



Colorado Department
of Public Health
and Environment

**COLORADO DISCHARGE PERMIT SYSTEM (CDPS)
FACT SHEET FOR MODIFICATION 1
PERMIT NUMBER CO0047767
PIONEER NATURAL RESOURCES USA, INC.
EAST SPANISH PEAKS COALBED METHANE OPERATIONS
LAS ANIMAS COUNTY**

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I. TYPE OF PERMIT

- A. Permit Type:** Modification No. 1 – Minor Modification
- B. Discharge To:** Surface Water

II. FACILITY INFORMATION

- A. SIC Code:** 1311 Crude Petroleum and Natural Gas
- B. Facility Location:** Approximate Middle Point of Operation,
Latitude 37° 11' North, Longitude 104° 48' West

III. PURPOSE OF MODIFICATION

On June 12, 2015, XTO filed a Notice of Appeal, Request for Adjudicatory Hearing, and Request for Stay (“Appeal”) of the Proposed Permit with the Division. In the Appeal XTO identified typographical errors that are being corrected through this modification.

IV. CHANGES AS A RESULT OF THE MODIFICATION

The Division modified the permit as outlined below:

Corrections identified in the appeal:

1. Part I.A.2, pages 4-6. Outfalls 076-A, 109-A, 218-A, and 234-A appear in the flow, SAR, and EC limitations tables, but these outfalls are no longer in use. As such, they should be deleted from these tables.

This error has been corrected. The outfalls have been removed from the list of permitted features.

2. The Division erred by still applying SAR and EC limitations to outfalls discharging to Burro Canyon and Reilly Canyon. In particular, the Division erroneously applied these limits to the following outfalls:
 - a. Burro Canyon: 076A, 079A, 160A, 183A, 218A, 220A, 221A and 234A. *See* 47767 Renewal Permit at 8-23; 47776 Renewal Permit at 5-11.

- b. Reilly Canyon: 057A, 060A, 065A, 094A, 202A and 230A. *See* 47767 Renewal Permit at 8-23; 47776 Renewal Permit at 5-11.

This error has been corrected. The SAR and EC limits for each outfall have been removed.

3. Part I.A, pages 8-22. The permitted features tables state (at the bottom of the table): “IWC = 100%”. This statement should be deleted from each of the permitted features tables because IWCs are outlined for each outfall on pages 27 and 29 of the permit.

This error has been corrected. The statement has been deleted from each of the permitted features tables.

4. Part I.A, pages 8-22. The frequency of monitoring for potentially dissolved and total recoverable copper (Cu, TR and Cu, PD) should be revised to “Annual” per the discussion in Appendix C, page 70.

This error has been corrected. The monitoring frequency has been revised to annual.

5. Part I.A, page 20. The Fact Sheet states on page 39 that a compliance schedule was included in the final permit for total recoverable iron at outfall 060-A. The permitted features table for this outfall should be revised to include a compliance schedule for this parameter.

This error has been corrected. A compliance schedule has been added.

6. Part I.A, page 24. The SAR benchmark values for soil salinity monitoring should be 2.4 for SAR, not 1.2, to be consistent with the Fact Sheet and Appendix C

This error has been corrected. The benchmark has been revised to 2.4.

7. Part I.B.4.a, page 29. The discussion of General Acute WET Testing and Reporting Requirements incorrectly states that the permittee shall conduct an acute 48-hour WET test using *Ceriodaphnia dubia*. The permitted features tables have been revised to reflect the use of *Daphnia magna* for acute WET testing. The Division should revise the language in this section to reflect the use of *Daphnia magna* for acute WET testing.

This error has been corrected. The language has been revised to reflect the use of *Daphnia magna* for acute WET testing.

8. Part I.B.4, page 29. The Division failed to identify TCF/IWC for acute WET testing for the following outfalls during the compliance period: 075-A, 228-A, 202-A, 230-A, 057-A, 065-A, 147-A, 156-A, 094-A, 238-A, 096-A, 060-A, 105-A, and 239-A. TCF/IWC for acute WET testing at these outfalls should be added to the table on page 29.

This error has been corrected. However, instead of adding these outfalls to the acute WET section solely for the interim limits, the limitation changed from “LC50≥IWC” to “LC50≥100%” in the permit tables on pages 8, 9, 11, 12, 13, 16, 19, 20, and 21.

9. Part I.B.4, page 29. Appendix C (page 22) states IWCs for outfall 073-A as 0.5% acute (Unnamed Tributary to Purgatoire River), and 3% acute for outfalls 079-A, 160-A, 183-A, 220-A, and 221-A

(Burro Canyon). The table of acute WET IWCs in the permit should be revised to reflect these percentages.

This error has been corrected. The IWCs have been corrected in the table.

10. Part I.C, page 32. While the Division revised the LCL table to reflect the revisions to the LCL method, the text below the LCL table was not revised. It should read, "For example, if the sample size is six, the LCL percentile is 0.265 and the LCL concentration is the 26.5th percentile value of the sample set."

This error has been corrected. The example has been revised.

Division initiated corrections

1. Part I.D, page 50. The permit states that reporting of data gathered in compliance with Part I.A or Part I.B "shall be on a **monthly** basis"

The language has been revised to include quarterly, semi-annual and annual monitoring and reporting frequencies.

2. The facility location in latitude and longitude is missing from Page 1 of the permit

This error has been corrected. The facility location in latitude and longitude has been added to Page 1 of the permit.

3. On page 23 of the permit, no ICIS codes were included for the Instream parameters monitoring table.

The error has been corrected. The ICIS codes for SAR, EC, calcium, magnesium, sodium, and bicarbonate for instream monitoring have been added to page 23.

Lori Mulsoff
06/19/2015