

State of Colorado
Oil and Gas Conservation Commission

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Document Number:
402425497

Date Received:
06/18/2020

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

5 of 5 CAs from the FIR responded to on this Form

5 CA Completed
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 96850
Name of Operator: TEP ROCKY MOUNTAIN LLC
Address: PO BOX 370
City: PARACHUTE State: CO Zip: 81635

Contact Name and Telephone:
Name: _____
Phone: () _____ Fax: () _____
Email: _____

Additional Operator Contact:

Contact Name	Phone	Email
<u>Byers, Jim</u>		<u>jbyers@blm.gov</u>
<u>.TEP</u>		<u>COGCCInspectionReports@terraep.com</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 696201365
Inspection Date: 06/05/2020 FIR Submit Date: 06/10/2020 FIR Status: _____

Inspected Operator Information:

Company Name: TEP ROCKY MOUNTAIN LLC Company Number: 96850
Address: PO BOX 370
City: PARACHUTE State: CO Zip: 81635

LOCATION - Location ID: 475753

Location Name: FEDERAL Number: PA 31-26 County: _____
Qtrqtr: LOT 2 Sec: 26 Twp: 6S Range: 95W Meridian: 6
Latitude: 39.499942 Longitude: -107.964151

FACILITY - API Number: 05-045-00 Facility ID: 475753

Facility Name: FEDERAL Number: PA 31-26
Qtrqtr: LOT 2 Sec: 26 Twp: 6S Range: 95W Meridian: 6
Latitude: 39.499942 Longitude: -107.964151

CORRECTIVE ACTIONS:

1 CA# 139638

Corrective Action: Comply with 603.f Date: 06/25/2020

Response: CA COMPLETED Date of Completion: 06/18/2020

Operator Comment: The trees / slash were saved per a request from Jim Byers (BLM) for use to mitigate the visual survey that was completed for this location. Per BLM's request, the materials were to be placed on the cut and fill slopes of the road and pad.

COGCC Decision: Approved pending re-inspection

COGCC Representative: On 6/23/2020, COGCC Staff met with representatives from BLM and TEP Rocky Mountain on the Location to review site conditions and corrective actions from inspections.

BLM confirms Operator comment; trees/slash saved to be placed onto slopes of Location for visual mitigation from nearby county roads and I-70.

After discussion in the field with the Operator, and per Operator's recommendation, implementation of signage at slash piles will be required.

2 CA# 139639

Corrective Action: Date: 06/25/2020

Response: CA COMPLETED Date of Completion: 06/18/2020

Operator Comment: Construction activities at the time of the inspection have NOT concluded ... the location is not finished. Once completed, the stormwater will be caught in a storm water "run-on" ditch at the toe of the cut slope and treated in sediment traps prior to leaving location. The stockpile was seeded in compliance with the BLM COAs for topsoil management. Sediment from the the fill slopes are controlled by all of the wattles that were installed at the limit of disturbance around the pad. Storm water BMPs adequate to control sediment during construction have been in place since the beginning of this work, and the final storm water BMPs will not be completed until all of the pad work is done.

COGCC Decision: **Not Approved**

COGCC Representative: On 6/23/2020, COGCC Staff met with representatives from BLM and TEP Rocky Mountain on the Location to review site conditions and corrective actions from inspections; Corrective actions have not been completed.

After additional internal conversations with the COGCC, conversation with CDPHE, and detailed review of photographs of the Location, it was apparent that several violations were present for both COGCC and CDPHE. Corrective actions identified in the previous inspections remain applicable.

3 CA# 139640

Corrective Action: Date: 06/25/2020

Response: CA COMPLETED Date of Completion: 06/12/2020

Operator Comment: Agreed. These two items were repaired on 6/12/2020. All site BMPs are inspected every two weeks at active construction sites (or more frequently as needed) and BMPs are routinely maintained as needed.

COGCC Decision: Approved pending re-inspection

COGCC Representative: Approved pending re-inspection of this FIR resolution acknowledges the document was received. It is not an acknowledgement that the corrective action has been passed. A field inspection will be conducted at a future date to evaluate compliance with COGCC rules.

4 CA# 139641

Corrective Action: Date: 06/25/2020

Response: CA COMPLETED Date of Completion: 06/18/2020

Operator Comment: TEP disagrees with this corrective action and requests an on-site meeting to discuss further. There are two sets of large wattles downstream of our activity. The road design that was permitted calls for a low-water crossing. Once the road is graveled and completed, we will hydroseed all cut and fill slopes along the road. Construction was still ongoing at the time of the inspection, so these final controls will not be completed until construction has been completed. In the mean time, the BMPs that are in place are adequate for the low-water crossing and are in compliance with road design that was approved for this location. As mentioned above, all BMPs are routinely inspected and maintained as needed.

COGCC Decision: **Not Approved**

COGCC Representative: On 6/23/2020, COGCC Staff met with representatives from BLM and TEP Rocky Mountain on the Location to review site conditions and corrective actions from inspections. Corrective actions have not been completed.

After additional internal conversations with the COGCC, conversation with CDPHE, and detailed review of photographs of the Location, it was apparent that several violations were present for both COGCC and CDPHE. Corrective actions identified in the previous inspections remain applicable.

COGCC Supervisor: The FIRR, Corrective action complete section, is not a forum for TEP to disagree/argue with the corrective actions. COGCC is unable to approve this resolution as the corrective actions have not been completed

5 CA# 139642

Corrective Action: Operator shall submit documentation attached to a Form 4 Sundry with information detailing 1) The topsoil depth of the Location prior to soil salvage and segregation, 2) The amount of soil that was salvaged and stored.

Date: 06/17/2020

Response: CA COMPLETED

Date of Completion: 06/17/2020

Operator Comment: This information has already been documented by TEP as required by Rule 1002.b.(2), and was previously provided on the construction layout plat package that already been submitted to, and approved by COGCC. TEP personnel will discuss this item further with COGCC at a site meeting that has been scheduled for June 23, 2020 at 10:45 am.

COGCC Decision: **Not Approved**

COGCC Representative: COGCC Decision "Not Approved".

Within the "Const. Layout Drawings" doc. #402079388, as identified in the FIR and attached to the Form 2A, Operator states that three separate soil stockpile areas will exist on the Location, estimating 6,720 cubic yards of soil (3,640 cubic yards being topsoil), will be stockpiled on the Location. As indicated in the FIR, only one soil stockpile appears to have been created (south end of the Location) and the amount of salvaged material observed does not appear to reflect the amount of topsoil Operator indicated would be salvaged within doc. #402079388, and appears insufficient based on the size of the constructed pad.

Due to these observed discrepancies, the corrective action required Operator to submit documentation identifying the actual depth of topsoil on the Location prior to soil salvage and segregation, and the amount of soil actually salvaged and stored on the south end of the Location, not what was estimated.

This corrective action has not been addressed and remains applicable.

OPERATOR COMMENT AND SUBMITTAL

Comment: All corrective actions have been addressed. Further disussion is needed and will take place at an on-site meeting with COGCC, BLM, and TEP representatives on June 23, 2020.

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Michael Gardner

Signed: _____

Title: TEP Environmental

Date: 6/18/2020 9:22:31 AM

ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

Document Number **Description**

402425497	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files