

State of Colorado Oil and Gas Conservation Commission

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Document Number:

402948358

Date Received:

02/10/2022

Spill report taken by:

Kosola, Jason

Spill/Release Point ID:

481586

SPILL/RELEASE REPORT (INITIAL)

This form is to be submitted by the party responsible for the oil and gas spill or release. Refer to COGCC Rule 912.b. for reporting requirements of spills or releases of E&P Waste, produced Fluids, or unauthorized Releases of natural gas. Submit a Site Investigation and Remediation Workplan (Form 27) if Rule 913.c. applies.

OPERATOR INFORMATION

Name of Operator: <u>D90 ENERGY LLC</u>	Operator No: <u>10706</u>	Phone Numbers
Address: <u>952 ECHO LANE SUITE 480</u>		Phone: <u>(713) 227-0391</u>
City: <u>HOUSTON</u>	State: <u>TX</u>	Zip: <u>77024</u>
Contact Person: <u>Kevin Oakes</u>		Mobile: <u>()</u>
		Email: <u>kevin@d90energy.com</u>

INITIAL SPILL/RELEASE REPORT

Initial Spill/Release Report Doc# 402948358

Initial Report Date: 02/04/2022 Date of Discovery: 02/02/2022 Spill Type: Recent Spill

Spill/Release Point Location:

QTRQTR NWNE SEC 7 TWP 7S RNG 54W MERIDIAN 6

Latitude: 39.460040 Longitude: -103.483070

Municipality (if within municipal boundaries): _____ County: LINCOLN

Enter Lat./long measurement of the actual Spill/Release Point. Lat./Long. Data shall meet standards of Rule 216.

Reference Location:

Facility Type: OTHER ☒ Facility/Location ID No 440099
 Spill/Release Point Name: KEYSTONE 3-7 ☐ Well API No. (Only if the reference facility is well) 05- -
☐ No Existing Facility or Location ID No.

Estimated Total Spill Volume: use same ranges as others for values

Estimated Oil Spill Volume(bbl): >=5 and <100

Estimated Condensate Spill Volume(bbl): 0

Estimated Flow Back Fluid Spill Volume(bbl): 0

Estimated Produced Water Spill Volume(bbl): >=5 and <100

Estimated Other E&P Waste Spill Volume(bbl): 0

Estimated Drilling Fluid Spill Volume(bbl): 0

Specify: _____

Has the subject Spill/Release been controlled at the time of reporting? Yes

Land Use:

Current Land Use: CROP LAND Other(Specify): _____

Weather Condition: WINDY AND SNOWING

Surface Owner: FEE Other(Specify): MARK BAIN

Describe what is known about the spill/release event (what happened -- including how it was stopped, contained, and recovered):

Heater Treater malfunction. shut off well, closed all needed valves, called contractor to start cleanup

List of Agencies and Other Parties Notified Pursuant to Rule 912.b.(7)-(11):

OTHER NOTIFICATIONS

<u>Date</u>	<u>Agency/Party</u>	<u>Contact</u>	<u>Phone</u>	<u>Response</u>
2/3/2022	Lincoln County	Fred Lundy	-	Notified of release.
2/2/2022	Landowner	Mark Bain	719-740-2363	Was on location with Contractor
	Colorado Construction	Roy Brossman	719-660-5714	drove to location and started cleaning impacted area
2/2/2022	COGCC	Susan Sherman	719-775-1111	Called Jason at COGCC

REPORT CRITERIA

Rule 912.b.(1) Report to the Director (select all criteria that apply):

☐ No Rule 912.b.(1).A: A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.

Waters of the State: _____ Public Water System: _____

Residence or Occupied Structure: _____ Livestock: _____

Wildlife: _____ Publicly-Maintained Road: _____

☐ Yes Rule 912.b.(1).B: A Spill or Release in which 1 barrel or more of E&P Waste or produced fluids is spilled or released outside of berms or other secondary containment.

☐ Yes Rule 912.b.(1).C: A Spill or Release of 5 barrels or more of E&P Waste or produced Fluids regardless of whether the Spill or Release is completely contained within berms or other secondary containment.

☐ No Rule 912.b.(1).D: Within 6 hours of discovery, a Grade 1 Gas Leak. For a Grade 1 Gas Leak from a Flowline, the Operator also must submit the Form 19 – Initial, document number on a Form 44, Flowline Report, for the Grade 1 Gas Leak

Enter the approximate time of discovery _____ (HH:MM)

Enter the Document Number of the Grade 1 Gas Leak Report, Form 44 _____

Was there a reportable accident associated with either a Grade 1 Gas Leak or an E&P waste spill or release? _____

Enter the Document Number of the Initial Accident Report, Form 22 _____

Was there damage during excavation? _____

Was CO 811 notified prior to excavation? _____

☐ No Rule 912.b.(1).E: The discovery of 10 cubic yards or more of impacted material resulting from a current or historic Spill or Release. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards.

Estimated Volume of Impacted Solids (cu. yd.): _____

No	Rule 912.b.(1).F: The discovery of impacted Waters of the State, including Groundwater. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards. The presence of free product or hydrocarbon sheen on Groundwater or surface water is reportable. The presence of contaminated soil in contact with Groundwater or surface water is reportable. Check all that apply:
	<input type="checkbox"/> The presence of free product or hydrocarbon sheen Surface Water <input type="checkbox"/> The presence of free product or hydrocarbon sheen on Groundwater <input type="checkbox"/> The presence of contaminated soil in contact with Groundwater <input type="checkbox"/> The presence of contaminated soil in contact with Surface water
No	Rule 912.b.(1).G: A suspected or actual Spill or Release of any volume where the volume cannot be immediately determined, including a spill or release of any volume that daylights from the subsurface.
Yes	Rule 912.b.(1).H: Spill or Release resulting in vaporized hydrocarbon mists that leave the Oil and Gas Location or Off-Location Flowline right of way from an Oil and Gas Location and impacts or threatens to impact off-location property.
	<input checked="" type="checkbox"/> Areas offsite of Oil & Gas Location <input type="checkbox"/> Off-Location Flowline right of way
No	Rule 912.b.(1).I: A Release of natural gas that results in an accumulation of soil gas or gas seeps.
No	Rule 912.b.(1).J: A Release that results in natural gas in Groundwater.

OPERATOR COMMENTS:

Submitting on behalf of Polaris Energy, contract and daily operators of field. Coordinates were taken from Sam Spears phone standing on the west side of the Heater Treater.

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

Signed: _____ Print Name: Kevin Oakes
 Title: Vice President Date: 02/10/2022 Email: kevin@d90energy.com

Condition of Approval

<u>COA Type</u>	<u>Description</u>
	SPILL CLEAN UP In accordance with 913.d.(1) Operator will investigate impacts to soil, Groundwater, and surface water as soon as the impacts are discovered.
	SOIL SAMPLING TABLE 915-1 PRODUCED WATER Operator will collect confirmation soil samples as described in the Rule 915.e.(2) Guidance Document. Operator will analyze soil samples for TPH (C6-C36), Table 915-1 Organic Compounds in Soil, Table 915-1 metals, and Table 915-1 Soil Suitability for Reclamation (Electrical conductivity, Sodium adsorption ratio, and pH by saturated paste method, boron (hot water soluble)).
	FORM 19 SUPPLEMENTAL 90 DAY CLOSURE Pursuant to Rule 912.b.(6) Operator will submit for Director Approval a Form 19 Supplemental Report within 90 days of the spill date with supporting documentation to demonstrate that the Spill has been cleaned up and complies with Table 915-1. The Form 19 Supplemental Report for closure is due by May 3, 2022.
	FORM 19 SUPPLEMENTAL 10 DAY REPORT Per Rule 912.b.(4), the Operator shall make a supplemental report on Form 19 not more than 10 calendar days after the spill/release is discovered that includes: A. A topographic map showing the governmental section and location of the spill or an aerial photograph showing the location of the spill B. All pertinent information about the spill/release known to the Operator that has not been reported previously including photo documentation showing the source of the Spill or Release, the impacted area, and initial cleanup activity C. Information relating to the initial mitigation, site investigation, and remediation measures conducted by the Operator D. Global Positioning System data that meets the requirements of Rule 216 if latitude and longitude data provided pursuant to Rule 912.b.(2).A did not meet the requirements of Rule 216.
4 COAs	

Attachment List

<u>Att Doc Num</u>	<u>Name</u>
402948358	SPILL/RELEASE REPORT(INITIAL)
402948393	CORRESPONDENCE
402953569	FORM 19 SUBMITTED

Total Attach: 3 Files

General Comments

<u>User Group</u>	<u>Comment</u>	<u>Comment Date</u>
Environmental	Many errors. Reference Location incorrect, wrong coordinates, wrong reporting criteria, notifications are not listed.	02/05/2022

Total: 1 comment(s)