

PROJECTS ADJACENT TO OR CONTAINING ABANDONED OR FORMER OIL AND GAS WELL SITES

The City and County of Broomfield passed an ordinance (Ord. 1698) on November 12, 2002, addressing abandoned and former oil and gas well sites. The ordinance addresses additional information that is required to be submitted with a development project containing, or near, an abandoned or former oil and gas well site. The ordinance also requires certain soil clean-up standards to be met for such sites. Please be aware that if your project site is adjacent to or contains an abandoned or former oil and gas well site, then you will need to comply with the requirements of Ordinance 1698. A summary of the requirements of the ordinance follows. However, please refer to the actual ordinance and the Department of Health and Human Services "Policy and Procedures for Environmental Evaluation of Abandoned Oil and Gas Wells and Former Oil and Gas Well Production Sites" for complete requirements.

A copy of the ordinance and the associated City and County of Broomfield Department of Health and Human Services policy and procedures document is available at the Planning Division of The City and County of Broomfield.

Summary of Requirements of Ordinance 1698:

- 1. Prior to submittal of a final plat, minor subdivision plat, or site development plan, plugged and abandoned oil and gas wells or former oil and gas production sites shall be located, excavated (if the well was cut off and buried), and surveyed. The plugged and abandoned oil and gas well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location.
- 2. The application for a preliminary, final or minor subdivision plat, PUD plan, or site development plan submitted on a project within 200 feet of an abandoned oil and gas well or former oil and gas production site shall contain the location of any abandoned and plugged oil and gas well head, its production site and the overall well site, and any former oil and gas production sites.
- 3. At the time a preliminary, final or minor subdivision plat, PUD plan, or site development plan is submitted on a project within 200 feet of an abandoned oil and gas well or former oil and gas production site, the applicant shall submit to the City, a well abandonment report and any reports relating to a former oil and gas production site from the Colorado Oil and Gas Conservation Commission (COGCC) showing that the well was properly plugged and abandoned according to COGCC procedures.
- 4. On every final plat and on every minor subdivision plat within the boundaries on which is located a plugged and abandoned oil and gas well or for property within 100 feet of a plugged well, a 50-foot by 100-foot well maintenance and workover easement shall be dedicated to the City. There shall be public access from a street for ingress and egress to the easement of a width of not less than twenty feet. Such public access shall also be dedicated to the City.
- 5. The well maintenance and workover easement shall be depicted on site development plans.
- 6. Every final plat, minor subdivision plat, and site development plan within the boundaries of which is located a plugged and abandoned well or for property within 200 feet of a plugged well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover easement, and (3) the purpose for well maintenance and workover activities within 200 feet of the plugged and abandoned well."
- 7. As a condition of approval of a final plat, minor subdivision plat, or site development plan, and prior to issuance of a grading, building and/or public-private improvement permit for a property containing a plugged and abandoned oil and gas well or former oil and gas production site, or a property within the same plat or site development plan and within 200 feet of a plugged and abandoned well site or former oil and gas production site, the applicant shall submit to the City and County acceptable verification that the well or former production site was remediated of hydrocarbon contamination to background levels or shall work with the City and County Department of Health and Human Services to ensure remediation of hydrocarbons, if necessary, to a level acceptable to the City and County Department of Health and Human Services.
- 8. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the Uniform Building Code regulating expansive soils and the standards and specifications as adopted in Chapter 14-04, B.M.C.
- 9. No utility lines shall be installed within ten feet of any plugged and abandoned oil or gas well.
- 10. Prior to issuance of a grading permit within a development containing abandoned flowlines, the fluids within the flowlines shall be recovered and the flowlines removed. Any fluid loss as a result of removing the flowlines shall be reported to the City and County Department of Health and Human Services and shall be remediated at their direction.

For more information, contact the Planning Division at 303-438-6284 or the Department of Health and Human Services Public Health Division, Michael Wallingford, at 720-887-2236.