

Website Q&A Content

I - Can I file an anonymous complaint?

Yes. You can choose to file a complaint and remain anonymous. However, the COGCC does ask that contact information be provided so COGCC staff can follow up if required. Simply indicate you want the complaint to be anonymous and COGCC staff will not publish the contact information you provided.

II - What is the minimum information required to process and investigate my complaint?

In order for COGCC staff to process and investigate a complaint, the following information is required:

- What: A detailed description of the issue(s) you are experiencing.
- Where: Be as specific as possible regarding the location where the issue(s) are occurring. A street address, cross streets, county roads, or the name of the well location work best.
- How: How can the COGCC contact you to follow up?

Without this information, the COGCC will not be able to investigate the complaint and, therefore, the COGCC will have no choice but to discard the complaint.

III - What should I expect after I file a complaint?

The following are the actions and responses you should expect from the COGCC after you file a complaint:

1. If necessary, COGCC staff will contact you to ask clarifying questions to ensure the complaint is documented accurately and assigned to the correct COGCC technical expert.
2. Within two business days of receiving the complaint, COGCC staff will email you a fact sheet explaining the procedure(s) for investigating type of complaint you have filed or the COGCC technical expert assigned to investigate the complaint will contact you to explain the process.
3. A formal letter will be sent to you when the complaint is closed/resolved. This letter will include actions taken, findings, relevant COGCC document numbers related to the investigation and your rights as a complainant. COGCC strives to close/resolve all complaints within 60 days of receiving the complaint, however some complex or ongoing issues may take longer.

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IV - I'm not satisfied with the results of my complaint. What are my rights?

All complaints received by the COGCC are initially assessed to determine if the complaint is related to an issue within the COGCC's jurisdiction. If staff determines that the issues in the complaint are within the COGCC's jurisdiction, then an investigation will be performed by COGCC staff and the results will be communicated to you in writing. If you disagree with the COGCC's action or investigation results, as a complainant you have certain rights per COGCC rules. Specifically:

1. Complainant rights related to COGCC's decision that no violations occurred related to a written complainant:

- a. Per Rule 522.b.(4).(A) the complainant may file a Petition for Review requesting the commission hear an objection to the decision to not issue a Notice of Alleged Violation (NOAV). The procedure and requirements for filing a Petition for review are outlined in 522.b.(5) and 522.b.(6). The Complainant will have 28 days from receiving the decision to file a Petition for Review.
- b. The Complainant may make a public comment at a Commission hearing. A schedule of Commission hearings can be found at: <http://cogcc.state.co.us/reg.html#/reg/hearings>.

2. Complainant rights related to COGCC's decision that violations did occur as a direct result of a written complaint:

- a. If a written complaint leads to the issuance of a NOAV, the Complainant will be informed of the terms of a draft settlement and given an opportunity to comment on the settlement, called an Administrative Order of Consent (AOC), between the operator and the COGCC per Rule 522.b.(3).
- b. The Complainant may object to the terms of a final proposed AOC, per Rule 522.b.(4)(B). The Complainant will have 28 days from the date receiving the finalized settlement to formally object.
- c. The Complainant may make a public comment at a Commission hearing. A schedule of Commission hearings can be found at: <http://cogcc.state.co.us/reg.html#/reg/hearings>.

Further information on what steps are required to file a Petition for Review, and the steps required after such filing, can be obtained by contacting the COGCC Hearings and Regulatory Affairs Manager. Complainant rights and responsibilities are contained within the 500 Series Rules of Practice and Procedure (<http://cogcc.state.co.us/documents/reg/Rules/LATEST/500Series.pdf>).

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V - Why was my Complaint Closed?

All complaints will eventually be closed after an investigation is completed. The following are the reasons why a complaint filed with the COGCC is closed:

1. COGCC staff determined the complaint is not within the jurisdiction of the COGCC. In this case your complaint will be sent to the appropriate agency or local government for further review. You will receive a formal letter from the COGCC that identifies the agency to which your complaint was forwarded and the name and contact information of the person at that agency who will now review your complaint.
2. COGCC staff performed an investigation and determined no violations of COGCC Rules occurred. In this case no further action will be performed by COGCC staff. You will receive a formal letter from the COGCC explaining what actions were taken on your complaint and your rights as a complainant.
3. COGCC staff performed an investigation, determined potential violations of COGCC Rules occurred, and issued a Warning Letter, Action Required Field Inspection Report or Notice of Alleged Violation (NOAV) to the operator. In this case the complaint will be closed because all further actions will be performed using the enforcement process initiated by the Warning Letter, Action Required Field Inspection Report or NOAV. You will receive a formal letter from the COGCC explaining what actions were taken, the next steps, and your rights to participate in the enforcement process.

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VI - I want to comment on a proposed Oil and Gas Location. Should I file a complaint to do this?

No, please do not file a complaint.

You can enter a comment directly on the actual pending application for that location. The application for every drilling permit and every oil and gas location is open for a 20 day public comment period. (This comment period can be extended to 30 or 40 days by your Local Government.) During the comment period the general public can submit comments and concerns to the COGCC related to the proposed oil and gas operations. Entering a comment is the most effective way to voice and express concerns related to a proposed oil and gas location. Your comments are included in the application and are reviewed by COGCC staff when the application is processed for approval.

Instructions for making a public comment on a proposed oil and gas location can be found at:

https://cogcc.state.co.us/COGIS_Help/Making_Public_Comments1182013.pdf

VII - I am the surface owner of a proposed oil and gas location. I have concerns that I want the operator to address, but I do not have a surface use agreement with the operator. Should I file a complaint?

No, please do not file a complaint.

The COGCC has an onsite consultation process to assist surface owners in just these circumstances. You should complete and submit an onsite request form. When your onsite request form is received, COGCC staff will contact you to discuss your concerns and will facilitate a meeting with the operator to help resolve your issues.

The onsite request form is the last (fourth) page of the policy that can be found at:

http://cogcc.state.co.us/RR_Docs_new/Policies/Revised%20Onsite%20PolicyDecember%202005.pdf