

State of Colorado
Oil and Gas Conservation Commission

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Document Number:
402787650

Date Received:
08/23/2021

FIR RESOLUTION FORM

Overall Status: FRQ

CA Summary:

1 of 1 CAs from the FIR responded to on this Form

0 CA Completed
1 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 10705
Name of Operator: EVERGREEN NATURAL RESOURCES LLC
Address: 1875 LAWRENCE ST STE 1150
City: DENVER State: CO Zip: 80202

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

Additional Operator Contact:

Contact Name	Phone	Email
<u>Stacey Wiseman</u>	<u>719-845-4619</u>	<u>Stacey.Wiseman@enrllc.com</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 690201972
Inspection Date: 08/16/2021 FIR Submit Date: 08/18/2021 FIR Status: _____

Inspected Operator Information:

Company Name: EVERGREEN NATURAL RESOURCES LLC Company Number: 10705
Address: 1875 LAWRENCE ST STE 1150
City: DENVER State: CO Zip: 80202

LOCATION - Location ID: 308156

Location Name: COACH-634S65W Number: 34NENW County: LAS ANIMAS
Qtrqr: NENW Sec: 34 Twp: 34S Range: 65W Meridian: 6
Latitude: 37.046490 Longitude: -104.662550

FACILITY - API Number: 05-071-00 Facility ID: 263051

Facility Name: COACH Number: 21-34
Qtrqr: NENW Sec: 34 Twp: 34S Range: 65W Meridian: 6
Latitude: 37.046490 Longitude: -104.662550

CORRECTIVE ACTIONS:

1 CA# 154956

Corrective Action: Install or repair required BMPs per Rule 1002.f.(2) Date: 09/30/2021

Response: FACTUAL REVIEW REQUEST

Basis for Review: Action requested was already completed prior to the inspection

Operator Comment: With regard to the crossing, as evidenced in the pictures provided by COGCC in Field Inspection, Document Number 690201972, the crossing was repaired to ensure wildlife protection, minimal impact to the environment and public safety. ENR reinstalled the crossing using approved BMPs and installation methods with minimal disturbance by using material which would cause less impact to the environment should failure occur again, although this is not expected to happen. Additionally, as installed, the time and expense to the operator to

restore the crossing in the event of another failure would be minimal, again ensuring public safety by being able to access well locations and not having to dispose of the material from the failed crossing with a significant reduction in potential disruption to wildlife habitat. Historically, it has been found that "engineered" crossings have a higher failure rate during significant storm events, leaving large amounts of debris in the stream and blocking access to wells. In the absence of a COGCC rule or guidance mandating a "stamped engineer design plan", ENR feels that the crossing, as installed today, is adequate and meets all requirements as set forth by COGCC Rules and Regulations. This request would cause the operator additional and unnecessary time and expense, as the work has already been completed, is working successfully, and has been approved by the landowner.

BMP maintenance identified for culverts outside of the crossing will be completed working with landowner within hunting restriction requirements.

COGCC Decision: **Not Approved**

COGCC Representative: Factual Review is not approved. Operator has not conducted the corrective action which is due 9/30/2021. Review Rule 207 regarding corrective action request.

Operator has had 3 months to repair BMP's since the stormwater event. This allowed sufficient time to repair BMP's. Corrective action and due date remains.

COGCC Supervisor: Factual Review is not approved. Operator has not conducted the corrective action which is due 9/30/2021. Review Rule 207 regarding corrective action request.

Operator has had 3 months to repair BMP's since the stormwater event. This allowed sufficient time to repair BMP's. Corrective action and due date remains.

OPERATOR COMMENT AND SUBMITTAL

Comment: With regard to the crossing, as evidenced in the pictures provided by COGCC in Field Inspection, Document Number 690201972, the crossing was repaired to ensure wildlife protection, minimal impact to the environment and public safety. ENR reinstalled the crossing using approved BMPs and installation methods with minimal disturbance by using material which would cause less impact to the environment should failure occur again, although this is not expected to happen. Additionally, as installed, the time and expense to the operator to restore the crossing in the event of another failure would be minimal, again ensuring public safety by being able to access well locations and not having to dispose of the material from the failed crossing with a significant reduction in potential disruption to wildlife habitat. Historically, it has been found that "engineered" crossings have a higher failure rate during significant storm events, leaving large amounts of debris in the stream and blocking access to wells. In the absence of a COGCC rule or guidance mandating a "stamped engineer design plan", ENR feels that the crossing, as installed today, is adequate and meets all requirements as set forth by COGCC Rules and Regulations. This request would cause the operator additional and unnecessary time and expense, as the work has already been completed, is working successfully, and has been approved by the landowner.

BMP maintenance identified for culverts outside of the crossing will be completed working with landowner within hunting restriction requirements.

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

Print Name: Stacey Wiseman

Signed: _____

Title: Environmental Technician

Date: 8/23/2021 8:44:53 AM

ATTACHMENT LIST

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

<u>Document Number</u>	<u>Description</u>
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402787650	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files