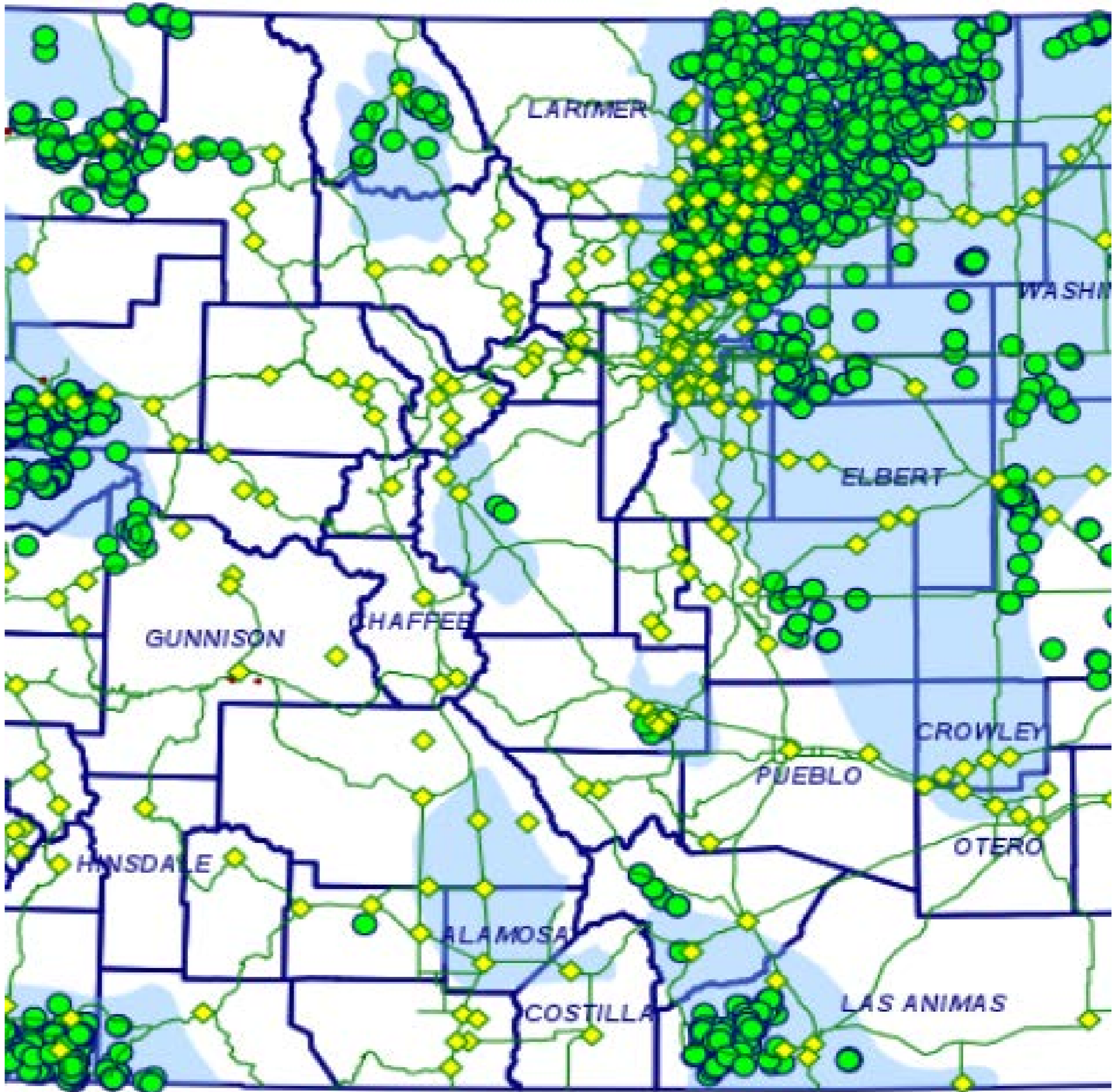
FORCE POOLING

DETAILS



LOCAL GOVERNMENTS

Local Governments will continue to play a larger role



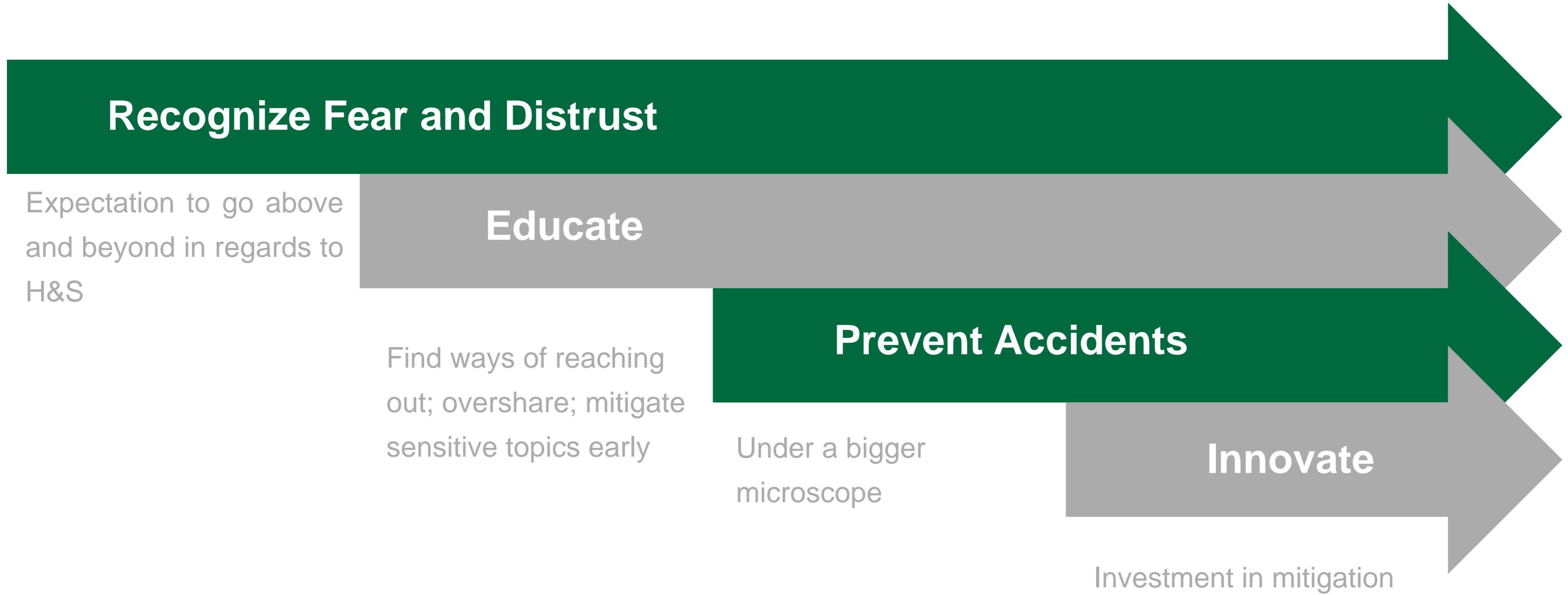
CONCERNS



H&S CONCERNS

- AIR
- ODORS
- FIRES
- NOISE
- EXPOSURE
- ALLERGIES
- DUST
- GROUNDWATER
- SURFACE WATER

MITIGATION



THANK YOU!