

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
403231728

Date Received:  
11/16/2022

**FIR RESOLUTION FORM**

Overall Status: CAC

CA Summary:

3 of 3 CAs from the FIR responded to on this Form

3 CA Completed  
0 Factual Review Request

**OPERATOR INFORMATION**

OGCC Operator Number: 52530

Name of Operator: MAGPIE OPERATING INC

Address: 2707 SOUTH COUNTY RD 11

City: LOVELAND State: CO Zip: 80537

Contact Name and Telephone:

Name: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Additional Operator Contact:

Contact Name	Phone	Email
<u>Adamczyk, Megan</u>		<u>megan.adamczyk@state.co.us</u>
<u>Warner, Ross</u>	<u>720-309-9380</u>	<u>ross.magpieoil@gmail.com</u>
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COGCC INSPECTION SUMMARY:

FIR Document Number: 696105548

Inspection Date: 10/24/2022

FIR Submit Date: 11/02/2022

FIR Status: \_\_\_\_\_

Inspected Operator Information:

Company Name: MAGPIE OPERATING INC

Company Number: 52530

Address: 2707 SOUTH COUNTY RD 11

City: LOVELAND State: CO Zip: 80537

LOCATION - Location ID: 312143

Location Name: WARNECKE-68N53W Number: 30SESE County: \_\_\_\_\_

Qtrqtr: SESE Sec: 30 Twp: 8N Range: 53W Meridian: 6

Latitude: 40.625638 Longitude: -103.337188

FACILITY - API Number: 05-075- -00 Facility ID: 312143

Facility Name: WARNECKE-68N53W Number: 30SESE

Qtrqtr: SESE Sec: 30 Twp: 8N Range: 53W Meridian: 6

Latitude: 40.625638 Longitude: -103.337188

CORRECTIVE ACTIONS:

**1** CA# 165844

Corrective Action:

Date: 11/16/2022

Operator shall comply with 900 Series Rules. Determine vertical and horizontal extent of spill to establish points of compliance and conduct soil analysis with discrete sampling and photo documentation to provide in future Supplemental Form 27s and FIRR. Collaborate with the landowner to determine future crop plans in order to facilitate proper remediation and reclamation of subsoil and topsoil on location.

Operator shall comply with Rule 905.a.5. Collect and submit samples for waste characterization for the unidentified piles, referenced in attached inspection photos, prior to offsite disposal. Include analytical results and disposal manifests in FIRR and future Supplemental Form 27s.

Operator shall provide Environmental Group with a Form 42 (check "other" box and provide description of activity) to notify Environmental Protection Specialist when soil samples are being conducted for both the vertical and horizontal extent of spill and for waste characterization of the piles.

Response: CA COMPLETED

Date of Completion: 11/15/2022

Operator Comment: Form 27 submitted doc 403227439. Sampling activities are scheduled for early December weather permitting. Sampling activity will delineate the extent of inorganic soil impacts. Unidentified pile is landowner manure pile. Landowner has instructed Magpie employees to not touch, spread or modify the material on site. Historically, landowner has provided organic material as a means of backfill and soil amendments. Magpie will notify via form 42 and communicate directly with COGCC staff for future sampling activity.

COGCC Decision: **Not Approved**

COGCC Representative: Corrective action has not been completed as the sampling is scheduled for a future date. A November 22, 2022 field inspection (Doc #696105620) confirmed that no apparent soil sampling had occurred. Submit FIRR when work is completed.

2  CA# 165845

Corrective Action: Comply with Rule 1004. Collaborate with the landowner to determine mitigating measures that will allow reclamation work to be conducted in such a manner as to not interfere with agricultural activities or crop production. Provide documentation within the FIR Resolution form of when the corrective action work will be completed and provide date and documentation of coordination with the surface owner.

Date: 07/22/2019

Operator shall submit a Form 4 with a Reclamation Plan for the entire location and must include language to route the form to the area Reclamation Specialist. Reclamation Plan Guidance Template is included in the 915.B guidance document.

Corrective action date is being back dated to when final reclamation activities should have been completed.

Response: CA COMPLETED

Date of Completion: 11/15/2022

Operator Comment: Landowner has instructed Magpie personnel to halt all activity including spreading of organic material or contour/reclamation of access road until further notice. Estimates of access to property are after the Thanksgiving holiday in order for the landowner to work their land as they wish.

Form 4 under 915b will follow inorganic delineation by sampling in December of 2022 as per form 27 doc 403227439.

Communication with landowner will continue to ensure agricultural activity is not obstructed and impacted areas will be returned to useful crop.

COGCC Decision: **Not Approved**

COGCC Representative: Corrective action has not been completed. During a November 22, 2022 inspection (Doc #696105620), COGCC Staff observed that no reclamation work has been completed. Additionally, the Reclamation Plan (Form 4) has not been submitted as the required soil sampling, and subsequent Form 27, have not been completed. Submit FIRR when work is completed.

3  CA# 166004

Corrective Action: Refer to Environmental, Reclamation, and Inspection Photos for Corrective Action information.

Date: \_\_\_\_\_

Response: CA COMPLETED

Date of Completion: 11/15/2022

Weeds have been mowed. Further reclamation activity will follow once access to land has been granted by landowner.

Operator  
Comment:

COGCC Decision: Approved pending re-inspection

COGCC 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 standards.

November 22, 2022 inspection (Doc #696105620) noted that the Operator appears to have mowed the weeds and removed the fence/gate. A re-inspection will verify reclamation activities and progress.

OPERATOR COMMENT AND SUBMITTAL

Comment:

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

Print Name: Ross Warner

Signed: \_\_\_\_\_

Title: Regulatory

Date: 11/16/2022 1:37:22 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>
403231728	FIR RESOLUTION SUBMITTED
403231801	Site Photos

Total Attach: 2 Files