

**FORM
INSP**Rev
X/15**State of Colorado
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109

Inspection Date:

08/08/2019

Submitted Date:

08/09/2019

Document Number:

696200552**FIELD INSPECTION FORM**

Loc ID 331849 Inspector Name: Trujillo, Aaron On-Site Inspection ☐ 2A Doc Num: _____

Operator Information:OGCC Operator Number: 10112Name of Operator: FOUNDATION ENERGY MANAGEMENT LLCAddress: 5057 KELLER SPRINGS RD STE 650City: ADDISON State: TX Zip: 75001**Status Summary:**

- ☒ THIS IS A FOLLOW UP INSPECTION
☒ FOLLOW UP INSPECTION REQUIRED
☐ NO FOLLOW UP INSPECTION REQUIRED

Findings:5 Number of Comments2 Number of Corrective Actions☒ Corrective Action Response Requested**ANY CORRECTIVE ACTION(S) FROM
PREVIOUS INSPECTIONS THAT HAVE NOT
BEEN ADDRESSED ARE STILL APPLICABLE****Contact Information:**

Contact Name	Phone	Email	Comment
,		dnr_cogccenforcement@state.co.us	
,		regulatory@foundationenergy.com	All Inspections

General Comment:

This is a follow-up final reclamation, good housekeeping and stormwater inspection.

This inspection is to document compliance for the following corrective actions:

603.f: Noxious weed management.

1004.a: Final Reclamation

This inspection is also in response to Form 18 complaint #200447500 in regards to noxious weed management on Foundation locations; On 6/25/2019 complainant submitted a formal complaint Form 18 regarding noxious weed issues on location #447525, and #331849 (associated with battery #447523). Complaint was forwarded to inspector on 6/26/2019 and inspector made contact with complainant on 6/27/2019 at ~08:49 hours. Complainant stated that Foundation has failed to conduct sufficient and ongoing noxious weed monitoring and management, as Diffuse Knapweed (*Centaurea diffusa*) has continued to establish on the locations, and spread onto the adjacent lands. Complainant also indicated that Field Bindweed (*Convolvulus arvensis*) has become an issue.

On 7/1/2019 and 8/8/2019, Inspector conducted a follow-up inspection; it was documented that *Centaurea diffusa* issues remain and that sufficient and ongoing noxious weed monitoring and management does not appear to be being conducted. See "Good Housekeeping" within this report and attached photo document. It was also documented that no reclamation has been conducted in accordance with 1004.a and corrective actions. See the "reclamation" section of this report.

Any corrective action(s) from previous inspections that have not been addressed are still applicable.

LocationOverall Good: ☐

Emergency Contact Number:

Comment: Corrective Action: Date: **Good Housekeeping:**

Type	WEEDS		
Comment:	<p>Previous inspections documented that Diffuse Knapweed (<i>Centaurea diffusa</i>) has continued to establish on the location and access road. Inspections required operator to properly remove and control noxious weeds.</p> <p>Diffuse Knapweed, Field bindweed (<i>Convolvulus arvensis</i>) remains evident on the location and access road.</p> <p>Corrective action requiring ongoing weed management, and for operator to remove and control noxious weeds has not been addressed and remains applicable.</p>		
Corrective Action:	Properly remove and control noxious weeds on location. Ongoing weed management and monitoring is required, and needs to occur in accordance to COGCC rules and regulations.	Date:	

Overall Good: ☐**Spills:**

Type	Area	Volume		
------	------	--------	--	--

In Containment: No

Comment: ☐ Multiple Spills and Releases?**Venting:**

Yes/No			
Comment:			
Corrective Action:		Date:	

Flaring:

Type		
Comment:		
Corrective Action:		Date:

Reclamation - Storm Water - Pit**Interim Reclamation:**

Date Interim Reclamation Started: _____ Date Interim Reclamation Completed: _____

Land Use: _____

Comment: _____

1002 SITE PREPARATION AND STABILIZATION

1002a. FENCING _____

Comment _____

Corrective Action _____

Date _____

1002b. SOIL REMOVAL AND
SEGREGATION _____

Comment _____

Corrective Action _____

Date _____

1002c. PROTECTION OF SOILS _____

Comment _____

Corrective Action _____

Date _____

1002E. SURFACE DISTURBANCE MINIMIZATION _____

Comment _____

Corrective Action _____

Date _____

1003a. Waste and Debris removed? _____

Comment _____

Corrective Action _____

Date _____

Unused or unneeded equipment onsite? _____

Comment _____

Corrective Action _____

Date _____

Pit, cellars, rat holes and other bores closed? _____

Comment _____

Corrective Action _____

Date _____

Guy line anchors marked? _____

Comment _____

Corrective Action _____

Date _____

- 1003b. Area no longer in use? _____ Production areas stabilized ? _____
- 1003c. Compacted areas have been cross ripped? _____
- 1003d. Drilling pit closed? _____ Subsidence over on drill pit? _____
- Cuttings management: _____
- 1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? _____
- Production areas have been stabilized? _____ Segregated soils have been replaced? _____

RESTORATION AND REVEGETATIONCropland

Top soil replaced _____ Recontoured _____ Perennial forage re-established _____

Non-Cropland

Top soil replaced _____ Recontoured _____ 80% Revegetation _____

1003e. INTERIM VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% _____

TRANSECT RESULTS OF REFERENCE AREA% _____

TOTAL % OF DESIRABLE VEGETATION COVER _____

VEGETATIVE COVER _____

1003 f. Weeds Noxious weeds? _____

Comment _____

Corrective Action _____ Date _____

Overall Interim Reclamation**Final Reclamation/ Abandoned Location:**

Date Final Reclamation Started: _____ Date Final Reclamation Completed: _____

Final Land Use: _____

Reminder: _____

Comment: _____

Well plugged _____ Pit mouse/rat holes, cellars backfilled _____

Debris removed _____ No disturbance /Location never built _____

Access Roads Regraded **Fail** Contoured **Fail** Culverts removed **Fail**

Gravel removed _____

Location and associated production facilities reclaimed **Fail** Locations, facilities, roads, recontoured **Fail**

Compaction alleviation **Fail** Dust and erosion control _____

Non cropland: Revegetated 80% _____ Cropland: perennial forage _____

Weeds present **Fail** Subsidence _____

1004.d. FINAL VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% _____

TRANSECT RESULTS OF REFERENCE AREA% _____

TOTAL % OF DESIRABLE VEGETATION COVER _____

VEGETATIVE COVER _____

Comment: [Inspection #682503493, #682503858, #682504337, #696200157 and #696200336 required operator to perform reclamation in accordance with COGCC 1004 final reclamation rules.](#)

[Unable to find evidence that reclamation activities have been conducted; Access road / cattle guard remains and location remains predominantly bare and exposed soil, or predominantly undesirable weedy plant species. Corrective action and date remains applicable.](#)

Corrective Action:	Perform reclamation in accordance to COGCC 1000 series rules and establish vegetation with total perennial, non-invasive uniform plant cover of at least eighty (80) percent of predisturbance or reference area levels. Use a seed mixture requested by the surface owner, or a mixture prescribed by the local county NRCS. Ensure erosion controls are implemented to stabilize the seeded soil, and continue to monitor and manage this site until Final Reclamation has passed.	Date	04/17/2018
Overall Final Reclamation	Fail	Well Release on Active Location	<input type="checkbox"/>
		Multi-Well Location	<input type="checkbox"/>

COGCC Comments

Comment	User	Date
Operator is directed to perform corrective actions outlined on this inspection report immediately. Doing so may decrease the duration of the alleged violations and the penalties that may be assessed pursuant to Rule 523.	trujilloam	08/09/2019

Attached Documents

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
696200553	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=4904904