

# **UNDERGROUND INJECTION CONTROL PROGRAM**

## **PUBLIC NOTICE AND OPPORTUNITY TO COMMENT**

American Shale Oil, LLC  
P.O. Box 1470  
110 East 3rd Street, Suite 201  
Rifle, CO 81650

### **PURPOSE OF PUBLIC NOTICE**

The purpose of this notice is to solicit public comment on a proposal by the Region 8 Underground Injection Control (UIC) Program office of the U.S. Environmental Protection Agency (EPA) to modify a UIC Permit that authorizes the underground injection of fluid via a Class V Experimental Technology Well in Rio Blanco County, CO:

Permit No. CO52154-08524

AMSO T-1P  
1494 FSL, 1902 FEL, NWSE S21, T2S, R98W  
Rio Blanco County, CO

### **BACKGROUND**

The American Shale Oil, LLC (AMSO) has been issued a Class V Experimental Technology permit on January 4, 2011. Under the Research, Development, and Demonstration lease from the Bureau of Land and Management, AMSO intends to demonstrate technologies capable of developing oil shale resources. The goals of the project are to test the viability of their technology, experiment with different monitoring technologies, and to investigate materials and conditions that would provide the best insulation to protect the formation from the high operating temperatures.

During installation of the aerogel insulation, compaction of the insulation occurred at the shallower sections of the well resulting in a section of the well that may not provide the needed insulation to prevent heating of the formation near the well bore to meet the maximum allowable temperature requirements in the permit. The purpose of the temperature monitoring along the wellbore is to ensure that the high temperatures do not cause kerogen pyrolysis within the oil shale and therefore potential contamination of underground sources of drinking waters (USDWs). AMSO is requesting to modify the temperature monitoring requirements for the shallower intervals, from 350 feet depth to surface, where oil shale may not be present at all or exists at much lower concentrations than used to develop the permit temperature limits. The EPA has reviewed the requested modification and agrees that the suggested approach is reasonable given the much lower concentrations of oil shale that exists within the section of the well bore from surface to 350 feet below ground surface.

A draft modification to the permit has been prepared in accordance with provisions of the Safe Drinking Water Act (SDWA) as amended (42 USC et seq) and other lawful standards and regulations. The EPA has made a preliminary determination that all USDW will be protected. The modification once issued, will authorize AMSO to operate according to the conditions stipulated in the modified permit.

### **PUBLIC COMMENTS**

The requirements and conditions of the draft modification are tentative, and are open to comment from any interested party. Persons wishing to comment upon or object to any aspect of proposal are invited to submit comments, IN WRITING, within 30 days of the Date of Publication found below:

Wendy Cheung  
U. S. Environmental Protection Agency  
Ground Water Program, 8P-W-GW  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Telephone: 1-800-227-8917 ext. 312-6242

The Administrative Record, including the application, the Draft Permit Modification and Statement of Basis prepared by the EPA, and public comments received, is available for public inspection at the above location(s) weekdays from 8:00 a.m. to 4:00 p.m. The Draft Permit Modification and Statement of Basis will also be available on the Region 8 UIC webpage: <http://www.epa.gov/region8/water/uic>

### **PUBLIC HEARING**

Within the thirty (30) day period, any interested person may request a public hearing as provided by 40 CFR §124.12. A request for a hearing must be made IN WRITING to the above address and must state the nature of the issues proposed to be raised at the hearing. A public hearing will be held only if significant interest is shown.

### **FINAL PERMIT DECISION**

All comments received within the thirty (30) day period will be considered in the Final decision. The decision may be to: issue, modify, or deny the modification to permit. The Final decision shall become effective thirty (30) days after issuance unless no commenters requested changes to the Draft Permit Modification, in which case the Permit Modification to the Permit shall become effective immediately upon issuance.

### **APPEALS**

Within thirty (30) days after a Final decision has been issued, any person who filed comments on the Draft decision or who participated in a public hearing may petition the Administrator to review the final decision. Any person who failed to file comments or failed to participate in the public hearing may petition for administrative review only to the extent of the changes from the Draft to the Final Major Modification decision. Commenters are referred to 40 CFR §§ 124.15 through 124.20 for procedural requirements of the appeal process.

January 26, 2011  
Date of Publication