



ECMC DUST MITIGATION PLAN OPERATOR GUIDANCE

FORM 2A ATTACHMENT

Rule 304.c.(5). - Dust Mitigation Plan

Document Control

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Rule Citation(s):

304.c.(5). Dust Mitigation Plan.

A dust mitigation plan consistent with the requirements of Rule 427.a.

Associated rules are included in Appendix A.

Purpose of Dust Mitigation Plan Attachment

The Dust Mitigation Plan provides ECMC staff with information regarding how the Operator will manage and control dust for all Oil and Gas Operations on Oil and Gas Locations and lease access roads. Dust is most often generated from non-vegetated areas, including areas for construction of the well pad, access roads, and products brought on location for drilling and completion operations. Dust can also be generated from proppants used during well completion activities. The Dust Mitigation Plan should explain how dust will be controlled and minimized from traffic and construction activities on the Oil and Gas Location.

The Dust Mitigation Plan is a required attachment with the Form 2A submission.

Guidance/Requirements

Set of Requirements or Guidelines

1. The Dust Mitigation Plan will contain all required elements specified in Rule 427 or will contain substantially equivalent information if developed through a local government or federal process. If a plan is developed through a local government or federal process, provide contact information and a description of the process.
2. Provide soil types within the Oil and Gas Location boundaries and the area disturbed for the access roads. The soil types may be determined via field observation or from the Map Unit Name on the USDA NRCS website and COGCC's Online GIS map layer (field verification - fine silty loam, NRCS Map Unit - Weld silt loam).
3. Include total area of soil disturbance in acres, including disturbance area for access roads. It is helpful to include a breakdown of each area for access road(s), working pad surface, and any additional land disturbance in acres, including flowlines between related locations.
4. Describe ingress/egress to the Oil and Gas Location, including tracking pads, paved areas, turn lanes, speed limits, etc., including a description of how the access road(s) will be constructed.
5. Identify road construction material, such as pavement, rock, dirt, etc. and describe how the road will be maintained.
6. Provide the number of truck trips per operational activity. A table format is preferred. It is helpful to include the types of trucks for the activity. Truck trips are defined as the number of heavy trucks, such as semis, haulers or other commercial vehicles. Small, non-commercial, passenger, and personal vehicles do not count.

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- a. The number of truck trips listed in the Dust Plan should align with the number of truck trips estimated in the Form 2B, Cumulative Impact Data Identification.
- 7. Describe how fugitive dust caused by wind will be minimized.
- 8. Describe site-specific dust control measures that will be utilized. This should include dust control measures for sand and other dry products used during drilling and well completion activities.
- 9. Include timing of maintenance and inspections when utilizing Best Management Practices (BMPs).
- 10. It is helpful to include a list of BMPs for controlling and minimizing dust on all areas impacted by Oil and Gas Operations during all phases of operations. Items could include, but are not limited to:
 - A. Use of speed restrictions;
 - B. Road maintenance;
 - C. Use of tracking pads;
 - D. Restrictions on road or pad use on high wind days;
 - E. Use of wind screens, such as bales, sound walls, etc.;
 - F. Use of rig mats or other ground coverings;
 - G. Erosion control;
 - H. Topsoil or stockpile stabilization and control;
 - I. Use of dust suppressants; and
 - J. How completion materials, such as sand, will not contribute to dust.

K. This list is to be provided in a format that allows the BMPs to be copied onto the Form 2A under Dust Control.

Additional Information

Common Errors and Issues Encountered by ECMC Staff

1. Soil type should be identified for all areas of the plan. Not including the NRCS type for the access road is a common error of a Dust Mitigation Plan.
2. The transportation and traffic plan should align with the speed limits outlined in the Dust Plan. A common issue is that the Dust Plan specifies one speed limit for a location, while the transportation plan lists a different one.
3. Including passenger vehicles in the truck trips count. Passenger vehicles are not to be included in this estimate.

General Notes

1. N/A

Frequently Asked Questions

1. N/A

Document Change Log

Change Date	Description of Changes
July 7, 2020	First Draft Initiated
April 18, 2025	Updated for Dec 2025 Rules
April 21, 2025	Reviewed, ADA accessibility verified
May 1, 2025	Prepared for publication

Appendix A - Associated Rules

427. Dust.

- a. Operators will submit a dust mitigation plan for all Oil and Gas Operations on Oil and Gas Locations and lease access roads that demonstrates one or more methods of meeting the requirements of this Rule 427 as an attachment to their Form 2A, as required by Rule 304.c.(5). An Operator may submit substantially equivalent information or plans developed through a Local Government land use process or federal process in lieu of the information required by this Rule 427.a unless the Director or Commission determines that the information or plan developed through the Local Government land use process or federal process is not equivalent. Such plans will include at least the following information:
 - (1) Soil type;
 - (2) Proposed vehicle speed limit to minimize dust;
 - (3) Total area of soil disturbance (in acres);
 - (4) Whether access roads are paved;
 - (5) Number of anticipated truck trips during each stage of well pad construction, drilling, completion, and production;
 - (6) A plan for suppressing fugitive dust caused solely by wind; and
 - (7) A list of Best Management Practices that will be used. Such practices may include, but are not limited to:
 - A. The use of speed restrictions;
 - B. Regular road maintenance; and
 - C. Restricting construction activity during high wind days.

b. Operators will minimize fugitive dust caused by their operations, or dust originating from areas disturbed by their Oil and Gas Operations that becomes windborne.

(1) If at any time, an Operator is not in compliance with this Rule 427.b, the Operator will cease ongoing truck traffic or other operations causing fugitive dust, until the Operator has performed dust suppression activities that the Director determines substantially and adequately control dust. If an Operator disagrees with the Director's determination, it may appeal to the Commission pursuant to Rule 901.a.(3).

(2) Compliance with a dust minimization plan submitted pursuant to Rule 427.a does not relieve an Operator of complying with this Rule 427.b.

c. Applying Dust Suppressant.

(1) Operators will not use any of the following fluids for dust suppression:

- A. Produced water;
- B. Exploration and Production (E&P) Waste or hazardous waste;
- C. Crude oil or any oil not specifically designed for road maintenance;
- D. Solvents; and
- E. Any process Fluids.

(2) Operators will use only fresh water (potable or non-potable) to conduct dust suppression activities within 300 feet of the ordinary high-water mark of any water body.

(3) Operators will maintain safety data sheets ("SDS") for any chemical-based dust suppressant, and make the SDS available immediately upon request to the Director and to the Local Government. Operators will maintain SDS for

any chemical-based dust suppressant until the site passes final site Reclamation, and transfer the records upon transfer of property ownership.

d. Within 2,000 feet of Building Units, or High Priority Habitat, the Commission may require additional dust control measures as a condition of approval, including, but not limited to:

- (1) Constructing wind breaks and barriers;
- (2) Automation of Wells to reduce truck traffic;
- (3) Road or facility surfacing; and
- (4) Soil stockpile stabilization measures.

e. Cumulative Dust Impacts. Based on review of dust mitigation plans submitted pursuant to Rule 427.a, the Commission may require Operators to adopt additional dust mitigation requirements to reduce cumulative dust impacts, based on the following considerations:

- (1) The number of anticipated truck trips for the Oil and Gas Facility seeking Commission approval combined with the number of anticipated truck trips at any other Oil and Gas Locations within a 1-mile radius during the same time period;
- (2) Whether the truck traffic for the Oil and Gas Facility seeking Commission approval will use any of the same unpaved roads as truck traffic for any other Oil and Gas Facility; and
- (3) Whether there are other major sources of dust in the area, which may or may not be Oil and Gas Facilities, which will result in the area bearing a cumulative dust risk that could harm public health, safety, welfare, the environment, or wildlife resources, including impacts to plants, such as burial or significant damage to photosynthetic processes.