



CDPHE Oil and Gas Consultation Program

Website: <http://www.colorado.gov/cs/Satellite/CDPHE-DEHS/CBON/1251594746968>

- ▶ 2007 Legislature directed COGCC to promulgate rules in consultation with CDPHE “to protect health, safety, and welfare of the general public in the conduct of O&G operations”
- ▶ COGCC Rules 305 and 306d set forth how CDPHE consultation is to occur
- ▶ Took effect in April-June 2009
- ▶ Triggered by O&G operator request for variance from certain provisions of the Rules that are designed to protect public health, safety and welfare or the environment OR local government designee requests within 14 days of Form 2A Application

- Who are the local government designees for the COGCC Rules 305/306d CDPHE consultation process?

The local government must provide written notice to COGCC of the designation for a LGD. This individual serves as the central point of contact for the local government, community and COGCC for oil and gas issues. To locate the list of LGD's on the COGCC website click on the Local Government link on the left side of the main page at <http://cogcc.state.co.us/> and look for the “Listing of Participating LGD” on the right side of the Local Governments page. On this site you will find listing for County, Municipalities, Special Districts and State Agencies. The COGCC constantly updates this site to ensure they have accurate information, **but the local government must notify COGCC of any changes.**

- How can local governments stay informed of complete Form 2A application that potentially trigger the consultation process?

Once the Colorado Oil and Gas Conservation Commission receives an application Form 2A or Form 2 they conduct a completeness review. If the application is deemed complete the system sends a notice electronically to the Local Governmental Designee (LGD) informed him or her that there is an application that has been submitted in their City or County. The LGD may use the eforms system, developed by COGCC, to review the application and all the associated information that has been submitted for that location to determine if there are issues. This electronic notice also triggers the clock for public comment and consultation with CDPHE or CPW.

COGCC accepts comment for twenty (20) days following the completeness review from the public, LGD, CDPHE or CPW. This may be extended to a total of thirty (30) days with a written request to the Director of the COGCC. This is also the time when the LGD must review the application and determine if they wish to request consultation with either CDPHE or CPW.

- What starts the 14-day local government clock?

This request for consultation must occur within the first fourteen (14) days after receiving notice from COGCC. To request consultation the LGD must send a written request to COGCC and copy either CDPHE or CPW. There is a total of forty (40) days for this consultation to occur, so the longer the LGD takes to determine if consultation is needed the shorter the amount of time available to consult. If no consultation occurs within the forty (40) days consultation is considered waived and the application is reviewed on the materials submitted. Each local government can designate a LGD.
