

**FORM  
INSP**

Rev  
X/20

**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:

07/21/2021

Submitted Date:

07/23/2021

Document Number:

696202952

**FIELD INSPECTION FORM**

Loc ID 453805 Inspector Name: Trujillo, Aaron On-Site Inspection  2A Doc Num: \_\_\_\_\_

**Status Summary:**

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

**Operator Information:**

OGCC Operator Number: 10515  
Name of Operator: GUNNISON ENERGY LLC  
Address: 1801 BROADWAY #1150  
City: DENVER State: CO Zip: 80202

**Findings:**

- 15 Number of Comments
- 12 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
		heather.lang@oxbow.com	
Hughes, Jim		jimo.hughes@state.co.us	
Longworth, Mike		michael.longworth@state.co.us	
		tyson.johnston@oxbow.com	

**General Comment:**

On 7/21/2021, Reclamation Specialist Trujillo conducted a stormwater and construction inspection at Gunnison Energy's Trail Gulch 1090 30 location in Gunnison County, Colorado.

This inspection is a followup to:  
#696202704 dated 5/21/2021;  
and #696202820 dated 6/15/2021 to document compliance with the following corrective actions  
-Comply with Rule 1002.f by 5/24/2021

It was observed in this inspection that the Location remains out of compliance with COGCC Rules and corrective actions

Additional compliance issues observed in this inspection:

- 605: Labeling
- 912: Spills and releases
- 1002.f.(2)A: Covering materials
- 1002.f.(2)B: Materials handling and spill prevention

Refer to the "Location Construction" section of this inspection report for additional details.

Refer to the photo-documentation of the observed compliance issues attached to this report.

Any corrective action(s) from previous inspections that have not been addressed are still applicable; due to the nature, extent, or duration of the alleged rule violations, Location is being considered for enforcement.

A follow up inspection on this site will be conducted to ensure the compliance issues have been corrected to comply with COGCC rules.

**Location**

Overall Good:

**Signs/Marker:**

Type	TANK LABELS/PLACARDS		
Comment:	Labeling information, including safety information, contents, capacity, NFPA, etc..., observed to be missing or inadequate on several barrels, and containers, throughout the Location. Operator on site (Rodger Anderson) was made aware of the observed compliance issue. See photo 17.		
Corrective Action:	Comply with 605 Rules	Date:	07/28/2021

**Emergency Contact Number:**

Comment:

Corrective Action:

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:	

**Location Construction**

Location ID: 453805 CDP: \_\_\_\_\_

Comment:

Corrective Action:

Date: \_\_\_\_\_

**Form 2A COAs:**

**Comment:**

Corrective Action:

Date: \_\_\_\_\_

**Wildlife BMPs:**

**Comment:**

Corrective Action:

Date: \_\_\_\_\_

**Stormwater:**

Erosion BMPs	Present	Other BMPs	Present
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RETENTION PONDS			
Comments:	Erosion BMPs:	Sediment trap constructed west of the Location. Inlets at trap inadequate; erosion degradation observed at inlets. Geotextile lining does not appear to have been implemented at trap's inlets/outlets per good engineering practices. See photo 24.	
	Other BMPs:		
Corrective Action:		Comply with Rule 1002.f; install or repair BMP in accordance with good engineering practices.	Date: 07/28/2021 1
		Material Handling And Spill Prevention	No
Comments:	Erosion BMPs:		
	Other BMPs:	Spills and impacted stormwater observed on the Location, including within the perimeter stormwater diversion ditch of the Location. Operator on site (Rodger Anderson) was made aware of the observed compliance issues and the CA requirement to clean spills; Due to the risk of additional stormwater contamination and pollution discharge, the fluids/spills were required to be removed within 24 hours. See photos 18-21	
Corrective Action:		Comply with Rule 1002.f and remove fluids/spills. Clean up impacted soils per Rule 912.a. and remediate to Table 915-1 Cleanup Concentrations by 7/28/2021; for non-E&P waste comply with Rules 906.a-d	Date: 07/22/2021 1
DITCHES			
Comments:	Erosion BMPs:	A "ditch" has been constructed with vertical slopes on the southwest/northwest ends of the Location; BMP has not been constructed in accordance with good engineering practices. Extracted soils have been left along channel unconsolidated, and is considered a pollutant source. See photo 6.	
	Other BMPs:	Inlet armoring inadequate at stormwater ditch on the southwest end of the Location; erosion degradation observed at inlet of ditch. See photo 7.	
Corrective Action:		Comply with Rule 1002.f and install or repair BMPs in accordance with good engineering practices.	Date: 07/28/2021 1
		No	No
Comments:	Erosion BMPs:	Previous inspections observed that BMPs were missing or insufficient along the western perimeter of the Location.  It was observed in this inspection that BMPs along the perimeter remain missing or insufficient; silt fence in disrepair. A straw wattle was placed along a gap of the silt fence; wattle not installed in accordance with good engineering practices, or maintained in proper functioning condition; Operator placed a pipeline on top of the wattle, rendering it inadequate.	
	Other BMPs:	See photos 25-27.	
Corrective Action:		Comply with Rule 1002.f and install or repair required BMPs in accordance with good engineering practices to manage runoff and allow for sediment laden-free stormwater discharge.	Date: 06/20/2021 1

	No	No	
Comments: Erosion BMPs:	Previous inspection observed that BMPs to protect/stabilize slopes, and to manage runoff on the southeast end of the Location were missing, or insufficient. Operator was required to comply with Rule 1002.f by 6/18/2021		
	It was observed in this inspection that BMPs remain missing or insufficient to protect/stabilize southeastern fill slopes and allow for sediment laden-free discharge per good engineering practices. Original corrective action has not been addressed and remains applicable.		
Other BMPs:	See photo 9.		
Corrective Action: Comply with Rule 1002.f and install BMPs to protect/stabilize slopes, and to manage runoff and allow for sediment laden-free stormwater discharge.		Date: 06/18/2021	
	Yes	Yes	
Comments: Erosion BMPs:	Previous inspections observed that stormwater and erosion control measures are missing or insufficient along the new access road. Inspection required Operator to comply with Rule 1002.f.		
Other BMPs:	It was observed in this inspection that mulch has been applied to the cut slopes, and slash material has been applied to the fill. Application observed to be uniform, though loose. It is unclear at time of inspection if BMPs are adequate to protect and stabilize slopes of the access road; additional BMPs in conjunction with mulch maybe necessary. Continue to monitor/manage slopes. A followup inspection will be conducted to determine compliance with 1002.f		
Corrective Action:		Date:	
	No	No	
Comments: Erosion BMPs:	Previous inspection observed that that stormwater and erosion control BMPs are missing or insufficient at the topsoil stockpile. Inspections required Operator to comply with Rule 1002.f and 1002.c		
	It was observed in this inspection that BMPs remain missing or insufficient at the topsoil stockpile; straw mulch application not uniform, has not been crimped or used in conjunction with any other stabilization BMP, and is insufficient alone to stabilize and protect the topsoil stockpile.		
Other BMPs:	Erosion logs have not been installed in accordance with good engineering practices.		
	BMPs remain missing or insufficient along the entire perimeter of the topsoil stockpile to prevent sediment transport.		
	See photo 5.		
Corrective Action: This corrective action has not been addressed and remains applicable; Comply with Rule 1002.f and Rule 1002.c.		Date: 05/21/2021	

	No		No
Comments:	Erosion BMPs:	<p>Previous inspections observed that control measures to protect and stabilize the cut and fill slopes of the Location are missing or insufficient.</p> <p>It was observed in this inspection that BMPs remain missing or insufficient; erosion degradation and offsite sediment transport observed. CA has not been addressed and remains applicable. See photo 8.</p>	
	Other BMPs:	<p>Previous inspection noted that Operator implemented tracking along the contour of the cut/fill slopes, and that the BMP was not implemented per good engineering practices; as a result, improper tracking and has facilitated erosion degradation on the slopes.</p>	
Corrective Action:		Comply with Rule 1002.f and install BMPs to protect and stabilize the cut and fill slopes of the Location.	Date: 06/18/2021 1
	Yes		
Comments:	Erosion BMPs:	<p>Previous inspection observed fugitive dust issues along access road and Location. Inspection required Operator to comply with Rule 1002.f and Form 2A permit conditions.</p> <p>It was observed in this inspection that mitigating measures have been implemented to address fugitive dust; water truck observed available as needed. This CA has been addressed.</p>	
	Other BMPs:		
Corrective Action:			Date:
		Material Handling And Spill Prevention	
Comments:	Erosion BMPs:	<p>It was observed in this inspection that improper materials management has resulted in several spills throughout the Location. Operator on site (Rodger Anderson) was made aware of the observed compliance issues and the CA requirement to clean spills within a week. See photo 11-14</p>	
	Other BMPs:		
Corrective Action:		Comply with Rule 1002.f.(2)B. Clean up impacted soils per Rule 912.a. and remediate to Table 915-1 Cleanup Concentrations; for non-E&P waste comply with Rules 906.a-d	Date: 07/28/2021 1
		Material Handling And Spill Prevention	No
Comments:	Erosion BMPs:	Two porta-johns on the Location observed to be improperly secured. See photo 10	
	Other BMPs:		
Corrective Action:		Comply with Ruel 1002.f.(2)B	Date: 07/28/2021 1
		Covering Materials	No
Comments:	Erosion BMPs:	<p>Proper materials management observed to be inadequate; several pallets with material on the north end of the Location improperly covered to minimize contact of precipitation and stormwater runoff with materials, wastes, equipment, and activities with potential to result in discharges causing pollution of surface waters. See photos 11-12.</p>	
	Other BMPs:		
Corrective Action:		Comply with Rule 1002.f.(2)A	Date: 07/28/2021 1

	Material Handling And Spill Prevention	No	
Comments: Erosion BMPs:	Several barrels/tanks/containers observed stored on the location without proper secondary containment; BMPs missing or insufficient to contain spill. Operator on site (Rodger Anderson) was made aware of the observed compliance issue. See photo 15		
Other BMPs:	Bucket with unknown fluids stored on the north end of the Location next to pipe. See photo 16.		
Corrective Action:	Comply with Rule 1002.f and implement secondary containment.		Date: 07/28/2021
<b>Comment:</b>	It was observed that Operator has placed three (3) tanks within the stormwater diversion ditch on the east end of the Location; equipment should not be placed within the diversion ditch that leads offsite; this has resulted in an increased risk of pollutant discharge and stormwater contamination.		
<b>Corrective Action:</b>	Per good engineering practices, replace tanks and any equipment improperly placed in or upon stormwater control BMPs.		Date: 07/28/2021
<b>On Site Inspection (305):</b>			
<u>Surface Owner Contact Information:</u>			
Name:	Address:		
Phone Number:	Cell Phone:		
<u>Operator Rep. Contact Information:</u>			
Landman Name:	Phone Number:		
Date Onsite Request Received:	Date of Rule 306 Consultation:		
Request LGD Attendance:			
<u>LGD Contact Information:</u>			
Name:	Phone Number:	Agreed to Attend:	
<u>Summary of Landowner Issues:</u>			
<u>Summary of Operator Response to Landowner Issues:</u>			
<u>Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:</u>			

**Attached Documents**

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

Document Num	Description	URL
402758387	INSPECTION SUBMITTED	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5487748">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5487748</a>
696202953	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5487747">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5487747</a>