

State of Colorado
Oil and Gas Conservation Commission

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Document Number:

402860361

Date Received:

11/03/2021

FIR RESOLUTION FORM

Overall Status:

CA Summary:

6 of 6 CAs from the FIR responded to on this Form

6 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:

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"

COGCCInspectionReports@terraep.com

COGCC INSPECTION SUMMARY:

FIR Document Number: 696203309

Inspection Date: 10/25/2021

FIR Submit Date: 10/27/2021

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: 452011

Location Name: FEDERAL

Number: RU 31-17

County:

Qtrqr: NWNE

Sec: 17

Twp: 7S

Range: 93W

Meridian: 6

Latitude: 39.449865

Longitude: -107.795693

FACILITY - API Number: 05-045-

-00

Facility ID: 452011

Facility Name: FEDERAL

Number: RU 31-17

Qtrqr: NWNE

Sec: 17

Twp: 7S

Range: 93W

Meridian: 6

Latitude: 39.449865

Longitude: -107.795693

CORRECTIVE ACTIONS:

1 CA# 157200

Corrective Action: Operator is directed to submit documentation attached to a Form 4 to show compliance with Form 2A #401058467 COAs. Request that sundry is routed to West Environmental Supervisor Alex Fischer, and Northwest Reclamation Specialist Trujillo.

Date: 11/03/2021

Response: CA COMPLETED

Date of Completion: 11/03/2021

Operator Comment: A Waste Management Plan has been prepared for the onsite disposal of drill cuttings. Construction layout drawings showing the exact location of where the cuttings will be managed / disposed is also included with the Waste Management Plan. The document number for the Sundry conveying the Waste Management Plan and the related construction layout drawings is doc #402860536.

COGCC Decision: _____

COGCC Representative: _____

2 CA# 157201

Corrective Action: Remove and properly dispose of E&P waste to ensure any cuttings within trench remain dry.

Date: 11/11/2021

Response: CA COMPLETED

Date of Completion: 10/29/2021

Operator Comment: Storm water BMPs (including an up-gradient storm water run-on berm) have been installed and maintained around the RU 31-17 pad since the pad was constructed. The storm water (i.e., the "E&P waste") that was observed inside the cuttings trench has accumulated from recent heavy precipitation events that have fallen directly upon the cuttings trench and the cut slope above the trench. An earthen berm has been constructed around the cuttings trench to prevent storm water runoff from the pad surface from entering the trench. TEP will use vac trucks to remove standing water from the cuttings trench and to keep the cuttings as dry as possible. Storm water recovered from the trench will be treated/managed as E&P waste and will re-used / recycled.

COGCC Decision: _____

COGCC Representative: _____

3 CA# 157202

Corrective Action: Comply with Rule 1002.c; implement controls to prevent further mixing and contamination of topsoil.

Date: 11/03/2021

Response: CA COMPLETED

Date of Completion: 11/03/2021

Operator Comment: In progress. Additional BMPs will be installed to provide additional protection of the topsoil stockpile; however, site conditions will need to dry out before equipment can access the areas in need of repair as identified by this corrective action. In addition, One-Call notifications are being made to ensure that any digging / excavation activities can be conducted safely. Assuming the needed One-Calls clearance is received timely, and site conditions dry-out sufficiently to allow access by needed equipment, work can begin by 11/8/21 and be completed by 11/10/21.

COGCC Decision: _____

COGCC Representative: _____

4 CA# 157203

Corrective Action: Comply with Rule 606.c, 1002.c and 1003.f. Due to the onset of winter conditions, additional weed management will need to be conducted in the 2022 growing season to prevent further spread and establishment.

Date: 11/11/2021

Response: CA COMPLETED

Date of Completion: 11/03/2021

Operator Comment: COGCC Rule 1002.c and 1003.f require disturbed areas to be "... kept free of all undesirable plant species designated to be noxious weeds as practical." In compliance with both of these rules, TEP has implemented a weed control program to prevent and control weeds to the extent practicable at all locations. Due to the on-going and recurrent nature of weed species on disturbed surfaces, TEP continues to spray / control weeds at this location, and agrees that weed control / spraying efforts will be continued in 2022.

COGCC Decision: _____

COGCC
Representative:

5 CA# 157204

Corrective Action: Comply with Rule 1002.f and install or repair stormwater and erosion control measures in accordance with good engineering practices. Ensure control measures are adequate for the site's conditions, and maintained in proper functioning condition.

Date: 11/03/2021

Response: CA COMPLETED

Date of Completion: 11/03/2021

Operator
Comment:

The RU 31-17 location is part of TEP's storm water management program. The erosion control BMPs at this location have been designed and implemented in accordance with good engineering practices as documented per TEP's Storm Water BMP Manual that has been prepared and stamped by a Professional Engineer licensed in the State of Colorado (see attached BMP Manual). Per Rule 1002.f.(2), BMPs at this location are continually inspected and maintained " ... to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation." It should be noted that the rule explicitly states that BMPs should be implemented to "control" stormwater runoff and to "minimize" erosion ... NOT "eliminate" runoff and erosion. The RU 31-17 location has received an extraordinary amount of precipitation during the month of October 2021, and TEP is in the process of repairing and maintaining BMPs that may have received heavy runoff during this time frame.

In response to various observations noted Comment #2 of the FIR: 1) "Single row of straw wattle not adequate to properly manage runoff from the entire location." TEP response: TEP employs multiple types of BMPs to control sediment at various location on the pad and we do not rely on a single row of wattles to control runoff from the entire pad (see attached Site Specific BMP Map). 2) Control measures to protect and stabilize cut / fill slopes of the location are missing or insufficient; erosion degradation evident. TEP response: This location was permitted and approved for construction at this specific location by COGCC. In compliance with Rule 1002.d, the steep cut slopes and long fill slopes associated with this Drill Pad Location were constructed to the least percent slope practical, and the steep cut / fill slopes at this permitted location were not avoidable. The BMPs implemented at this location comply with Rule 1002.f and are designed to minimize (not eliminate) erosion, transport of sediment offsite, and site degradation. TEP will continue to inspect, maintain, and repair BMPs until the facility achieves final reclamation pursuant to Rule 1004. 3) "Sediment traps at the location have not been installed with appropriate inlet and outlet protection, "geotextile lining not observed", off-site erosion and degradation observed below outlets of both traps. TEP Response: The use of geotextile fabric is not mandated by Rule 1002.f. COGCC defers to the CDOT's Erosion Control & Stormwater Quality Field Guide, but this document simply lists geotextile fabric as a "tip" and not a specific design requirement (see attached text from the CDOT field guide). The use of geotextile fabric is simply an option, but its use is not required by rule. 4) Operator has constructed 3 sed traps with slope drains such that they are rendered inoperable. TEP Response: These slope drains have been purposefully blocked / closed while frac operations are being conducted at this location. This is a deliberate Spill Prevention BMP that is needed during fracing operations. Otherwise an open slope drain would become an open conduit that could potentially result in an uncontrolled release of fluids off the location should a major spill or release were to occur during fracing operations. This BMP complies with 1002.f.(3).A which states that post-construction BMPs shall be selected to address potential sources of pollution which may reasonably be expected to affect the quality of discharges associated with ongoing operations. Once frac operations have been completed at this location, the slope drains will be opened and the sediment traps will again be returned to functioning as a sediment control BMP. Additionally, COAs for the Drilling / Completions Operations for this location require that TEP implement best management practices to contain any unintentional release of fluids. Temporarily blocking the slope drains during completions operations is a long-standing BMP that has been used minimize the potential for off-site impacts in the event of an accidental release. See attached Completions SPCC Checklist dated 10/07/21.

COGCC Decision:

COGCC
Representative:

6 CA# 157205

Corrective Action: Submit an eForm 15 Pit Report to update COGCC records with current information. Upon submission of the Form 15, provide notice of submission via email to West Environmental Supervisor Alex Fischer (alex.fischer@state.co.us)

Date: 11/11/2021

Response: CA COMPLETED

Date of Completion: 11/03/2021

Operator
Comment:

A Form 15 has been submitted to COGCC (doc # 402859790). Notification was made to Alex Fischer on 11/03/21.

COGCC Decision: _____

COGCC
Representative:

OPERATOR COMMENT AND SUBMITTAL

Comment: All corrective actions have been addressed ... see responses and attachments. As requested, the following documents have been prepared and submitted for the RU 31-17 drill cuttings trench:
1) Waste Management Plan - via Sundry Form 4 (doc #402860536), and 2) Form 15 (doc # 402859790).

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 ENV

Date: 11/3/2021 4:21:50 PM

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>
402861056	Form 4 Sundry and Waste Management Plan
402861308	Form 15 for RU 31-17 Drill Cuttings Trench
402861322	TEP Storm Water BMP Manual + Sed Trap Spec
402861401	RU 31-17 Stormwater BMP map
402861408	RU 31-17 pre frac inspection checklist
402861445	CDOT sed trap guidance

Total Attach: 6 Files