



---

west virginia department of environmental protection

---

Office of Oil and Gas  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
(304) 926-0450  
fax: (304) 926-0452

Harold D. Ward, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

Monday, December 12, 2022  
PERMIT MODIFICATION APPROVAL  
Coal Bed Methane Well / Plugging

MONUMENT OIL & GAS, LLC  
929 CHARLESTON RD.

SPENCER, WV 25276

Re: Permit Modification Approval for L-113  
47-061-01453-00-00

**Cement Variance**

MONUMENT OIL & GAS, LLC

The Office of Oil and Gas has reviewed the attached permit modification for the above referenced permit. The attached modification has been approved and well work may begin. Please be reminded that the oil and gas inspector is to be notified twenty-four (24) hours before permitted well work is commenced.

If there are any questions, please feel free to contact me at (304) 926- 0450.

James A. Martin  
Chief

A handwritten signature in blue ink, appearing to read 'James A. Martin', is written over the typed name and title.

Operator's Well Number: L-113  
Farm Name: PHILLIPS, FREDA L.  
U.S. WELL NUMBER: 47-061-01453-00-00  
Coal Bed Methane Well Plugging  
Date Modification Issued: 12/12/2022

Promoting a healthy environment.

12/16/2022



To Whom it May Concern,

Attached is an amendment that has been submitted to Chief of the office of oil and gas of the West Virginia Department of Environmental Protection. The subject well is listed within the letter to the Chief.

Thank You.

7022 1670 0001 8750 5610

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

\$ **Total** \_\_\_\_\_

\$ **Sent** \_\_\_\_\_

Street \_\_\_\_\_

City, \_\_\_\_\_

**L-113 47-061-01453**  
Consolidated Coal Company  
C/O Murray American Energy  
46226 National Road  
St. Clairsville, OH ~~43500~~ 43950

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

HAMLIN POST OFFICE  
HAMLIN WV  
OCT 13 2022  
25523-USPS

RECEIVED  
Office of Oil and Gas  
OCT 14 2022  
WV Department of  
Environmental Protection

7022 1670 0001 8750 5627

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

\$ **Total** \_\_\_\_\_

\$ **Sent** \_\_\_\_\_

Street \_\_\_\_\_

City, \_\_\_\_\_

**L-113 47-061-01453**  
John Jones  
1013 Range Run Road  
Wana, WV 26590

PS \_\_\_\_\_ Instructions

HAMLIN POST OFFICE  
HAMLIN WV  
OCT 13 2022  
25523-USPS



**DIVERSIFIED**  
energy

10/13/2022

James Martin  
Office of Oil and Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
(304)926-0450

Mr. Martin,

Due to our cement provider, LaFarge Holcem, discontinuing the manufacturing of Class A cement, DGOC will be utilizing Class L cement to plug the following well:

47-061-01453          Phillips, Freda L.          Well L-113

Attached is the approved variance order for use of Class L cement.

Sincerely,

Austin Sutler  
Asset Retirement Manager

RECEIVED  
Office of Oil and Gas  
OCT 14 2022  
WV Department of  
Environmental Protection



west virginia department of environmental protection

Office of Oil and Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Phone (304) 926-0450

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**BEFORE THE OFFICE OF OIL AND GAS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE OF WEST VIRGINIA**

**IN THE MATTER OF A VARIANCE FROM )  
LEGISLATIVE RULE 35CSR4 )  
SECTION 14.1. AND LEGISLATIVE RULE )  
35CSR8 SECTION 20.1, )  
RELATING TO THE CEMENTING )  
OF OIL AND GAS WELLS )**

**ORDER NO. 2022-13**

RECEIVED  
Office of Oil and Gas  
OCT 14 2022

WV Department of  
Environmental Protection

**REPORT OF THE OFFICE**

In response to industry requests, the West Virginia Department of Environmental Protection, Office of Oil and Gas has reviewed the proposed use of American Petroleum Institute (API) Class L cement to be used in place of API Class A cement for well plugging.

**FINDINGS OF FACT**

1. On July 28, 2022, Diversified Gas & Oil Co. (DGO) submitted a variance request from Legislative Rule 35CSR4 for the use of API Class L cement in place of API Class A cement, relating to the plugging of conventional wells.
2. Laboratory analysis submitted by DGO on July 28, 2022, indicates API Class L cement is comparable to API Class A cement and thereby satisfies the requirements of the West Virginia Code.
3. Contemporaneously, the Chief of the Office of Oil and Gas also chose to consider a variance to Legislative Rule 35CSR8 Section 20.1., for the use of API Class L cement in place of API Class A cement, relating to the plugging of horizontal wells.

Promoting a healthy environment.

12/16/2022

4. On August 18, 2022, the Office of Oil and Gas provided public notice of acceptance of public comments on the variance consideration. During the 20-day public comment period, no comments were received.

### CONCLUSIONS OF LAW

Pursuant to Article 6 and Article 6A, Chapter 22 of the Code of West Virginia, the Office of Oil and Gas has jurisdiction over the subject matter, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order.

Pursuant to Legislative Rule 35CSR4, Section 18 and Legislative Rule 35CSR8, Section 14, the Chief of the Office of Oil and Gas may grant a variance from any requirement of these rules.


### ORDER

It is ordered that the Class L cement product approved and monogrammed by API is approved for use in place of API Class A cement for well plugging subject to the provisions of Legislative Rule 35CSR4 and Legislative Rule 35CSR8.

Dated this, the 13th day of September, 2022.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OFFICE OF OIL AND GAS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OF THE STATE OF WEST VIRGINIA

  
James Martin, Chief  
Office of Oil and Gas

RECEIVED  
Office of Oil and Gas  
OCT 14 2022  
WV Department of  
Environmental Protection

12/16/2022



Kennedy, James P <james.p.kennedy@wv.gov>

---

## Cement Variance mods

1 message

---

**Kennedy, James P** <james.p.kennedy@wv.gov>


Mon, Dec 12, 2022 at 9:09 AM


To: Austin Sutler <asutler@dgoc.com>, Phyllis Copley <pcopley@dgoc.com>, Stephen E McCoy <stephen.e.mccoy@wv.gov>, Gayne J Knitowski <gayne.j.knitowski@wv.gov>


To whom it may concern, Cement variance modifications have been issued for 4706101453 4706101436 4710302041.

---

### 3 attachments

 **4706101453 MOD.pdf**  
761K

 **4706101439 MOD.pdf**  
794K

 **4710302041 MOD.pdf**  
757K

12/16/2022