

State of Colorado
Oil and Gas Conservation Commission

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Document Number:

402872406

Date Received:

11/16/2021

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:

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COGCC INSPECTION SUMMARY:

FIR Document Number: 696203364

Inspection Date: 11/05/2021

FIR Submit Date: 11/09/2021

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: 480732

Location Name: FEDERAL Number: WMC 24-17 County: _____

Qtrqr: SESW Sec: 17 Twp: 7S Range: 93W Meridian: 6

Latitude: 39.439076 Longitude: -107.799611

FACILITY - API Number: 05-045- -00 Facility ID: 480732

Facility Name: FEDERAL Number: WMC 24-17

Qtrqr: SESW Sec: 17 Twp: 7S Range: 93W Meridian: 6

Latitude: 39.439076 Longitude: -107.799611

CORRECTIVE ACTIONS:

1 ☒ CA# 157627

Corrective Action: Comply with Rule 606, and Rule 906.a-d.

Date: 11/16/2021

Operator
Comment:

Rule 906.a states that "certain wastes generated by oil and gas development that do not meet the 100 Series definition of E&P Waste are regulated as solid or hazardous wastes by CDPHE's Solid and Hazardous Waste Commission (SHWC)." However, the concrete returns observed in the cuttings trench are an E&P waste that is directly related to the drilling and pressure cementing the conductors at this location. Cement returns are collected from down hole as they return to surface and are cleaned up and disposed of as an E&P waste in the drill cuttings trench. The returned cement wastes meet the definition of an E&P waste as defined in Section 100 of the COGCC Rules: "Exploration and Production Waste shall mean ... those wastes associated with operations ... and which are uniquely associated with and intrinsic to oil and gas exploration, development, or production operations.... For Natural gas, primary field operations include those production-related activities at or near the wellhead." Therefore, Rule 906.a does not apply to cement returns wastes that are routinely related to cementing well conductors. Cement return wastes are related to the installation of conductors, surface casing, etc., which are intrinsic to oil and gas exploration, development, and production operations, and are produced from production-related activities that occur at or near the wellhead. Rule 906.b requires that hazardous waste determinations be made for any non-E&P solid waste; therefore, 906.b is not applicable since the cement returns are considered to be an E&P waste. Similarly, Rules 906.c and 906.d do not apply to cement returns for the same reason -- because the cement returns are by definition, considered to be an E&P waste. Further, these concrete-return wastes are not considered to be "un-used equipment, weeds, waste, or trash" which are regulated by Rule 606. Therefore, Rule 606 does not apply to concrete returns that are managed on-site as an E&P waste within the drill cuttings trench.

COGCC Decision: **Not Approved**COGCC
Representative:COGCC
Supervisor:

As stated by the Operator certifying that the statements made in this form are true and correct, COGCC Reclamation and Environmental Supervisors concur that the concrete returns are considered E&P waste.

Concrete drill out cores and solidified cement returns cannot be homogeneously blended as per the Federal WMC 24-17 Pad "Waste Management Plan" (doc. no. 402700645), and therefore would not meet the Table 915-1 standards, and shall be properly disposed of at an appropriate facility. Additionally, concrete cement returns (E&P waste) are not allowed to be disposed of in a Cuttings Trench. A Cuttings Trench is used specifically for the onsite storage and disposal of dried cuttings generated from drilling a Well. Therefore, no other E&P waste shall be placed in the Cuttings Trench. The corrective action stands.

2  CA# 157628

Corrective Action:

Submit the detailed, stamped engineering plan showing installation specifications (trap dimensions, construction materials used, grade, etc..) showing that the sediment trap control measures have been constructed in accordance with good engineering practices, and are appropriate in size to manage runoff from the Location's disturbance, and the upslope undisturbed drainage area.

Date: 10/19/2021

Response: CA COMPLETED

Date of Completion: 10/19/2021

Operator
Comment:

TEP has constructed the location per the attached site-specific storm water management plan. However, the COGCC inspector is requesting an additional stamped, engineered plan also be prepared and submitted. The preparation of this additional plan is in progress; the anticipated completion date is 12/10/21.

COGCC Decision: **Not Approved**COGCC
Representative:

CA has not been addressed and remains applicable; COGCC can not accept future completion dates.

3  CA# 157629

Corrective Action:

Comply with Rule 1002.f

Date: 10/19/2021

Response: CA COMPLETED

Date of Completion: 11/15/2021

Operator
Comment:

Velocity checks in perimeter ditches have been added. Culvert inlet / outlet protection has been augmented. See attached photos.

COGCC Decision: Approved pending re-inspectionCOGCC
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.

Corrective Action: Comply with Rule 1002.fDate: 11/16/2021Response: CA COMPLETEDDate of Completion: 11/15/2021Operator Comment: Slope drain outlets have been armored, anchored, and stabilized. Rock armoring has been installed at the discharge point of the slope drains. See attached photos.

Inspector notes that sediment traps at the location have not been "...installed with per good engineering requirements; outlets have not been installed with a geotextile lining beneath riprap material per good engineering practices." 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. The use of geotextile fabric is simply an option, but its use is not required by rule.

COGCC Decision: Not ApprovedCOGCC Representative: Stormwater corrective actions have not been completeCorrective Action: Due to non-compliance, the original CA is being update:Date: 10/29/2021Provide the date cuttings trench was constructed within a FIRR. Comply with Rule 908.c.(2)Response: CA COMPLETEDDate of Completion: 11/03/2021Operator Comment: A Form 15 for the drill cuttings trench and all pertinent details have been submitted in document #402859790.COGCC Decision: ApprovedCOGCC Representative: Form 15 permit has been submitted.OPERATOR COMMENT AND SUBMITTALComment: Corrective actions have been addressed. See responses and attachments.

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 ENVDate: 11/16/2021 6:03:33 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>
402872406	FIR RESOLUTION SUBMITTED
402872590	Site Specific Storm Water Management Plan
402872616	Photo
402872617	Photo
402872618	Photo
402872619	Photo
402872620	Photo
402872621	Photo
402872622	Photo

Total Attach: 9 Files