



COGCC OPERATOR GUIDANCE NOTICE TO SURROUNDING BUILDING OCCUPANTS

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Background

Following the release of the [“Final Report: Human Health Risk Assessment for Oil and Gas Operations in Colorado”](#) by the Colorado Department of Public Health and Environment (CDPHE) on October 17, 2019, the COGCC has enhanced its review on all permits for oil and gas locations within 2,000 feet of building units. While the report indicates short-term health risks are unlikely, the Director has determined it to be in the best interest of the public to ensure that neighbors near proposed oil and gas locations are aware of the health study and its findings. Therefore, as part of the Form 2A, Oil and Gas Location Assessment Permit review, the Director will request the applicant to consider providing additional notice and information to residents within 2,000 feet of the planned locations. This document describes the expectations for that notice.

Notice not a Requirement

The Director's request to provide the notices to the occupants of all residential building units within 2000' of a proposed operation is not a requirement for permit approval. However, this request is being made as part of the review of a Form 2A, Oil and Gas Location Assessment or stand-alone Form 2, Application for Permit to Drill. If the Operator declines to send notices, the COGCC may, on its own accord, take action to provide the notice. Again, whether to provide notice is a volitional action on the part of the Operator, and failure to provide notice will not result in any negative or adverse impacts to the Operator's proposed permit.

Recipients

If notice is to occur, whether by the Operator or by the COGCC, the notice should be provided to building unit occupants within 2,000 feet of the oil and gas location as measured from nearest edge of disturbed area to nearest wall of any home within

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2,000 feet. Applicants should be over-inclusive, not exclusive, when determining whether or not to notice. Non-resident building unit owners may also be noticed because the notice is intended to reach the occupants of the nearest homes, even if they are renters. Notice should go to all residents in a subdivision or neighborhood if some of the residents are afforded notice. Additionally, notice should go to relevant homeowners associations and other locally affiliated organizations.

Notice Content

The notice, if provided by an Operator, should be on company letterhead and should include the following information:

1. Date of notice
2. Subject line: "Notice of Planned Oil and Gas Activity Near Your Residence"
3. Owner or Occupant as addressee
4. Operator information, including direct contact
5. Description of the location of proposed activity, including information directly relevant to the recipient, i.e. distance and direction from the home to the well site and other identifying features describing where the location is
6. Description of the wells and equipment at the proposed location
7. General timing of operations, including estimated dates and durations of different pre-production phases (construction, drilling, hydraulic fracturing, and flowback)
8. Information regarding COGCC and local government permits and how the recipient can access the permits, including any public comment opportunities
9. Contact information for COGCC and the local government, unless already provided in other notices to recipient
10. Any other relevant or useful information

Attached to the letter should be the following:

1. Map (preferably with recent aerial imagery) showing the proposed location
2. COGCC Fact Sheet: Oil and Gas Within 2,000 Feet

Other information, as deemed relevant by the Operator, may be included as well.

Documentation

Following delivery of notices, the applicant should email the Director, by way of the Oil and Gas Location Assessment Specialist. The email should include:

1. The Form 2A document number
2. The number of notices sent
3. Method of delivery, including delivery confirmation if applicable

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4. Feedback received from notice recipients
5. Any responses given or operational or management practices modified or employed to address any feedback received

A copy of a typical notice letter sent, as related to the current Form 2A, should be attached to the email. Additionally, a map showing the proposed location and all building units that were notified should be included.

Attached to this guidance document are examples of the notice letter and email to the Director.

Document Change Log

Change Date	Description of Changes
January 22, 2020	Initial Release