

Black Mountain closed, gets 30 days to respond

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On Tuesday, Black Mountain Disposal was given 30 days to tell the Mesa County Commission how it will clean up its act.

“Enough is enough,” said Commissioner Janet Rowland, minutes before the board unanimously decided to suspend the facility’s conditional use permits and certificates of designation.

The county-issued CUPs and CDs are suspended until Black Mountain complies with eight requirements. The conditions include the closing of the facility and supplying the county and the state with an acceptable remediation plan. It also requires the facility to begin testing water in wells on neighboring property to determine the extent of environmental contamination.

The wastewater disposal facility accepts wastewater used in the extraction of oil and gas. It is about 4 miles southeast of De Beque on 45 1/2 Road.

In 2001, one of the evaporation ponds had a leak. For the past seven years Black Mountain has failed to tell the Colorado Department of Health and Environment or the county what spilled, how large the plume extends and how it will clean up the spill. Now it has 30 days to provide the county with an acceptable clean-up plan, which the county will take an additional 30 days to review.

About 50 people attended the evening meeting at the old Mesa County Courthouse. Many were neighbors of Black Mountain. They expressed concern for their health and pollution of the groundwater.

“I’m sleeping nights with a respirator,” said Frank Lamm.

Lamm lives near Black Mountain and brought a jar of rain water that turned a strange shade of red, which he alleged was due to the pollution coming from Black Mountain, to show the commission.

“We’ve got health problems that are taking place. We are breathing toxic air,” he said.

A few in the audience wanted the facility to remain open and contended that Black Mountain’s owners, Elaine Wells and Jeff Pratt, are hard-working people who deserve another chance.

Jeff Rippy said he has known the two owners for years and has seen how hard they work to keep Black Mountain operating.

“And all of a sudden it is going to be took away from them,” Rippy said.

Black Mountain’s consultant, John R. Watt, Jr., argued that the state is misinterpreting its own regulations and “discriminating” against Black Mountain. He also said the horizontal spread of the plume makes no difference because Black Mountain already has wells on site that will draw any leak back to the center where it can be treated.

“We want to do a total remediation,” Watt said. “It will probably cost half a million to \$750,000 by the time we are done.”

But in seven years the facility has yet to produce a remediation plan accepted by the state or the county. Earlier this month the state filed suit against Black Mountain because of its lack of responsiveness to its repeated requests to delineate the extent of the spill and provide an acceptable plan to clean it up.