

Taylor Ann Whittemore  
Environmental Law Society, Berkeley Law  
2731 Haste Street Apt 1  
Berkeley, CA 94704  
(714) 865-8665  
taylorannwhit@gmail.com

October 17, 2014

Records Manager

Water Quality Control Division

Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

Dear Records Manager:

Under the Colorado Open Records Act (CORA) § 24-72-201 et seq., on behalf of the Environmental Law Society at the University of California, Berkeley, School of Law, I am requesting documents, including official documents, emails, facsimiles, etc., pertaining to certifications granted at any time under the Colorado Produced Water Treatment Facilities General Permit (COG-840000).

Specifically, I am requesting:

[1] Copies of all reports, records, letters, notes, memoranda, permits, and internal and external communications (hereinafter “documents”) mentioning or pertaining to the “administrative continuance” of the Colorado Produced Water Treatment Facilities General Permit (COG-840000) (“General Permit”) issued in response to the General Permit’s scheduled expiration on August 30, 2014.

[2] Copies of all documents pertaining to any certifications to discharge produced water – including but not limited to applications for new certifications, certification renewal applications, and discharge monitoring reports – under the General Permit granted by CDPHE from July 1st, 2014 to October 20th, 2014.

[3] Copies of all documents that address the General Permit’s implementation of the federal Clean Water Act’s beneficial use requirement, 40 C.F.R. part 435.50, including all documents relating to reporting requirements for individual certifications under the General Permit.

[4] Copies of all documents and database files that identify parties who have discharged

or are currently authorized to discharge produced water under the General Permit.

I would like the relevant documents to be provided via email to: [taylorannwhit@gmail.com](mailto:taylorannwhit@gmail.com). I do not believe that fees may be assessed for records provided via email, according to CORA § 24-72- 205(1)(b). However, if there are fees associated with this request, I wish to be notified of them before they are assessed. I would also like to request a waiver of any fees, if applicable, because the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of how and to whom certifications are granted under this General Permit. The Environmental Law Society is a student organization dedicated to promoting environmental justice and public interest environmental law, and we will use the requested information to inform our public interest advocacy work. This information is not being sought for commercial purposes.

If access to the records I am requesting will take longer than the three days required by statute, please contact me with information about when I might expect copies of requested records.

If you deny any part of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available.

Thank you for considering my request.

Sincerely,

Taylor Ann Whittemore