

**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:

08/03/2021

Submitted Date:

08/11/2021

Document Number:

696203017

**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

**Findings:**  
 16 Number of Comments  
 13 Number of Corrective Actions  
 Corrective Action Response Requested

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

**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	
		tyson.johnston@oxbow.com	

**Inspected Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
453805	LOCATION	AC			-	Trail Gulch Unit 1090 30	CI

**General Comment:**

On 8/3/2021, 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;  
 #696202820 dated 6/15/2021;  
 and #696202952 to document compliance with the following corrective actions:

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

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

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.

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:	<p>Previous inspection observed that labeling information, including safety information, contents, capacity, NFPA, etc..., observed to be missing or inadequate on several barrels, and containers, throughout the Location. Inspection required Operator to comply with 605 Rules.</p> <p>It was observed in this inspection that Labeling information remains missing or inadequate on several barrels and containers on the Location. See photo 15. CA has not been addressed and remains applicable.</p>		
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
RETENTION PONDS			
Comments:	<p>Erosion BMPs: Previous inspections observed that the inlets at the sediment trap on the west end of the Location was inadequate; erosion degradation observed; geotextile lining does not appear to have been implemented at inlets/outlets per good engineering practices. Inspection required Operator to comply with Rule 1002.f.</p> <p>It was observed in this inspection that the inlets at the trap remain inadequate, and not constructed in accordance with good engineering practices.</p> <p>Other BMPs: See photo 12. Original corrective action and date remains applicable.</p>		
Corrective Action: Comply with Rule 1002.f; install or repair BMP in accordance with good engineering practices.		Date: 07/28/2021 1	
	No		No
Comments:	<p>Erosion BMPs: Previous inspections observed that BMPs were missing or insufficient along the western perimeter of the Location.</p> <p>It was observed in this inspection that BMPs along the perimeter remain missing or insufficient; silt fence in disrepair throughout majority of the western perimeter; offsite sediment discharge observed. See photos 2, 3.</p> <p>Original corrective action has not been addressed and remains applicable.</p> <p>Other BMPs:</p>		
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	Material Handling And Spill Prevention	No
Comments:	<p>Erosion BMPs: Precious inspection observed spills and impacted stormwater on the Location, including the perimeter stormwater ditch. Inspection required Operator to comply with Rule 1002.f and remove fluids/spills, and clean up.</p> <p>It was observed in this inspection that Operator has failed to comply with Rule 1002.f; additional spills and impacted stormwater was observed on the inspection, due to improper material handling and spill prevention. See photo 7</p> <p>Other BMPs: No FIRR was submitted to indicate CA was addressed; original CA and date remains applicable.</p>		
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:	<p>Previous inspection observed that "ditches" on the west end of the Location were constructed with vertical slopes; extracted soils left along channel unconsolidated; BMP was not constructed in accordance with good engineering practices. Inspection required Operator to comply with Rule 1002.f.</p> <p>It was observed in this inspection that the BMP remains improperly constructed per good engineering practices; stormwater discharge causing degradation within channel. CA remains applicable. See photo 10</p>	
	Other BMPs:	<p>Previous inspection observed that the armoring at the stormwater outlets leading from the pad was inadequate; erosion degradation evident.</p> <p>It was observed that the armoring at the outlets remain inadequate; erosion degradation has not been mitigated, and has expanded. CA remains applicable. See photo 9.</p>	
Corrective Action:		Comply with Rule 1002.f and install or repair BMPs in accordance with good engineering practices.	Date: 07/28/2021 1
	No	Material Handling And Spill Prevention	No
Comments:	Erosion BMPs:	<p>Previous inspection observed two porta-johns on the Location that were not properly secured.</p> <p>It was observed in this inspection that the porta-john on the north end of the Location remains improperly secured. See photo 18. Corrective action has not been addressed and remains applicable.</p>	
	Other BMPs:		
Corrective Action:		Comply with Rule 1002.f.(2)B	Date: 07/28/2021 1
		Material Handling And Spill Prevention	
Comments:	Erosion BMPs:	<p>Previous inspection observed several barrels/tanks/containers stored on the location without proper secondary containment; BMPs missing or insufficient to contain spill. Inspection required Operator to comply with Rule 1002.f and implement secondary containment.</p> <p>It was observed in this inspection that barrels/tanks/containers remain stored on the Location without proper secondary containment. See photo 15-16. Original CA remains applicable.</p>	
	Other BMPs:		
Corrective Action:		Comply with Rule 1002.f and implement secondary containment.	Date: 07/28/2021 1

	No		
<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p>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</p> <p>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.</p> <p>BMPs remain missing or insufficient along the entire perimeter of the topsoil stockpile to prevent sediment transport. See photo 6</p>		
<p>Corrective Action: This corrective action has not been addressed and remains applicable; Comply with Rule 1002.f and Rule 1002.c.</p>		<p>Date: 05/21/2021</p> <p>1</p>	
	Material Handling And Spill Prevention		
<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p>Previous inspection observed that improper materials management has resulted in several spills throughout the Location. Operator was required to Comply with Rule 1002.f.(2)B, and clean up.</p> <p>It was observed in this inspection that materials management remains inadequate, resulting in several new spills though out the Location. See photo 13-14</p> <p>No FIRR was submitted to indicate CA was addressed; original CA and date remains applicable.</p>		
<p>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&amp;P waste comply with Rules 906.a-d</p>		<p>Date: 07/28/2021</p> <p>1</p>	
	Covering Materials	No	
<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p>Previous inspection documented improper materials management and covering to minimize stormwater. Inspection required Operator to Comply with Rule 1002.f.(2)A.</p> <p>It was observed in this inspection that several pallets with material remain 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 14-15.</p> <p>Original Corrective action and Date remains applicable.</p>		
<p>Corrective Action: Comply with Rule 1002.f.(2)A</p>		<p>Date: 07/28/2021</p> <p>1</p>	
	No		
<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<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 photos 2-4</p> <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>		
<p>Corrective Action: Comply with Rule 1002.f and install BMPs to protect and stabilize the cut and fill slopes of the Location.</p>		<p>Date: 06/18/2021</p> <p>1</p>	

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 5.

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: 06/19/2021  
1

**Comment:**

Previous inspection observed that Operator has placed tanks and other various equipment within the stormwater diversion ditch on the east end of the Location. Operator was notified that 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. Operator was directed to remove tanks/equipment from the stormwater BMPs.

It was observed in this inspection that equipment remains stored upon the stormwater BMPs. CA remains applicable. See photo 8.

**Corrective Action:**

Per good engineering practices, replace tanks and any equipment improperly placed in or upon stormwater control BMPs.

**Date:** 07/29/2021

**On Site Inspection (305):**

Surface Owner Contact Information:

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Operator Rep. Contact Information:

Landman Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Date Onsite Request Received: \_\_\_\_\_ Date of Rule 306 Consultation: \_\_\_\_\_

Request LGD Attendance: \_\_\_\_\_

LGD Contact Information:

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Agreed to Attend: \_\_\_\_\_

Summary of Landowner Issues:

\_\_\_\_\_

Summary of Operator Response to Landowner Issues:

\_\_\_\_\_

Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:

\_\_\_\_\_

**Inspected Facilities**

Facility ID: 453805 Type: LOCATION API Number: - Status: AC Insp. Status: CI

**COGCC Comments**

Comment	User	Date
Due to the nature, extent, or duration of the alleged rule violations, Location is being referred for enforcement.	trujilloam	08/11/2021

**Attached Documents**

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

Document Num	Description	URL
696203024	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5503358">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5503358</a>