

State of Colorado  
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:  
403253173

Date Received:  
12/07/2022

**FIR RESOLUTION FORM**

Overall Status: CAC

CA Summary:

3 of 4 CAs from the FIR responded to on this Form

3 CA Completed  
0 Factual Review Request

**OPERATOR INFORMATION**

OGCC Operator Number: 96850

Name of Operator: TEP ROCKY MOUNTAIN LLC

Address: 1058 COUNTY ROAD 215

City: PARACHUTE State: CO Zip: 81635

Contact Name and Telephone:

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

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

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

Additional Operator Contact:

Contact Name

Phone

Email

Kellerby, Shaun

shaun.kellerby@state.co.us

.TEP

COGCCInspectionReports@terraep.com

Ramsey, Scott

scott.ramsey@state.co.us

**COGCC INSPECTION SUMMARY:**

FIR Document Number: 702800968

Inspection Date: 11/23/2022

FIR Submit Date: 12/05/2022

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

**Inspected Operator Information:**

Company Name: TEP ROCKY MOUNTAIN LLC

Company Number: 96850

Address: 1058 COUNTY ROAD 215

City: PARACHUTE State: CO Zip: 81635

**LOCATION - Location ID: 311677**

Location Name: HARRIS-67S94W Number: 5SWNE County: \_\_\_\_\_

Qtrqr: SWNE Sec: 5 Twp: 7S Range: 94W Meridian: 6

Latitude: 39.468371 Longitude: -107.910263

**FACILITY - API Number: 05-045- -00 Facility ID: 311677**

Facility Name: HARRIS-67S94W Number: 5SWNE

Qtrqr: SWNE Sec: 5 Twp: 7S Range: 94W Meridian: 6

Latitude: 39.468371 Longitude: -107.910263

**CORRECTIVE ACTIONS:**

1  CA# 166402

Corrective Action: Remove all stored equipment.

Date: 04/29/2022

Response: CA COMPLETED

Date of Completion: 12/07/2022

Operator Comment: The purpose of this response is to provide an update on this Corrective Action. The land owner has requested to keep this location in its present condition and desires to leave the un-reclaimed portions of the pad as-is for their current and future uses - provided that these uses do not interfere with the safe operations of the well pad and access to equipment, or emergency response capabilities. TEP plans to prepare and submit a variance request

on behalf of the surface owner seeking permission to leave the owner's vehicles and equipment in their current locations, and to leave the un-reclaimed portions of the pad in its present condition to allow for existing and future use by the land owner. The surface-owner variance request for this location will be submitted per Rule 502, and will be submitted to COGCC before 3/31/23. TEP will conduct a storm water inspection of this location, and will maintain/install storm water BMPs on or before 01/31/23.

COGCC Decision: **Not Approved**

COGCC Representative: Inspector acknowledges TEP's intent to pursue a variance. However, unable to approve resolution as the response of "Corrective Action Completed" indicates that the corrective actions from the inspection report have been addressed. Based on the operator's comments within this resolution this does not appear to be the case. Please note that until a variance request has been submitted and approved, corrective action(s) and date(s) remain applicable. COGCC can not assume operator will submit a variance request. Until an official request has been submitted, inspector will continue with business as usual including follow-up inspections. Also, be aware that a submission for a variance request does not guarantee approval; corrective action(s) and action date(s) would remain applicable until resolved if request is denied.

No 502.b variance has been submitted by the operator, or approved by the COGCC; until a 502.b variance has been approved, the location remains subject to COGCC equipment storage rules and requirements.

3  CA# 166404

Corrective Action: Comply with 1003 Rules. Conduct interim reclamation on the Location including, but not limited to: compaction alleviation (cross ripping to a minimum depth of 18 inches), recontouring/regrading, replacement of topsoil, and revegetation activities; use a seed mixture provided by the surface owner, or a mixture prescribed by the local soil conservation district. Implement control measures to stabilize the seeded soil in accordance with Rule 1002.f.(2)C. Revegetation activities shall be completed no later than 5/1/2023.

Date: 05/01/2023

Response: CA COMPLETED

Date of Completion: 12/07/2022

Operator Comment: The purpose of this response is to provide an update on this Corrective Action. The land owner has requested to keep this location in its present condition and desires to leave the un-reclaimed portions of the pad as-is for their current and future uses - provided that these uses do not interfere with the safe operations of the well pad and access to equipment, or emergency response capabilities. TEP plans to prepare and submit a variance request on behalf of the surface owner seeking permission to leave the owner's vehicles and equipment in their current locations, and to leave the un-reclaimed portions of the pad in its present condition to allow for existing and future use by the land owner. The surface-owner variance request for this location will be submitted per Rule 502, and will be submitted to COGCC before 3/31/23. TEP will conduct a storm water inspection of this location, and will maintain/install storm water BMPs on or before 01/31/23.

COGCC Decision: **Not Approved**

COGCC Representative: Inspector acknowledges TEP's intent to pursue a variance. However, unable to approve resolution as the response of "Corrective Action Completed" indicates that the corrective actions from the inspection report have been addressed. Based on the operator's comments within this resolution this does not appear to be the case. Please note that until a variance request has been submitted and approved, corrective action(s) and date(s) remain applicable. COGCC can not assume operator will submit a variance request. Until an official request has been submitted, inspector will continue with business as usual including follow-up inspections. Also, be aware that a submission for a variance request does not guarantee approval; corrective action(s) and action date(s) would remain applicable until resolved if request is denied.

No 502.b variance has been submitted by the operator, or approved by the COGCC; until a 502.b variance has been approved, the location remains subject to COGCC reclamation rules and requirements.

4  CA# 166405

Corrective Action: Install or repair required BMPs per Rule 1002.f. Continue to monitor and manage stormwater on the Location. Ongoing stormwater management is required until the site receives a passing final inspection.

Date: 05/28/2020

Response: CA COMPLETED

Date of Completion: 12/07/2022

Operator Comment: The purpose of this response is to provide an update on this Corrective Action. The land owner has requested to keep this location in its present condition and desires to leave the un-reclaimed portions of the pad as-is for their current and future uses - provided that these uses do not interfere with the safe operations of the well pad and access to equipment, or emergency response capabilities. TEP plans to prepare and submit a variance request on behalf of the surface owner seeking permission to leave the owner's vehicles and equipment in their current locations, and to leave the un-reclaimed portions of the pad in its present condition to allow for existing and future use by the land owner. The surface-owner variance request for this location will be submitted per Rule 502, and will be submitted to COGCC before 3/31/23. TEP will conduct a storm water inspection of this location, and will maintain/install storm water BMPs on or before 01/31/23.

COGCC Decision: **Not Approved**

COGCC Representative: Operator response of "Corrective Action Completed" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed.

**OPERATOR COMMENT AND SUBMITTAL**

Comment: Responses have been provided to address Corrective Actions 166402, 166404, and 166405. The purpose of this FIRR is to simply provide an update to these CAs. The land owner has requested to keep this location in its present condition and desires to leave the un-reclaimed portions of the pad as-is for their current and future uses - provided that these uses do not interfere with the safe operations of the well pad and access to equipment, or emergency response capabilities. TEP plans to prepare and submit a variance request on behalf of the surface owner seeking permission to leave the owner's vehicles and equipment in their current locations, and to leave the un-reclaimed portions of the pad in its present condition to allow for existing and future use by the land owner. The surface-owner variance request for this location will be submitted per Rule 502, and will be submitted to COGCC before 3/31/23. TEP will conduct a storm water inspection of this location, and will maintain/install storm water BMPs on or before 01/31/23.

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 Environmental Lead

Date: 12/7/2022 4:03:14 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>
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403253173	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files