



ECMC WASTE MANAGEMENT PLAN OPERATOR GUIDANCE

FORM 2A

304.c.(11). - Waste Management Plan

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Rule Citation

Rule 304.c.(11). - Waste Management Plan

A waste management plan consistent with the requirements of Rule 905.a.(4).

Rule 905.a.(4). - Waste Management Plans

Each Operator that generates E&P Waste as a result of their operations will prepare a comprehensive waste management plan detailing how the Operator will treat, characterize, manage, store, dispose, and transport all types of waste generated. The Director may require a waste management plan to include a description of proposed haul routes, including any applicable Local Government traffic requirements.

- A. Operators will submit their waste management plans with their Form 2A pursuant to Rule 304.c.(11).
- B. If an Operator seeks to change its E&P Waste management practice, the Operator will update its waste management plan by submitting a revised waste management plan for the Director's approval or denial on a Form 4.

- C. Any Oil and Gas Development Plan filed on or after January 1, 2026, will include in its waste management plan a Produced Water recycling and reuse plan with a commitment to use the minimum percentages of Recycled Produced Water in Well Stimulations as described in the compliance periods listed in Rule 905.c.(6).A.i through iii.
- D. The Produced Water recycling and reuse plan will:
- i. Quantify the anticipated volumes of Recycled Produced Water used;
 - ii. Include a description of how the Operator will meet the requirements of Rule 905.c.(6);
 - iii. Describe and request Commission approval for any water used to satisfy the requirements as a Recycled Produced Water Alternative;
 - iv. Specify the methods and locations for treatment of Produced Water;
 - v. Specify the means of transporting Produced Water, treated Produced Water, and Recycled Produced Water Alternative to and from off-location treatment facilities;
 - vi. Include an affirmative commitment that the Operator will not use the chemicals listed in Table 437-1 as additives in Hydraulic Fracturing Fluid;
 - vii. Include a description of the source of Recycled Produced Water and whether any of the chemicals listed in Table 437-1 are known to be present in the Recycled Produced Water at any concentrations by laboratory analysis or by process knowledge; and
 - viii. Include any other information that the Director or Commission determines is necessary to ensure the protection of public health, safety, welfare, the environment and wildlife resources during waste management operations.

Purpose of Attachment

Proper management of wastes generated during construction, drilling, completion, and production operations at new or existing Oil and Gas Locations is imperative for the protection of public health, safety, welfare, the environment, and wildlife resources. The purpose of the Waste Management Plan is to demonstrate how the Operator will safely manage all types of waste, including E&P Waste, during each phase of operations and to evaluate opportunities to reuse and recycle water (in concert with the Rule 304.c.(18) Water Plan) in order to avoid, minimize, and mitigate potential impacts before they occur.

Requirements

A Form 2A requires an attached site-specific Waste Management Plan pursuant to Rule 905.a.(4). that demonstrates compliance with the Commission's Rules for the operation of the proposed Oil and Gas Location in a manner that is protective of and minimizes adverse impacts to public health, safety, welfare, the environment, and wildlife resources. A revised Waste Management Plan may be submitted on a Form 4 to request approval of any changes needed to a previously approved plan.

1. The Waste Management Plan will be organized into sections to discuss management of each waste stream and by operational phases, as applicable to the location:
 - a. Construction;
 - b. Drilling;
 - c. Completions;
 - d. Flowback;
 - e. Production;
 - f. Spill response and remediation;

- g. Facility decommissioning; and
 - h. Plugging and abandonment.
2. For each operational phase listed above, Operators will:
- a. Provide a descriptive list of all waste streams anticipated to be generated at the location. For each waste stream identified, include:
 - i. The name or type of waste (e.g., oil-based drill cuttings, water-based bentonitic drilling fluids, produced water, trash, tank bottoms, human waste);
 - ii. The regulatory classification of the waste (e.g., E&P Waste, non-E&P Waste, hazardous waste, non-hazardous solid waste);
 - iii. A general description of the process(es) that generated the waste;
 - iv. An estimate of expected volumes or amounts of waste generated, and a frequency and duration of the waste stream generation;
 - v. Any physical or chemical hazards the waste stream may pose, and whether or not field testing or environmental laboratory analyses are needed to further assess these hazards;
 - vi. A detailed description of all intended onsite treatment, storage, and disposal, including the use of any pits;
 - vii. A detailed description of the placement and use of storage areas and treatment methods; and
 - viii. An evaluation of applicable surface owner and lease agreement conditions pertaining to waste treatment, storage, and disposal.
 - b. For wastes disposed onsite, reused, recycled, and for remediation, describe how the Operator will comply with Table 915-1 by detailing:

- i. Methods for adequate collection of representative waste profile samples;
 - ii. The number of samples needed for waste characterization;
 - iii. What analyses will be run and what analytical methods will be used; and
 - iv. A certification that the analyses will be run by an accredited or certified environmental laboratory and that proper field protocol will be employed during sampling.
- c. For E&P Waste being transported off-site, include:
- i. A description of the Operator's recordkeeping system for all required transport records, including verification of where and for how long the records will be kept (see General Notes section, Rule 905.b.(3).);
 - ii. A description of all intended off-site treatment, storage, and disposal methods;
 - iii. A description of haul routes;
 - 1. The plan may reference the Access Road Map as long as haul routes are clearly identified on that map. Additional information can be found in Rule 905.b;
 - iv. Information about the receiving facility (e.g., name and location of spread field or name of disposal well operator and location of disposal well facility); and
 - v. A description of the methodology for collecting waste characterization and profile samples for selected management or disposal of waste if required by the disposal facility.

3. For all waste streams, provide an evaluation of opportunities to reduce the volume generated, reduce toxicity, put to a beneficial use, reuse, or recycle.
4. Include a Produced Water recycling and reuse plan that includes all required information listed under Rule 905.a.(4).C. and 905.a.(4).D.
5. Per Rule 315.b.(2).D., all Best Management Practices (“BMPs”) are required to be listed in the Cumulative Impacts Analysis (CIA). The BMPs should detail how waste will be managed, treated, stored, disposed, and transported. The BMPs should state how the Operator intends to comply with ECMC Rules, include site-specific waste management practices, Operator’s selected disposal options, and summarize operational points discussed within the plan. These BMPs will be reviewed by the lead Location Assessment Specialist (LAS) and incorporated into the Form 2A, as applicable.

Additional Information

Common Errors and Issues Encountered by ECMC Staff

1. Not all waste streams anticipated to be generated at the location are listed and adequately described in the Plan or are included as part of the waste stream summary list described above in the Requirements list, part 2.a.
2. Information provided as part of the submitted Plan is not consistent with other Plans, Attachments, or Forms that are part of the same OGD.

General Notes

1. The Waste Management Plan will present a clear, concise description of how all waste will be managed on location, transported off location, and disposed of. It does not need to be a lengthy document.
2. Avoid simply restating the Rules in the Waste Management Plan.

3. If the same management or disposal option is selected for multiple waste streams, these wastes can be listed under that heading.
4. Additional site-specific waste management details, tables, process flow diagrams, site diagrams showing where wastes will be stored on specific locations, or lists of contractors, transporters, and disposal facilities that are subject to change may be included as appendices to easily update the plan.
5. For laboratory analysis: the Operator will request the laboratory analyze waste samples for the Table 915-1 parameters, using appropriate analytical methods and detection limits to demonstrate that the waste meets narrative and/or numeric standards in Table 915-1 and Water Quality Control Commission, and Colorado Department of Public Health and Environment - Water Quality Control Division, (“CDPHE-WQCD”) Regulations as incorporated by reference in Rule 901.b.
6. Waste management options that include beneficial use, re-use, recycling, disposal on location, or at a permitted via Form 28, Centralized E&P Waste Management Facility (CE&PWF), require quality assurance and quality control (QA/QC) measures to demonstrate compliance with ECMC 900 Series Rules and Table 915-1 concentrations or levels.
7. The Operator may transport E&P Waste for treatment at a Director-approved CE&PWF, pursuant to Rule 907. The Operator will comply with all Rules and conditions of approval for the CE&PWF.
8. In accordance with Rule 905.b.(3), waste transportation may require use of bills of lading, load tickets, waste manifests, or similar records to document the volumes, weight, and type of waste being transported.

Cuttings Trench Disposal of Wastes During Drill Operations

1. Only dried drill cuttings generated from drilling wells at the same location may be disposed of in an approved Cuttings Trench.

2. The Table below illustrates E&P Waste and Non-E&P Waste that may be generated during the drilling of oil and gas wells and proper disposal means of the waste:

Type	Category	Disposal Method
Water-based/ Bentonitic Mud	E&P Waste	Dispose of at an approved facility and/or recycled for use at other drill locations
Drill Cuttings	E&P Waste	Off-site disposal or at a permitted and approved Cutting Trench with documentation that Table 915-1 Clean-up Concentrations have been met and/or with an approved 915.b. Reclamation Plan
Oily Waste from Spills	E&P Waste	Land Treatment On-site, at an approved CE&P Facility, or at an approved Commercial Facility
Cement Returns	E&P Waste	Approved Commercial Facility
Cement Washout or Excess Cement	Non-E&P Waste	Approved Commercial Facility
Frac Sand	E&P Waste	Approved Commercial Facility

Commercial Off-site E&P Waste Disposal

Commercial landfills or disposal facilities may accept E&P Waste based on an Operator's knowledge of process and a description of the waste or may require the Operator provide laboratory analytical results of waste samples to characterize or profile the waste so the landfill can determine if they will accept the waste. A

commercial landfill may require waste characterization analyses from an accredited environmental laboratory be provided prior to accepting the waste. Note that these analyses may be the same or differ from those under Table 915-1 and may include additional analyses, or analytical methods not required under Table 915-1. The disposal facility may require the waste be tested for flammability/ignitability, paint filter, corrosivity, reactivity, or radioactivity.

The landfill may not require analyses of analytes or parameters listed in Table 915-1 to be submitted. For example, Table 915-1 requires analysis of total metal (i.e., arsenic, barium, cadmium, etc.) concentrations whereas the landfill may require toxicity characteristic leachate procedure (“TCLP”) results, in lieu of total metal concentrations or in addition to these results. The Operator should coordinate with the landfill prior to sample collection and analysis.

The landfill or disposal facility may allow an Operator to create waste profiles that allow one-time disposal of the waste or disposal on an ongoing basis, provided that the process generating the waste has not changed or based on initial or periodic waste sample laboratory results. The Operator should consult with the landfill to determine what is needed to dispose of the E&P waste at a particular commercial facility.

E&P Waste Beneficial Use, Reuse, or Recycling Options

The ECMC encourages beneficial use, reuse, and recycling of E&P Wastes, as long as the Operator ensures compliance with the concentration levels in Table 915-1, and WQCC Regulation 41 for numeric and narrative groundwater quality standards and classifications as incorporated by reference in Rule 901.b.

Definitions for all defined terms referenced in this document can be found in the 100-series Rules.

Frequently Asked Questions

1. N/A

Document Change Log

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October 20, 2025	Reviewed, ADA accessibility verified, prepared for publication

Appendix A - Associated Rules

Rule 905.c. - Produced Water

(1) Treatment of Produced Water. Operators will treat produced water prior to placing it in a production pit to prevent crude oil, condensate, or hydrocarbon sheen from entering the Pit.

(2) Produced Water Disposal. Produced water may be disposed as follows:

- A. Injection into a Class II UIC Well, permitted pursuant to the Commission's 800 Series Rules, or a Class I well permitted by EPA;
- B. Evaporation/percolation in a properly permitted Pit at an Oil and Gas Location, operated in accordance with permit conditions that will not cause a violation of any applicable WQCC Regulation 41 numeric or narrative Groundwater quality standards and classifications, as incorporated by reference in Rule 901.b;
- C. Disposal at permitted commercial facilities;
- D. Discharging into Waters of the State under the following conditions pursuant to the Water Quality Control Act and all applicable regulations.
 - i. Operators will provide the Colorado discharge permit number, latitude and longitude coordinates pursuant to Rule 216.e of the discharge outfall, and sources of produced water on a Form 26, Source of Produced Water for Disposal, and will include a U.S. Geological Survey topographic map showing the location of the discharge outfall.
 - ii. If the discharge outfall is not located immediately at the receiving water body, the Operator will prevent surface impacts such as erosion or contamination that can result from the produced water flowing across the land surface.
 - iii. Produced water discharged pursuant to this Rule 905.c.(2).D may be put to beneficial use in accordance with applicable state statutes and regulations governing the use and administration of water.

E. Evaporation in a properly lined Pit at a Centralized E&P Waste Management Facility permitted pursuant to Rule 907.

- (3) Produced Water Reuse and Recycling. Operators may reuse produced water for enhanced recovery, drilling, completion, and other approved uses in a manner consistent with existing water rights and in consideration of water quality standards and classifications established by the WQCC for Waters of the State, or any Point of Compliance established by the Director pursuant to Rule 914.
- (4) Mitigation. Operators may use water produced during operation of an oil or gas Well to provide an alternative domestic water supply to Surface Owners within the oil or gas Field, pursuant to all applicable laws, including, but not limited to, obtaining the necessary approvals from the Water Quality Control Division for constructing a new “waterworks,” as defined by § 25-1.5-203(1)(b)(II)(A), C.R.S. Any produced water not so used will be disposed of pursuant to Rules 905.c.(2) or (3). Providing produced water for domestic use within the meaning of this Rule 905.c.(4) will not constitute an admission by the Operator that the Well is dewatering or impacting any existing water well. The water produced will be to the benefit of the Surface Owner within the oil and gas Field and may not be sold for profit or traded.
- (5) Water Sharing Agreements. Operators will submit agreements for sharing produced water for the Director’s approval or denial no less than 60 days in advance of implementing the water sharing plan. The plan will be submitted as a waste management plan pursuant to Rule 905.a.(4).
- (6) Requirements for the Recycling or Reuse of Produced Water.
 - A. Operators will increase the usage of Recycled Produced Water, Recycled Produced Water Alternative, and Recycled Produced Water Credits and decrease the amount of Fresh Water utilized in Well Stimulations according to the following schedule of “compliance periods”:
 - i. Beginning January 1, 2026, an Operator’s geologic basin-wide combined oil and gas developments permitted on Oil and Gas Development Plans filed after January 1, 2026, and the combined subsequent operations to recomplete or restimulate any existing

Well within the relevant geologic basin, will use a minimum average of 4% Recycled Produced Water and Recycled Produced Water Alternative for Well Stimulations commenced before January 1, 2030.

- ii. Beginning January 1, 2030, an Operator's geologic basin-wide combined oil and gas development, regardless of when the Wells were permitted, will use a minimum average of 10% Recycled Produced Water and Recycled Produced Water Alternative for Well Stimulations commenced before January 1, 2034.
 - iii. No later than June 1, 2028, the Commission will convene a rulemaking to adopt additional minimum averages for new compliance periods that will commence on January 1, 2034 and January 1, 2038. In such rulemaking the Commission will consider additional work and recommendations by the Produced Water Consortium on Produced Water availability and achievable minimum averages, including consideration of whether to include other Recycled Produced Water Alternative sources. In the absence of additional rulemaking, the minimum averages of 20% for the period beginning January 1, 2034 and 35% for the period beginning January 1, 2038 will become law.
- B. Demonstration of Compliance. Operators will demonstrate compliance with the requirements of Rule 905.c.(6).A on Forms 47 and Annual Certifications (as defined in Subpart D below) using the calculation required by Rule 431.e.(2).G.
- C. Recycled Produced Water Credits. If an Operator's compliance demonstration under Rule 905.c.(6).B shows that the Operator's average percentage of Recycled Produced Water and Recycled Produced Water Alternative within a specific geologic basin exceeds the percentage required by Rule 905.c.(6).A for the reporting period, the Operator may claim Recycled Produced Water Credits for the total volume of Recycled

Produced Water and Recycled Produced Water Alternative used above the minimum during the reporting period.

- i. An Operator creating a Recycled Produced Water Credit must identify that Recycled Produced Water Credit in a Form 47 or Annual Certification (as defined in Subpart D below). If the Operator creating the Recycled Produced Water Credit chooses to apply the Recycled Produced Water Credit to its own compliance demonstration, it will do so through its Form 47 or Annual Certification (as defined in Subpart D below). In this event, the Recycled Produced Water Credit must be used within the same compliance period or within 24 months after the compliance period in which the Recycled Produced Water Credit was created.
- ii. If a Recycled Produced Water Credit is subsequently transferred to a third-party Operator, the transferor Operator will submit a Form 48 within ten days of the transfer. The Operator shall identify: (1) the Form 47 on which the Recycled Produced Water Credit was established; (2) the number of Recycled Produced Water Credits being transferred; and (3) the Operator receiving the Recycled Produced Water Credits. Recycled Produced Water Credits created by operations in one geologic basin may not be transferred outside of that geologic basin.
- iii. An Operator who acquires a Recycled Produced Water Credit from a third-party Operator may apply that Recycled Produced Water Credit to the receiving Operator's average percentage of Recycled Produced Water for the relevant compliance period in a Form 47 or Annual Certification. A Recycled Produced Water Credit that is acquired from a third-party Operator must be used within the same compliance period or within 24 months after the compliance period in which the Recycled Produced Water Credit was created.
- iv. The Director will maintain a centralized ledger that tracks the generation, usage, and trading of Recycled Produced Water

Credits. In maintaining this ledger, the Director will review Form 47s creating and applying Recycled Produced Water Credits and Form 48s transferring Recycled Produced Water Credits to confirm that the claimed Recycled Produced Water Credits have been properly created, transferred, and applied towards compliance with Rule 905.c.(6).A.

- v. An Operator may not create Recycled Produced Water Credits for exceeding the 50% requirement during the first year of any compliance period, but the Operator may create Recycled Produced Water Credits for exceeding the 100% requirement during the first year of any compliance period.
- vi. An Operator found by the Commission to have intentionally misrepresented Recycled Produced Water Credits in either an OFV or AOC will be prohibited from creating, applying, conveying or acquiring Recycled Produced Water Credits.

D. Consideration of an Operator's Recycled Produced Water Target Status.

No later than April 1 of each year, beginning in 2027, Operators will submit a certification to the Director ("Annual Certification") providing whether the Operator has met the water usage requirements set forth in Rule 905.c.(6).A in the preceding year(s) of a compliance period; provided, however, that in the first year of any compliance period, the Operator need only demonstrate that it has met 50% of the water usage percentage set forth in Rule 905.c.(6).A for that compliance period, and in each subsequent year of a compliance period, the Operator must demonstrate it has averaged 100% of the water usage percentage set forth in Rule 905.c.(6).A over all applicable Wells for the four year compliance period.

- i. If an Operator is unable to certify it has met the Rule 905.c.(6).A water usage requirement in its Annual Certification, then the Operator will submit, within 30 days of its Annual Certification, an Annual Compliance Plan that describes in detail the actions the

Operator will take during the remainder of a compliance period to come into compliance with the Operator's Rule 905.c.(6).A percentage target by the applicable compliance deadline, as well as benchmarks to measure the Operator's consistent progress toward meeting the applicable compliance deadline.

- ii. Following its submission of an Annual Compliance Plan, the Operator will provide, in its quarterly Form 47, the steps the Operator took in the preceding quarter in furtherance of its Annual Compliance Plan to comply with the Operator's Rule 905.c.(6).A percentage target by the applicable compliance deadline ("Compliance Report").
- iii. Once an Operator demonstrates in its Compliance Report, or in a subsequent Annual Certification, that the Operator is meeting its Rule 905.c.(6).A percentage target, then the Operator need not continue to submit a Compliance Report.
- iv. If an Operator has not met the Rule 905.c.(6).A water usage requirement by the end of the four-year compliance period, as part of the Director's recommendation pursuant to Rule 306.b and Rule 314.g, the Director will condition approval of the Operator's new Oil and Gas Development Plans and Comprehensive Area Plans to meet or exceed the Rule 905.c.(6).A water usage requirement by the end of the next compliance period. This will continue for all of the Operator's applications submitted pursuant to Rule 306 and Rule 314, until the Operator can certify it is meeting the Rule 905.c.(6).A water usage requirement in its Annual Certification.
- v. If an Operator has not met the Rule 905.c.(6).A water usage requirement by the end of the four-year compliance period, as part of the Commission's review of the Director's Recommendation pursuant to Rule 307 and 314.h, the Commission will condition approval of all the Operator's new Oil and Gas

Development Plans and Comprehensive Area Plans to meet or exceed the Rule 905.c.(6).A water usage requirement by the end of the next compliance period. This will continue for all of the Operator's applications submitted pursuant to Rule 306 and Rule 314, until the Operator can certify it is meeting the Rule 905.c.(6).A water usage requirement in its Annual Certification.

- vi. If the Director determines that the information supplied on an Operator's Annual Compliance Plans and Compliance Report indicates that an Operator will be unable to comply with the Operator's Rule 905.c.(6).A percentage target by the applicable compliance deadline, the Director will require the Operator to take such actions as the Director deems necessary to assure compliance with the Operator's Rule 905.c.(6).A percentage target by the applicable compliance deadline.
- vii. If an Operator has not met the Rule 905.c.(6).A water usage requirement by the end of the compliance period, the volume of Recycled Produced Water, Recycled Produced Water Alternative, or Recycled Produced Water Credits necessary to bring the Operator into compliance will carry over and be added to the requirements to be met by the Operator in the next compliance period. This carryover will be a separate requirement in addition to meeting the next compliance period requirements. Operators out of compliance at the end of a compliance period will be subject to Rule 905.c.(6).D.iv. and v. until the Operator has submitted an Annual Certification that it has come into compliance and has addressed the carryover from the previous compliance period.
- viii. If the Director requires an Operator to take action pursuant to Rule 905.c.(6).D.vi, the Operator may appeal the Director's decision to the Commission pursuant to Rule 503.g.(10). The matter will not be assigned to an Administrative Law Judge or

Hearing Officer. The Commission will hear the appeal at its next regularly scheduled meeting. The Commission may uphold the Director's decision if the Commission determines that the Director had reasonable cause to determine that the required actions are necessary to assure compliance with the Operator's Rule 905.c.(6).A percentage target by the applicable compliance deadline.

- E. Water Use Consistent with Limitations. Unless an Operator can show that water will be diverted from the stream system only during Free River conditions, when all water rights are satisfied, the Fresh Water used in drilling and completion operations must be used in accordance with any limitations on a water right, permit or administrative approval for industrial use.

Rule 905.e. - Oily Waste

(1) Treatment and Disposal. Operators may treat or dispose of Oily Waste through one of the following methods:

- A. Disposal at a commercial Solid Waste Disposal facility;
- B. Land Treatment onsite pursuant to 905.e.(2); or
- C. Land Treatment at a Centralized E&P Waste Management Facility permitted pursuant to Rule 907.
- D. Onsite treatment, for Oily Waste other than Tank bottoms, using alternative methods described on a Form 27 submitted to the Director for prior approval

(2) Land Treatment Requirements.

- A. Prior to commencing any Land Treatment, Operators will submit and obtain approval of a Form 27. The Form 27 will include, at a minimum:
 - i. A site diagram depicting the location of the planned Land Treatment area;
 - ii. The duration of the planned treatment; and

- iii. The Operator's plan for final disposition of the treated Oily Waste.
- B. Operators will adhere to the approved plan provided with the Form 27 and Rules 907 and 915 when performing Land Treatment.
- C. Operators will remove free oil from the Oily Waste prior to Land Treatment.
- D. Operators will spread Oily Waste evenly to prevent pooling, ponding, and runoff.
- E. Operators will prevent Pollution of Stormwater Runoff, Groundwater, and surface water.
 - i. Operators will establish stormwater controls and use Best Management Practices to prevent contaminated stormwater from leaving the Land Treatment area.
 - ii. Operators will establish Land Treatment areas where contaminant mobility, soil type, or depth to Groundwater prevent downward migration of contaminants that would cause a violation of any WQCC Regulation 41 numeric and narrative Groundwater quality standards and classifications, as incorporated by reference in Rule 901.b.
 - iii. Operators will establish Land Treatment areas a minimum of 200 feet from the ordinary high water mark of a surface water.
 - iv. The Director may require the use of a liner beneath the Land Treatment area as a condition of approval on the Form 27, as appropriate.
- F. Operators will enhance biodegradation by routine disking, tilling, aerating, or addition of nutrients, microbes, water or other amendments, at a predetermined frequency pursuant to the approved Form 27.
- G. When Operators incorporate land-treated Oily Waste in place or beneficially reuse it, the treated waste may not exceed the cleanup

concentrations in Table 915-1, including inorganic constituents and metals.

H. Surface Owner Consent.

- i. If an Operator intends to conduct Land Treatment in an area not being utilized for Oil and Gas Operations, the Operator will obtain the Surface Owner's consent to conduct the Land Treatment operations on the Surface Owner's property, and provide a copy of the signed agreement with the Surface Owner to the Director with the Form 27 prior to proceeding with Land Treatment.
 - ii. If an Operator intends to conduct Land Treatment on an approved Oil and Gas Location prior to completion of interim Reclamation or on the surface disturbance remaining after interim reclamation, the Operator will provide notice to the Surface Owner at least 30 days before commencing the Land Treatment. Notice will, at a minimum, include a site diagram depicting the location of the planned Land Treatment area, the duration of the planned treatment, and planned final disposition of the waste.
- I. Operators will conduct Land Treatment in a manner that does not preclude compliance with Rules 1003 and 1004.
- J. Operators will not conduct Land Treatment of Oily Waste on an Oil and Gas Location after the final Well has been plugged. Oily Waste will be treated or disposed pursuant to Rules 905.e.1.(A) or (C).
- K. Operators will conduct Land Treatment in a manner that achieves compliance with Table 915-1 concentrations in three years or less. If the treated waste does not comply with Table 915-1 within three years of the date of Land Treatment, the Operator will submit a Form 28 at least 90 days in advance of the 3-year anniversary of the Land Treatment Form 27 approval date. Failure to comply with Table 915-1 in 3 years or to submit a Form 28 will result in the requirement to immediately remove and properly dispose any remaining Oily Waste pursuant to Rules 905.e.1.(A) or (C).

Rule 905.e. - Other E&P Waste

Operators may treat and dispose other E&P Waste, including but not limited to workover Fluids, Tank bottoms, pigging wastes from Pipelines, and gas gathering, processing, and storage wastes through one of the following methods:

- (1) Disposal at a commercial Solid Waste Disposal facility;
- (2) Treatment at a Centralized E&P Waste Management Facility permitted pursuant to Rule 907;
- (3) Injection into a Class II UIC Well permitted pursuant to the Commission's 800 Series Rules; or
- (4) An alternative method proposed in a waste management plan pursuant to Rule 905.a.(4) and approved by the Director.

Rule 905.g. - Drill Cuttings

Operators will treat or dispose of drill cuttings through one of the following methods:

- (1) Oily Waste. Operators will manage the following drill cuttings as Oily Waste pursuant to Rule 905.e:
 - A. Drill cuttings generated from oil-based drilling fluids;
 - B. Drill cuttings that exceed Table 915-1 concentrations for organic compounds in soil; and
 - C. Drill cuttings that have not been sampled and analyzed to demonstrate compliance with Table 915-1 for organic compounds in soil.
- (2) Drill Cuttings. Operators will demonstrate compliance with Table 915-1 through sampling and analysis. Management of drill cuttings that exceed Table 915-1 for constituents listed under soil suitability for Reclamation by the methods listed below is subject to prior approval by the Director, pursuant to Rule 915.b. Operators may manage drill cuttings that comply with Table 915-1, are not Oily Waste, and are generated using water-based bentonitic drilling Fluids through one of the following methods:
 - A. Disposal at a commercial Solid Waste Disposal facility;

- B. Disposal at a Centralized E&P Waste Management Facility permitted pursuant to Rule 907;
- C. Subject to Surface Owner approval, Land Application as a beneficial soil amendment to native soil subject to a waste management plan approved pursuant to Rule 905.a.(4).
- D. If permitted by Rule 1003.d, and subject to Surface Owner approval, drying and burial in on-location drilling Pits that are documented with a Form 27 submitted for prior Director approval for closure of the Pit; or
- E. Subject to Surface Owner approval, and prior Director approval of a Form 27, burial in a Cuttings Trench.