

THW



OWL

Oilfield Water Logistics

RECEIVED

JUL 14 2015

DIVISION OF RECLAMATION
MINING AND SAFETY

July 08, 2015

Division of Reclamation Mining & Safety
Attn: Travis Marshall
1313 Sherman Street, Room 251
Denver, CO 80203

AZ01

Re: OWL Western Gravel & Disposal acreage release from the s.112 Mining and Reclamation Permit, number M-2008-070.

Dear Mr. Marshall,

OWL SWD Operating, LLC respectfully requests the release of 6.5 acres from the s.112 Mining & Reclamation permit associated with the facility titled 'OWL Western Gavel & Disposal.' Rio Blanco County has approved Certificate of Designation (12-1), an area designated for exploration & production solid waste disposal. COD 12-1 encompassing 57.4 acres which also captures the 20.95 acres of Phase 1 under mining permit M-2008-070 (see Appendix B). The 6.5 acres relevant to this release request refers to Phase 1, Rio Blanco County Special Use Permit 11-04, for solid waste disposal (see Appendix B and highlighted text of Appendix C). Phase 1 includes Cell A, Pond 1 and the staging area to the west side of Cell A (see appendix B).

On April 17, 2015, the Colorado Department of Public Health & Environment reviewed and approved the Construction Quality Assurance Report associated with SUP 11-04 (see Appendix D). The Financial Assurance was approved on May 27, 2015 subsequently completing the final requirements to open the facility.

In essence the re-permitting of the 6.5 acres has satisfied the applicable portions of the DRMS Reclamation Plan requirements due to the acreage transfer to a separate Design and Operations Plan drafted for SUP 11-04.

The owners of record to the affected land is OWL Western Gravel & Disposal, LLC, an affiliate company to OWL SWD Operating, LLC. The appropriate record details is:

Justin Spaeth
8241 Westchester Dr., Suite 850
Dallas, TX 75225
(970) 775-8100



Oilfield Water Logistics

Sincerely,

Justin Spaeth
Regional Manager
OWL SWD Operating, LLC

Johnstown, Regional Office

P.O. Box 670
Windsor, CO 80550
(970) 775-8100

Distribution

cc: Justin Spaeth, OWL SWD Operating, LLC
ec: Mark Sprague, Rio Blanco Co
Doug Eagleton, KRW Consulting Inc
Robert Peterson, CDPHE

Appendices

Appendix A – Certificate of Designation 12-1 Boundary & Phase 1 Solid Waste Pit
Appendix B – Certificate of Designation 12-1 Boundary, Phase 1 M-2008-070 Boundary, &
Phase 1 SUP 11-04 Cell A, Pond 1 & Staging Area (6.5 acres).
Appendix C – CDPHE Closure & Post Closure Cost Estimate with Highlighted Text.
Appendix D – CDPHE CQA Report Approval

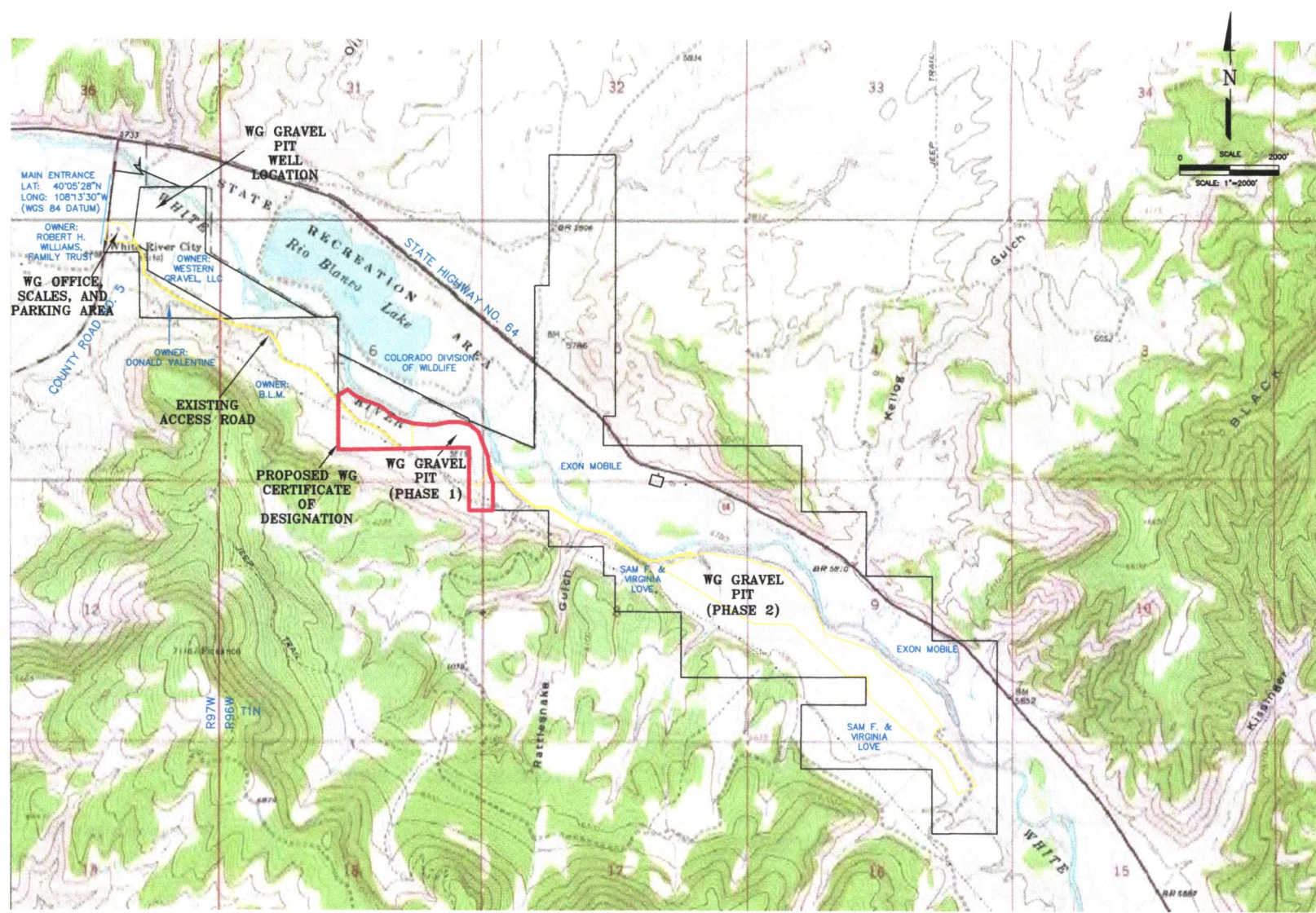
WESTERN GRAVEL FACILITY MAP

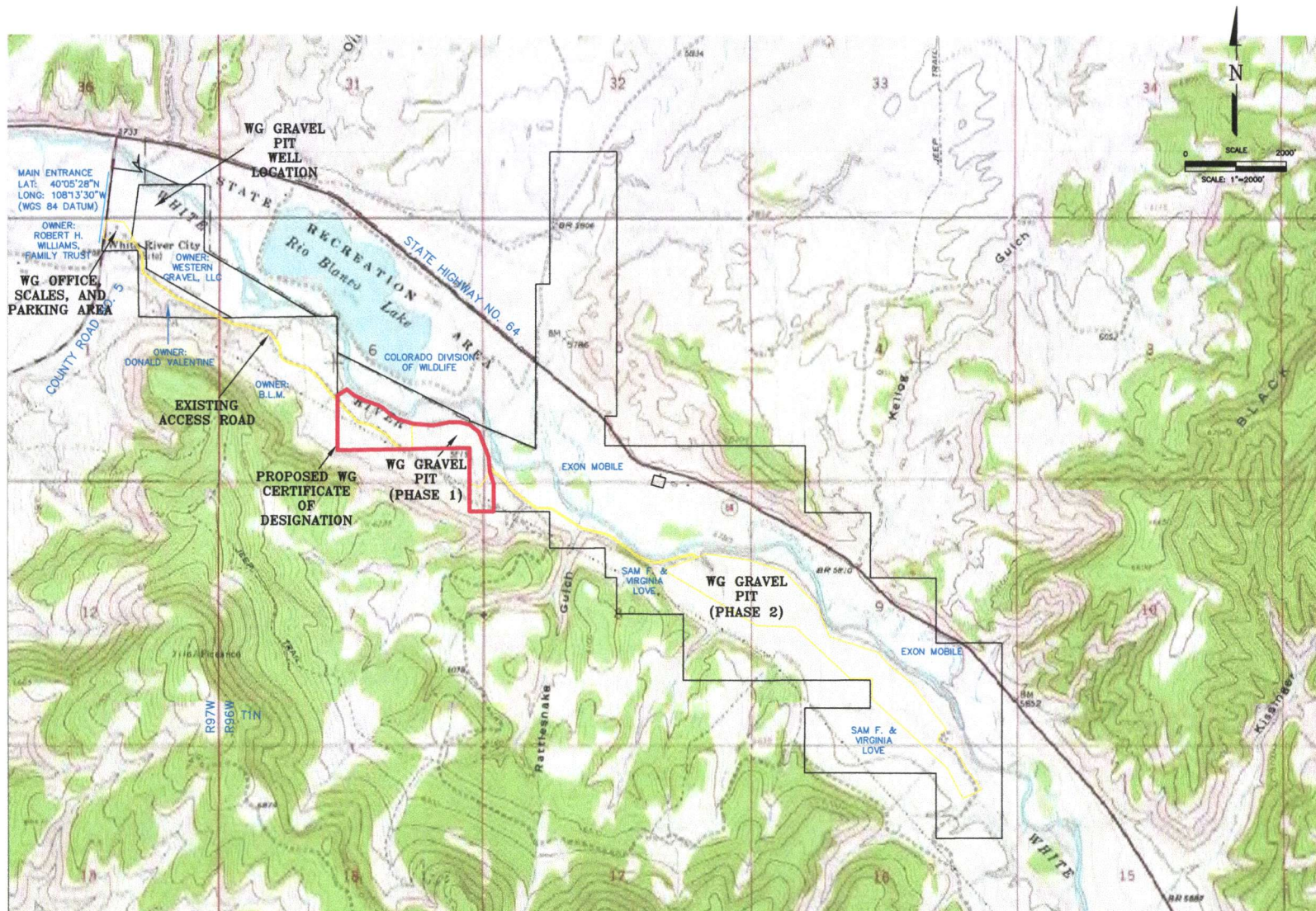
Western Gravel E&P
Disposal Facility
Rio Blanco County, CO

[illegible]

Job. No.	10-8718
Date:	1-2011
Drown	JF
Chkd	BDL
Scale	N/A

Figure

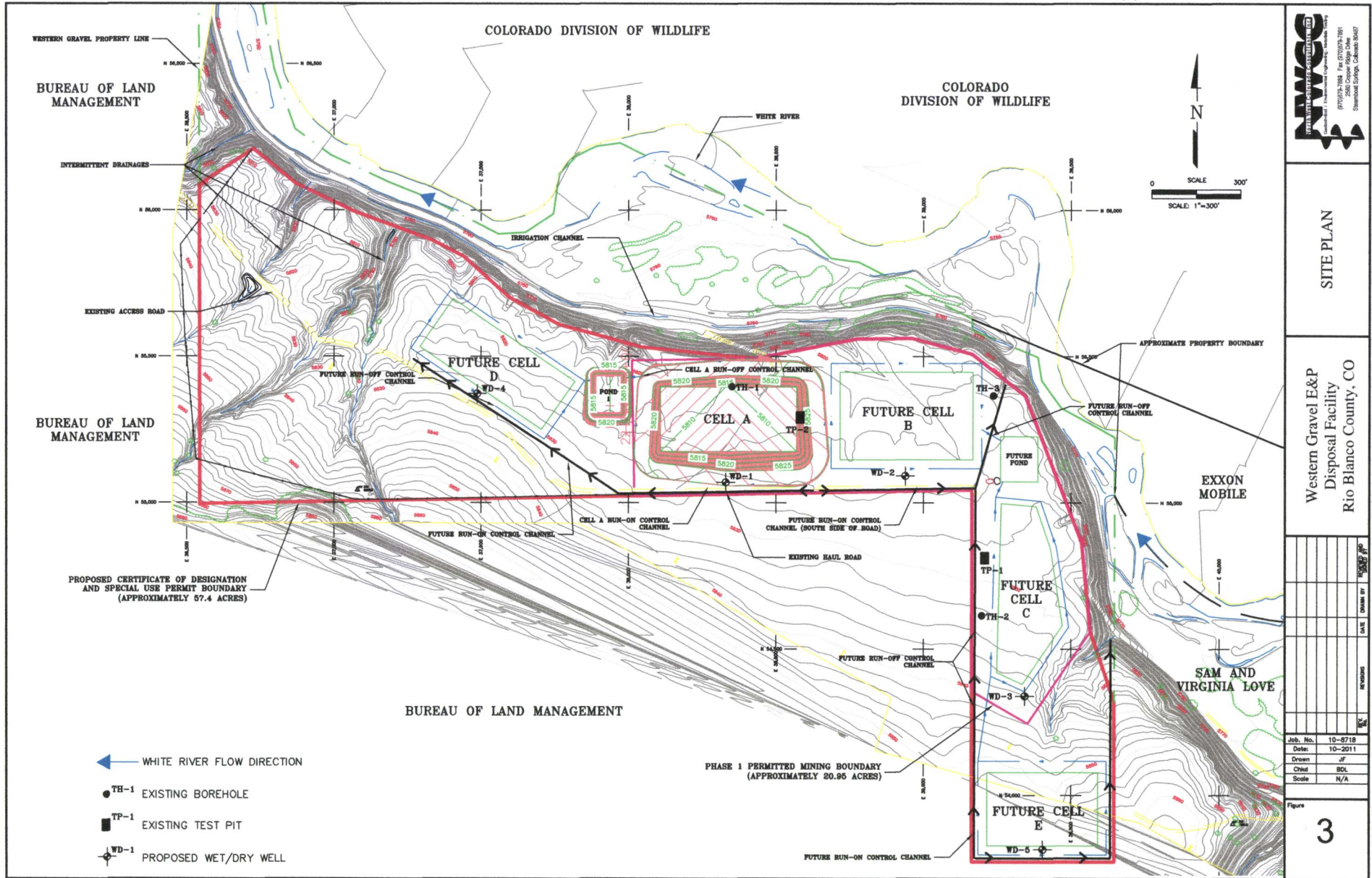




Western Gravel E&P
Disposal Facility
Rio Blanco County, CO

[illegible]

Job. No.	10-8718
Date:	1-2011
Drown	JF
Chkd	BDL
Scale	N/A



SITE PLAN

Western Gravel E&P
Disposal Facility
Rio Blanco County, CO

DATE	CHANGED BY	REVISIONS

Job. No.	10-8718
Date:	10-2011
Drawn:	JF
Check:	BOL
Scale:	N/A

Figure
3



COLORADO

Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

Electronic submittal

April 10, 2015

Mr. Justin Spaeth
OWL SWD Operating LLC
PO Box 670
Windsor, CO 80550

Re: Proposed Financial Assurance Closure and Post Closure Cost Estimate – **Approved**
Western Gravel E&P Waste Disposal Facility in Rio Blanco County
SW / RBL WGR / 1.3

Dear Mr. Spaeth:

The Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (Division) received the following reports pertaining to the Western Gravel E&P Waste Disposal Facility in Rio Blanco County.

- “*Revised Financial Assurance Engineer Cost Estimate*” dated March 6, 2015 and prepared by NWCC Inc. for OWL SWD Operating LLC, formerly Western Gravel and Disposal, LLC (OWL)

The proposed closure and post closure cost estimate was reviewed to determine compliance with the requirements set forth in the Solid Waste Disposal Sites and Facilities Act, Title 30, Article 20, Parts 1 and 10 of the Colorado Revised Statutes, as amended, with the regulations promulgated there under 6 CCR 1007-2 (Regulations), with the currently approved Design and Operations Plan dated October 2011 (D&O) and subsequent revisions including the water balance final cover design recently approved.

Based on our review the financial assurance third party estimate for Closure and Post-Closure Cost is **approved** as listed below.

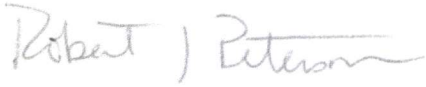
Closure cost – 4.8 acre cell	\$ 144,753
Post Closure cost – 30 years	<u>\$ 194,675</u>
Total	\$ 339,428

The area to be reclaimed under the solid waste Certificate of Designation that is currently within the mining permit (Division of Reclamation, Mining, and Safety) is 6.5 acres.

In closing, the Division is authorized to bill for the review of technical submittals pursuant to C.R.S. 30-20-109 (2) (b) at the rate of \$125 per hour. An invoice for the Division review of the report will be transmitted to you under separate cover. Please contact Emily Everett at 303-692-3351 in regards to funding of the financial assurance. She has replaced Enrique Martinez.



Sincerely,



Robert Peterson, Environmental Protection Specialist
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

cc: GJ file
ec: Rio Blanco County BOCC
D. Wheeler, OWL
B. Len, NWCC Inc
J. Simmons, Rio Blanco Co
M. Sprague, Rio Blanco Co
E. Everett, CDPHE



COLORADO
**Department of Public
Health & Environment**

Dedicated to protecting and improving the health and environment of the people of Colorado

Electronic submittal

April 17, 2015

Mr. Justin Spaeth
OWL SWD Operating LLC
PO Box 670
Windsor, CO 80550

Re: Construction Quality Assurance Report – **Approved**
Western Gravel E&P Waste Disposal Facility in Rio Blanco County
SW / RBL WGR / 2.3

Dear Mr. Spaeth:

The Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (Division) received the following reports pertaining to the Western Gravel E&P Waste Disposal Facility in Rio Blanco County.

- *"Construction Quality Assurance Report"* (CQA Report) for Western Gravel E&P Waste Disposal Facility dated March 31, 2015 and prepared by NWCC Inc. for OWL SWD Operating LLC, formerly Western Gravel and Disposal, LLC (OWL)

The CQA Report was reviewed to determine compliance with the requirements set forth in the Solid Waste Disposal Sites and Facilities Act, Title 30, Article 20, Parts 1 and 10 of the Colorado Revised Statutes, as amended, with the regulations promulgated there under 6 CCR 1007-2 (Regulations), with the currently approved Design and Operations Plan dated October 2011 (D&O) and subsequent revisions. The Division would like to complement NWCC and OWL for preparation of a very fine CQA report. If we could receive more reports like this our backlog would improve immensely. Thank you.

Based on our review it appears that the embankments, sub-grade clay, two HDPE liner, leak detection and leachate collection systems and operations layer for Cell A as well as the earthworks for storm water pond 1 have been constructed in general accordance with the approved D&O and the project specifications contained in the D&O and construction observation and testing have been properly documented in the CQA Report. The Division has determined that Cell A and pond 1 certification is approved.

The Division requests that the following items are provided within 30 days for report completion.

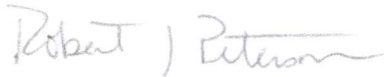
1. Provide the as-built elevation for the LDS pipe outlet elevation (within the manhole) to document flow is directed from the cell towards the manhole. Discussion with Mr. Len indicates that he visually observed that the LDS pipe had the proper grade and direction.
2. Provide consistent survey elevations for the wet/dry well top of PVC casing, ground elevation and therefore stickup. Then also provide the elevation of the top and bottom of the screen.



The closure and post closure cost estimate have also been approved (under separate cover) and therefore funding of the financial assurance must be completed prior to accepting waste into this facility. Please contact Emily Everett at 303-692-3351 in regards to funding of the financial assurance. She has replaced Enrique Martinez. The facility shall comply with the public health and environmental laws, standards, and regulations of the Colorado Department of Public Health and Environment and all other applicable State, Federal and local rules and ordinances. Please make sure all appropriate permit approvals are in place prior to accepting waste. Operation of the facility must be in accordance with the approved D&O. The Division suggests review of the Operations plan and waste characterization plan as well as the recordkeeping requirements. Consider setting up the Operating Record in preparation for opening day and compliance inspections.

In closing, the Division is authorized to bill for the review of technical submittals pursuant to C.R.S. 30-20-109 (2) (b) at the rate of \$125 per hour. An invoice for the Division review of the report will be transmitted to you under separate cover. Please contact the undersigned with questions or concerns with this correspondence (970-248-7151).

Sincerely,

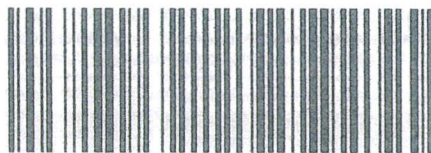


Robert Peterson, Environmental Protection Specialist
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

cc: GJ file
ec: Rio Blanco County BOCC
D. Wheeler, OWL
B. Len, NWCC Inc
J. Simmons, Rio Blanco Co
M. Sprague, Rio Blanco Co

Mr. Seth Peters
WL SWD Operating, LLC
775 Larimer Parkway, Suite 200
Boulder, CO 80534

CERTIFIED MAIL



7014 2870 0001 5021 5313



1000



80203

U.S. POSTAGE
PAID
WINDSOR, CO
80550
JUL 10, 15
AMOUNT
\$6.96
00106184-06

**RETURN RECEIPT
REQUESTED**

Division of Reclamation Mining & Safety
Attn: Travis Marshall
1313 Sherman Street, Room 251
Denver, Colorado 80203

RECEIVED

JUL 14 2015

DIVISION OF RECLAMATION,
MINING AND SAFETY

80203\$2243 C031

