

AMENDMENTS TO CHAPTER 12 OF TITLE 10 OF THE UNIFIED DEVELOPMENT
CODE, REGULATIONS FOR OIL AND GAS OPERATIONS,

New text is underlined; deleted text is shown with ~~strike through~~.

10.12.1 GENERAL PROVISIONS

REVISE **10.12.1.I** to insert a new definition (in alphabetical order):

Local Government Designee or LGD

The office designated to receive, on behalf of the Town of Erie, copies of all documents required to be filed with the local governmental designee pursuant to the Colorado Oil and Gas Conservation Commission Rules and these Oil and Gas Regulations.

**10.12.2.D PERMIT APPLICATION MATERIALS FOR OIL AND GAS
OPERATIONS**

Section 10.12.2.D.7, Reports/Studies/Plans

MAKE THE FOLLOWING REVISIONS TO **10.12.2.D.7**, Reports/Studies/Plans, AND
REVISE NUMBERING AS NECESSARY.

REVISE **10.12.2.D.7.f** to read as follows:

f. Emergency Response Plan

A plan that addresses events such as explosions, fires, gas or water pipeline leaks or ruptures, leaks from well casings and pits, tank leaks or ruptures, hydrogen sulfide or other toxic gas emissions, transportation of hazardous material and vehicle accidents or spills. The plan must include proof of adequate personnel, supplies, and funding to immediately implement the emergency response plan at all times during construction and Operations. The plan must detail how the Operator's personnel will coordinate with the first responders including but not limited to the Erie Police Department and the Mountain View Fire Protection District.

REVISE **10.12.2.D.7.i** to read as follows:

i. Lighting

A plan for installation of down cast lighting or some other form of lighting that mitigates light pollution and prevents spill-over onto adjacent properties; provided, however, that the Operator may still use lighting that is necessary for public and occupational safety.

ADD a new **10.12.2.D.7.n** to read as follows:

n. Roadway Impact Analysis and Mitigation Plan.

i. A Traffic Impact Analysis that provides, at a minimum, the existing street capacity and level of service for each of the roadways to be used by the operation;

the estimated number of round trip vehicle trips per day for each type of vehicle by phases (i.e. drilling, completions, production), vehicle access and loading points; impacts on adjacent neighborhoods; impacts to traffic safety including vehicle, pedestrian, bicycle and related transportation modes.

- ii. A Traffic Mitigation Plan that propose measures to mitigate impacts to the roadways from increased traffic associated with the oil and gas operation to ensure that such impacts do not cause a decrease in the level of service or safety for the affected roadways. Mitigation measures shall be acceptable to the Town and may include, without limitation: an access management plan; street improvements on or off the site; placement of pedestrian, bicycle or transit facilities on or off the site; or other capital improvement projects such as traffic calming infrastructure, traffic lights, or other capacity improvements. The Town may require that the plan include, as deemed appropriate, traffic monitoring at each phase of the operation.

REVISE 10.12.2.D.7.n to read as follows:

no. **Traffic Management Plan**

A plan showing proposed access routes to and from the site, haul routes, and measures to mitigate adverse impact to traffic patterns and safety caused by the proposed operation.

REVISE 10.12.2.D.7.p to read as follows:

pq. **Stormwater ~~Control~~ Management Plan**

A site-specific stormwater management plan to minimize impacts to surface waters from erosion, sediment, and other sources of nonpoint pollution, The stormwater management ~~control~~ plan required by COGCC Rule 1--2(f) may be provided to establish compliance with this provision.

ADD a new **10.12.2.D.7.r** to read as follows:

r. **Waste Water and Waste Management Plan.**

A plan that provides for the following:

- i. All fluids will be contained and there will be no discharge of fluids.
- ii. Waste will be stored in tanks, transported by tanker trucks and/or pipelines, and disposed of at licensed disposal or recycling sites.
- iii. No land treatment of oil impacted or contaminated drill cuttings is permitted within the Town.
- iv. Operator will not dispose of any waste water within the Town.

ADD a new **10.12.2.D.7.s** to read as follows:

s. **Noise Mitigation and Monitoring Plan.**

A plan that ensures compliance with the noise mitigation requirements set forth in Section 10.12.4.A. The plan will provide for continuous monitoring from four (4) sides of

the facility at least 350 feet from the sound wall where possible, provided that approval from surrounding surface owners can be obtained. The plan should identify site-specific noise mitigation techniques such as dirt moving to attenuate noise, and source-based noise mitigation.

ADD a new **10.12.2.D.7.t** to read as follows:

t. Odor Management Plan.

A plan to mitigate the emission of detectable odors by the Oil and Gas Operation and ensure compliance with the odor management requirements set forth in Section 10-12-3.B.1.g, and to ensure that the Operation will not create a public nuisance as set forth in Section 5-1-6.H of the Municipal Code.

10.12.3.B CLASSIFICATION OF PERMIT APPLICATIONS

Section 10.12.3.B.1, Oil and Gas Operations Classified as Type A

MAKE THE FOLLOWING REVISIONS TO **10.12.3.B.1** AND REVISE NUMBERING AS NECESSARY

REVISE **10.12.3.B.1.a** to read as follows:

- a. ~~The Operation will be at least 1000 feet from occupied buildings or occupied buildings permitted or construction.~~ Any type of well pad and above-ground production facility will be located at least 1000 feet from occupied buildings, or a proposed building that has applied for a building permit that requires a certificate of occupancy pursuant to the UDC. Measurement shall be taken from the edge of either the nearest well pad or above-ground production facility to the nearest wall or corner of any such buildings.

REVISE **10.12.3.B.1.b** to read as follows:

- b. ~~Wells and production facilities shall be 750 feet or more from Erie platted residential lots or parks, sports fields and playgrounds, or other designated outside activity areas.~~ Any type of well pad and above-ground production facility will be located at least 1000 feet from the boundary line of platted residential lots or parks, sports fields and playgrounds. Measurement shall be taken from the edge of either the nearest well pad or above-ground production facility to the boundary line of the platted residential lots or any outdoor activity area.

REVISE **10.12.3.B.1.f** to read as follows:

- f. The Operator agrees to control noise levels as follows.
 - i. For db(A) scale noise, Operator will insure that the noise level from Operations subject to the light industrial zone noise standard under COGCC Regulations 802.b and 604.c.(2)(A) does not exceed sixty (60)

db(A) and that the noise level from Operations subject to the industrial zone noise standard under COGCC Regulations 802.b and 604.c.(2)(A) is reduced at least five (5) db(A) below the maximum level permitted by those Regulations. For this purpose, the noise level shall be measured as set forth in COGCC Regulations 802.b and c, except no measurements shall be taken when traffic is passing the sound level meter, and Operator shall be present during all measurements. As set forth in COGCC Regulation 802.b, the noise levels shall be subject to increase for a period not to exceed fifteen (15) minutes in any one (1) hour period and reduction for periodic, impulsive or shrill noises.

- ii. For db(C) scale noise, Operator shall comply with the requirements of COGCC Regulation 802 will measure sound levels during drilling and hydraulic fracturing consistent with the guidance set forth in COGCC Rule 802, and Operator will share these measurements with the LGD every seventy-two (72) hours. If a measurement exceeds the existing ambient noise level from all other sources by three (3) db(C), then Operator will immediately obtain a low frequency noise impact analysis by a qualified sound expert, including identification of any reasonable control measures that will be employed to mitigate such low frequency noise impact. The results will be submitted to the LGD as soon as they are available, and upon approval by the LGD, shall implement those measures.

DELETE 10.12.3.B.1.g.i and 10.12.3.B.1.g.ii.

ADD a new 10.12.3.B.1.g to read as follows:

g. Leak Detection and Repair.

- i. Operator will develop and maintain an acceptable leak detection and repair (“LDAR”) program as required by Colorado Air Quality Control Commission (AQCC) including audio-visual-olfactory (AVO) and Approved Instrument Monitoring Method (AIMM) inspections, specifically, optical gas imaging infra-red cameras for inspection of equipment used at production facilities and well pad sites. Infra-red camera and AVO monitoring will occur on a monthly frequency at production facilities and well pad sites. The first inspection will occur between fifteen (15) and thirty (30) days of the facility’s Date of First Production. Operator will maintain records of all leaks found, date the leaks were repaired and the date the location is re-screened to verify that the leak has been repaired. Such records must be maintained for five (5) years and must be made available to the Town upon request. Except when an emergency circumstance would necessitate an immediate repair, Operator will repair leaks within five (5) days. If more than five (5) days is needed to repair a leak after its discovery, an explanation of why more time is required must be submitted to the Town before expiration of the

five (5) days. Operator will notify the Town five (5) business days prior to an LDAR inspection of its facilities to provide the Town the opportunity to observe the inspection.

- ii. Operator will provide to the LGD a monthly LDAR report organized by facility detailing the inspection results, any associated repairs, and any outstanding leaks. Operator will also provide a copy of all reports submitted to the AQCC in compliance with Regulation 7 Section XII.F, including monthly downtime reports and semi-annual control equipment status reports for production facilities located within Erie Town Limits. The Town will make this information available on its website, or may provide a link for such information from Town's website to Operator's website.

REVISE 10.12.3.B.1.g.iii to read as follows:

- h. **Well Completion Emissions Control.** For each well completion operation with hydraulic fracturing, the Operator will control emissions by the following procedures.
 - i. For the duration of flowback, route the recovered liquids into one or more storage vessels or re-inject the recovered liquids into the well or another well, and route the recovered gas into a gas flow line or collection system, re-inject the recovered gas into the well or another well, use the recovered gas as an onsite fuel source, or use the recovered gas for another useful purpose that a purchased fuel or raw material would serve, with no direct release to the atmosphere.
 - ii. If compliance with the prior paragraph is infeasible, the Operator must capture and direct flowback emissions to a completion combustion device equipped with a reliable continuous ignition source over the duration of flowback, except in conditions that may result in a fire hazard or explosion, or where high heat emissions from a completion combustion device may negatively impact waterways or nearby structures. Non-flammable gas may be vented temporarily until flammable gas is encountered where capture or combustion is not feasible.
- ~~h. The Operation will recycle and reuse water at the pad sites and otherwise minimize waste water production to the extent that it is determined such recycling, reuse, and waste water minimization is technically and economically feasible. [SEE 10.12.4.B.28]~~
- ~~i. If water is not being piped to a well pad site, the proposed Operation will utilize Town water rather than trucking water to the site. [SEE 10.12.4.B.23]~~
- ~~j. The Operation will not utilize Class II underground injection control wells. [SEE 10.12.4.B.24]~~

ADD a new **10.12.3.B.1.i** to read as follows:

- i. Other Emissions Minimization Requirements.**
 - i. Operator will use Tier 2 and liquefied natural gas dual fuel hydraulic fracturing pumps. When Tier 4 fracturing pumps become technologically feasible, and readily available using Liberty Quiet Fleet or comparable technology, then Operator will begin using such Tier 4 fracturing pumps. Operator will use diesel and natural gas co-fired Tier 2 or Tier 3 engines and natural gas fired spark ignition engines.
 - ii. Operator will use pipelines for all transportation of gas and fluids from production facilities.
 - iii. Operator will demonstrate hydrocarbon destruction or control efficiency by using an enclosed combustion device that complies with a design destruction efficiency of 98% or better. This does not require a determination by Colorado Air Pollution Control Division that the design destruction efficiency is 98%.
 - iv. Operator will reduce emissions of the natural gas byproduct associated with oil and gas well production. Emission reduction includes prohibiting uncontrolled venting in compliance with AQCC Regulation 7 Section XII.C.1.
 - v. Operator will Implement best management practices during liquids unloading (i.e., maintenance activities to remove liquids from existing wells that are inhibiting production), including at least 95% emissions reduction when utilizing combustion and the installation of artificial lift or unloading through the separator where feasible.

ADD a new **10.12.3.B.1.j** to read as follows:

- j. Ambient Air Sampling.** Operator will conduct a specific ambient air quality test that is approved by the Town that includes:
 - i. Pre-construction baseline air quality testing, completed within 500 feet of the well sites if approval from surrounding surface owners can be obtained.
 - ii. Monitoring conducted by a consultant mutually agreed to by both the Operator and the Town and paid for by Operator.
 - iii. Town may require Operator to conduct additional air monitoring as needed to respond to emergency events such as spills, process upsets, or

accidental releases. Operator will provide access to the well sites to the Town's third-party inspector to allow air sampling to occur.

- iv. Operator will provide the raw data from air quality sampling to the LGD upon request.

ADD a new **10.12.3.B.1.k** to read as follows:

- k. **Air Quality Action Days.** Operator will respond to air quality Action Day advisories posted by the CDPHE for the Front Range Area by implementing their suggested air emission reduction measures as feasible. Emission reduction measures will be implemented for the duration of an air quality Action Day advisory and may include measures such as:
 - (i) Minimize vehicle and engine idling;
 - (ii) Reduce truck traffic and worker traffic;
 - (iii) Delay vehicle refueling;
 - (D) Suspend or delay use of fossil fuel powered ancillary equipment; and
 - (E) Postpone construction activities, to the maximum extent practicable.

ADD a new **10.12.3.B.1.l** to read as follows:

- l. **Air Quality Reporting.** Operator will submit annual reports to the LGD certifying (1) compliance with these air quality requirements and documenting any periods of material non-compliance, including the date and duration of each such deviation and a compliance plan and schedule to achieve compliance, and (2) that the equipment at the well sites continues to operate within its design parameters, and if not, what steps will be taken to modify the equipment to enable the equipment to operate within its design parameters. The annual report must contain a certification as to the truth, accuracy and completeness of the reports, signed by a responsible corporate official.

10.12.4. OIL AND GAS APPROVAL STANDARDS
Section 10.12.4.B, Standards Applicable to Type A and Type B Permits.

REVISE **10.12.4.B.5** to read as follows:

5. Natural Resource Areas

The Oil and Gas Operation may not be located so as to cause significant degradation of natural landmarks, rare plant species, riparian corridors, wildlife habitat, areas designated in the Town's open space management plan as natural areas or other sensitive areas.

ADD a new **10.12.4.B.20** to read as follows and renumber as necessary:

20. Chemical Disclosure and Storage.

Prior to bringing hydraulic fracturing chemicals onto the property, the Operator shall make available to the Town, in table format, the name, Chemical Abstracts Service (CAS) number, storage, containment and disposal method for such chemicals to be used on the well site, which the Town may make available to the public as public records. Fracturing chemicals shall be uploaded onto the FracFocus website within sixty (60) days of the completion of fracturing operations. The Operator shall not permanently store fracturing chemicals, flowback from hydraulic fracturing, or produced water in the Town limits. Operator shall remove all hydraulic fracturing chemicals at a well site within thirty (30) days following the completing of hydraulic fracturing at that well site. The following chemicals will not be added to the hydraulic fracturing fluids used at the well sites:

Ingredient Name	CAS#
Benzene	71-43-2
Lead	7439-92-1
Mercury	7439-97-6
Arsenic	740-38-2
Cadmium	7440-43-9
Chromium	7440-47-3
Ethyl benzene	100-41-4
Xylenesf	1330-20-7
1,3 ,5-trimethylbenzene	108-67-8
1 ,4-dioxane	123-91-1
1-butanol	71 -36-3
2-butoxyethanol	111-76-2
N ,N -dimethylfonnamide	68-12-2
2-ethylhexanol	104-76-7
2-mercaptoethanol	60-24-2
benzene, 1, 1'-oxybis-, tetrapropylene derivatives,sulfonated, sodium salts (BOTS)	119345-04-9
butyl glycidyl ether	8/6/2426
polysorbate 80	9005-65-6
quatemary ammonium compounds, dicoco alkyldimethyl, chlorides (QAC)	61789-77-3
bis hexamethylene triamine penta methylene phosphonic acid (BMPA)	35657-77-3
diethylenetriamine penta (methylene-phosphonic acid)(DMPA)	15827-60-8
FD&C blue no. 1	3844-45-9
Tetrakis(triethanolaminato) zirconium(IV) (TTZ)	101033-44-7

REVISE and **RENUMBER 10.12.4.B.20** as follows:

21. Spill Release Response and Reporting

The Operator has demonstrated the ability to control and contain all spills and releases of

exploration and production waste, including produced fluids, immediately upon discovery in compliance with the Emergency Response Plan and the following requirements:

- a. Implementation of a Spill Prevention, Control, and Countermeasure (SPCC) Plan as required by the EPA for all facilities with a minimum collective 1320 gallons of oil storage or greater.
- ab. Impacts resulting from spills and releases shall be investigated and cleaned up as soon as practicable.
- bc. For all spills and releases reportable under COGCC Rule 906, within ten (10) days after discovery Operator shall submit to the LGD a copy of the spill and release report (COGCC Form 19), including the topographic map showing location of the spill and any information relating to initial mitigation, site investigation, and remediation that accompany the report.
- ed. For spills and releases which exceed twenty (20) barrels of exploration and production waste, the spill and release shall be verbally reported to the LGD as soon as practicable, but not more than ~~twenty-four (24)~~ four (4) hours after discovery.
- e. For spills and releases which exceed five (5) barrels of exploration and production waste, the spill and release shall be verbally reported to the LGD as soon as practicable, but not more than ten (10) days after discovery.
- f. Operator shall notify the affected surface owner or the surface owner's appointed tent of reportable spills as soon as practicable, but not more than twenty-four (24) hours after discovery. A copy of the spill release report, including the topographic map showing location of the spill and any information relating to initial mitigation, site investigation, and remediation.
- dg. Spills and releases of any size which impact or threaten to impact any waters of the state, residence or occupied structure, livestock, or public byway shall be verbally reported to the Director as soon as practicable, but not more than twenty-four (24) hours after discovery.
- eh. Spills and releases of any size which impact or threaten to impact any water supply area shall be verbally reported to the National Response Center at 1-800-424-9902, to the Colorado Environmental Spill Reporting Hotline at 1-877-518-5608, and to the LGD and to the Director immediately after discovery.
- fi. Spills, chemical spills and releases shall be reported in accordance with applicable state and federal laws, including the Emergency Planning and Community Right to Know Act, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Oil and Pollution Act, and the Clean Water Act, as

applicable.

- j. Operator shall notify the LGD upon discovery of any spill of any material on permeable ground on the well sites that has a reportable spill quantity under any law. Operator will provide the LGD with a copy of any self-reporting submissions that Operator provides to the COGCC due to any spills at the well sites.

ADD a new **10.12.4.B.22** to read as follows:

22. Air Quality

a. Minimization of Emissions. To minimize emissions, the Operator will:

- i. Use electric equipment and line power if available at the site.
- ii. All ~~permanent~~ equipment with engines or motors that can be electrified shall be electrified from the power grid or from renewable sources. All well pads that are not electrically operated should use quiet design mufflers (also referred to as hospital grade or dual dissipative) or equivalent; or acoustically insulated housing or covers to enclose the motor or engine. Operator will use best available technology from Liberty Quiet Fleet or comparable technology on all well pad sites.
- iii. Comply with traffic provisions set forth in the Traffic Management Plan, including any limitations on truck traffic to and from the site.
- iv. Install, calibrate, operate, and maintain any flare, auto ignition system, recorder, vapor recovery device or other equipment used to meet the hydrocarbon destruction or control efficiency requirement in accordance with the manufacturer's recommendations, instructions, and operating manuals. Use telemetric control and monitoring systems, including surveillance monitors to detect when pilot lights on control devices are extinguished.
- v. Not use glycol dehydrators.
- vi. Not use desiccant gas processing dehydrators.
- vii. Comply with the Odor Management Plan.
- viii. Reduce or eliminate emissions from oil and gas pipeline maintenance activities such as pigging or blowdowns. If any maintenance activity will involve the intentional venting of gas from a well tank, compressor or pipeline, beyond routine pipeline maintenance activity and pigging, Operator will provide forty-eight (48) hour advance written notice of the proposed venting to the Town. Such notice will identify the duration and

nature of the venting event, a description as to why venting is necessary, a description of what vapors will likely be vented, what steps will be taken to limit the duration of venting, and what steps the operator proposes to undertake to minimize similar events in the future. If emergency venting is required, or if accidental venting occurs, Operator will provide notice to the Town as soon as possible, but no longer than twenty-four (24) hours from the time of the event, with the information listed above and with an explanation as to the cause and how the event will be avoided in the future.

- ix. Comply with dust suppression techniques.
 - x. Centralize compression facilities within a well site.
 - xi. Eliminate or minimize flaring to the maximum extent practicable.
 - xii. Vent exhaust from all stationary engines, motors, chillers and other mechanized equipment up or in a direction away from the closest occupied structures to such equipment.
 - xiii. Use a pressure-suitable separator and/or vapor recovery unit (VRU) if applicable.
 - xiv. Construct flowline infrastructure prior to beginning production.
- b. **Compliance.** Operator will submit its AQCC Regulation 7 annual reports to the Town and concurrently provide the LGD with a copy of any self-reporting submissions that Operator provides to the CDPHE due to any incidence of non-compliance with any CDPHE air quality rules or regulations at the well sites.

ADD 10.12.4.B.23 to read as follows:

23. Water Supply.

Operator will use nearby water sources other than Erie municipal water for drilling and hydraulic fracturing whenever such water sources are available. Operator may use municipal water supply for these purposes only upon approval by the Board of Trustees.

ADD 10.12.4.B.24 to read as follows:

24. Use of Underground Injection Wells Prohibited.

The Operation will not use Class II underground injection control wells within the Town limits.

REVISE and RENUMBER 10.12.4.B.22 to read as follows:

2226. General Operations and Maintenance Requirements

- a. The Oil and Gas Operation shall maximize resource recovery and minimize releases to the atmosphere during flowback and subsequent recovery / operation.
- b. Gas produced during production shall be captured and not flared or vented to the maximum extent practicable.
- c. If using a pilot flame ignition system, the pilot flame must be monitored using a thermocouple or other equivalent device to detect the presence of a flame. A pilot flame must be maintained at all times in the flare's pilot light burner. If the pilot flame goes out and does not relight, and no telemetry system is in place, a visible alarm will be in place on-site and activated. If using an electric arc ignition system, the arcing of the electric arc ignition system must pulse continually and a device must be installed and used to continuously monitor the electric arc ignition system.
- ed. The Operator shall at all times keep the well sites, roads, rights-of-way, facility locations, and other Oil and Gas Operation areas safe and in good order, free of noxious weeds, litter and debris.
 - i. The Operation shall comply with COGCC rules concerning weed control. The Operator shall be responsible for ongoing weed control at all locations disturbed by the Operation and along access roads during construction and operation, until abandonment and final reclamation is completed.
 - ii. The Operation shall comply with COGCC rules concerning removal of debris.
 - iii. The Operator shall utilize vehicle tracking control practices to control potential sediment discharges from unpaved surfaces. Such practices may include road and pad design and maintenance to minimize rutting and tracking, controlling site access, street sweeping or scraping, tracking pads, and wash racks. Traction chains from heavy equipment shall be removed before entering a public roadway.
- de. The Operator shall dispose of all water, unused equipment, litter, sewage, waste, chemicals and debris off of the site at an approved disposal site.
 - i. All equipment used for drilling, re-drilling and maintenance shall be removed from the well pad site within thirty (30) days after completion of the work, unless otherwise agreed to by the surface owner. Permanent storage of equipment on well pad sites shall not be allowed.
 - ii. Materials shall not be buried on-site.
- ef. The Operator shall promptly reclaim and reseed all disturbed sites in conformance

with COGCC rules.

- fg. Routine field maintenance of vehicles or mobile machinery shall not be performed within three hundred (300) feet of any water body. All fueling must occur over impervious material.
- gh. All mechanized equipment associated with the Operation shall be anchored to minimize transmission of vibrations through the ground.
- hi. No burning of trash shall occur in association with the Operation.
- ij. Open-ended discharge valves on all storage tanks, pipelines and other containers shall be secured where the Operation site is unattended or is accessible to the general public. Open-ended discharge valves shall be placed within the interior of the tank secondary containment.
- ~~j. All permanent equipment with engines or motors that can be electrified shall be electrified from the power grid or from renewable sources. All well pads that are not electrically operated should use quiet design mufflers (also referred to as hospital grade or dual dissipative) or equivalent; or acoustically insulated housing or covers to enclose the motor or engine. [SEE 10.12.4.B.22.a.ii.]~~
- ~~k. Exhaust from all engines, motors, coolers and other mechanized equipment shall be vented up or in a direction away from the closest occupied structures. [SEE 10.12.4.B.22.a.xii]~~
- ~~l. Oil and gas well facilities (above ground) shall be fenced with wrought iron fencing or Ameristar Impasse or Stronghold fencing or approved equivalent, as determined by the Director. The fencing color shall be bronze unless the Director approves black fencing. Black fencing will only be approved by the Director if fencing or site furnishings in the adjacent developments have approved black elements.~~
- ~~m. The Operator will install down cast lighting or some other form of lighting that mitigates light pollution and spill over onto adjacent properties; provided, however, that Operator may still use lighting that is necessary for public and occupational safety.~~
- nk. Well Abandonment. The Operator shall comply with any COGCC rules regarding well abandonment. Upon plugging and abandonment of a well, the Operator shall provide the Director-LGD with surveyed coordinates of the abandoned well and shall leave onsite a permanent physical marker of the well location.
- l. At the same time as the results are provided to COGCC, Operator shall provide copies to the LGD of test results performed under COGCC Rule 318A. on wells within the Erie town limits

- m. Operation will comply with all plans required by Section 10.12.3, Permit Application Materials.
- n. Inspection. The Town shall have access to the well pads to conduct inspections. Town personnel will be equipped with all appropriate personal protection equipment (PPE) and will comply with the Operator's customary safety rules.

ADD 10.12.4.B.27 to read as follows:

27. Stormwater

- a. Best Management Practices (BMPs) shall be maintained in effective operating condition as set forth in the SWMP, and any additional BMPs recommended by a stormwater inspector must be implemented by the Operator as soon as possible.
- b. Stormwater inspections shall be performed at the frequency set forth by CDPHE-WQCD.
- c. Final stabilization measures must be implemented as soon as construction activities cease.
- d. Once the well pad / production facility has reached final stabilization as defined by CDPHE, the well pad / production facility must develop and implement a post construction stormwater program as defined by COGCC Rule 1002.f.

ADD 10.12.4.B.28 to read as follows:

28. Recycle/Reuse of Water.

The Operation will recycle and reuse water at the pad sites and otherwise minimize waste water production.

ADD 10.12.4.B.29 to read as follows:

29. Odor Management.

- a. Drive-by Inspections. Operator agrees to self-monitoring with drive-by inspections through neighborhoods at various times to hear, smell and see what is going on during each phase of Operations.
- b. Use of Gibson D822 Drilling Fluid is prohibited.