



COLORADO
Oil & Gas Conservation
Commission
Department of Natural Resources

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Colorado Oil & Gas Conservation Commission Announces SB 19-181 Rulemaking Plan

COGCC Director discusses rulemaking plan that includes seating a new Professional Commission in 8 ½ weeks

DENVER - The Colorado Oil and Gas Conservation Commission (COGCC) today announced at its April Hearing several SB 19-181 rulemaking schedule updates and how the current volunteer and new Professional Commission, seated on July 1, 2020, will participate in this process.

COGCC Director Jeff Robbins provided a long-range plan for meetings and addressed how the agency is moving rulemaking and seating a Professional Commission forward, ensuring the best integrity for the process:

Wellbore Integrity Rulemaking:

The Wellbore Integrity hearing will be held June 10 and 11. The volunteer Commission will oversee this rulemaking hearing.

Mission Change Rulemaking:

“SB 19-181 calls for the Mission Change rulemaking, which involves complex, highly technical and contentious issues on multiple topics across the Commission rules. It is transformative, and it is critical that all stakeholders have the time to fully participate in this process. We must allow adequate time for stakeholder discussion and resolution of issues, as well as to include the 800, 900 and 1200 Series Rules.

“As a result, the COGCC will limit Mission Change rulemaking efforts under the current interim Commission, recognizing that in less than 9 weeks, we will seat a Professional Commission, and the rulemaking can not be completed in that timeframe.

Transitioning from a volunteer interim Commission to a Professional Commission:

“We want to thank our current volunteer Commissioners, who have, in addition to their regular professions, been involved in passing the November 2019 Flowline rules, resolving enforcement matters and SB 19-181 rulemakings.”

“The Professional Commission will be seated July 1st, irrespective of whether Mission Change rules are adopted. We believe it is in the best interest for all parties, the Commission and Colorado to start and finish Mission Change rulemaking with one Commission. Taking the above points into consideration, Staff and I recommended the volunteer Commission reschedule all Mission Change rulemaking hearings to begin after the Professional Commission is seated.”

Next Steps for SB 19-181 Rulemaking at a glance:

Mission Change:

200, 300, 400, 500, and 600 Series Rules:

- COGCC posted these rule series on March 15, and notified the Secretary of State of the Mission Change rulemaking.

800, 900, 1200 Series Rules:

- Staff will release strawdog 800, 900 and 1200 Series rules in the coming weeks, with the expectation to notice in late May these rules for rulemaking.
- The 800, 900, and 1200 Series rulemaking will be held concurrent with the Mission Change rulemaking hearing.

The Mission Change rulemaking hearing process is, for the large part, to be conducted under the Professional Commission.

- COGCC will use the month of May as a time for issue identification by the Parties. During this time Parties can submit redlines of the current draft rules, which staff will consider when preparing any revisions to the current draft rules.
- Pre-hearing statements, responses, and pre-filed testimony for the Mission Change rulemaking would begin with filings in June through August, and hearings beginning in August.
- With the Commission completing its hearings by Sept. 10, the Mission Change rules can go into effect by Nov. 1, 2020. Also, opportunities will be made for the volunteer Commission to weigh in on the current Mission Change rules to inform the Professional Commission.

About SB 19-181:

SB 19-181 ensures that oil and gas development and operations in Colorado are regulated in a manner that protects public health, safety, welfare, the environment and wildlife resources. The COGCC is in the midst of reviewing its rules and procedures to evaluate what changes are required to reflect the new law’s requirements. On Nov. 21, 2019, the Commission adopted Flowline rules. The Commission will take up additional SB 19-181 rulemakings at future Commission hearings and will seat a new 5-member Professional Commission on July 1, 2020.

To learn more about participating in any meetings, the rulemaking schedule or comment using the online portals, visit the COGCC website: cogcc.state.co.us and follow us on Twitter @ColoradoOGCC.

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