

**FORM
INSP**Rev
X/20**State of Colorado
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109

Inspection Date:

02/10/2023

Submitted Date:

02/15/2023

Document Number:

697504498

FIELD INSPECTION FORMLoc ID 456651 Inspector Name: Binschus, Chris On-Site Inspection ☐ 2A Doc Num: _____**Operator Information:**

OGCC Operator Number: 10701

Name of Operator: UPLAND EXPLORATION LLC

Address: 424 S MAIN ST

City: BOERNE State: TX Zip: 78006

Status Summary:

- ☐ THIS IS A FOLLOW UP INSPECTION
- ☒ FOLLOW UP INSPECTION REQUIRED
- ☐ NO FOLLOW UP INSPECTION REQUIRED

Findings:

15 Number of Comments

9 Number of Corrective Actions

☒ Corrective Action Response Requested**ANY CORRECTIVE ACTION(S) FROM
PREVIOUS INSPECTIONS THAT HAVE NOT
BEEN ADDRESSED ARE STILL APPLICABLE****Contact Information:**

Contact Name	Phone	Email	Comment
Wold, Reed		reed.wold@state.co.us	
		larry@uplandexploration.com	
Allison, Rick		rick.allison@state.co.us	
Arthur, Denise		denise.arthur@state.co.us	
Adamczyk, Megan		megan.adamczyk@state.co.us	
Trujillo, Aaron		aaron.trujillo@state.co.us	
,		dnr_cogccenforcement@state.co.us	COGCC Enforcement
		david@uplandexploration.com	

Inspected Facilities:

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
456651	LOCATION	AC			-	Salt Ranch Fee 18 East	RI

General Comment:

On 2/10/2023, Reclamation Specialist Chris Binschus and Reed Wold met with the surface owner and a representative from Weld County to conduct an Interim Reclamation and Stormwater inspection in response to a complaint at the Upland Exploration LLC Salt Ranch location.

The following compliance issues were observed during this inspection:

- 1) 603.h. Fencing Requirements
- 2) 1002.f. Stormwater management
- 3) 1002.e. Surface disturbance minimization
- 4) 1002.c Protection of soil
- 5) 606.c. Weeds
- 6) 606.d. Trash
- 7) 912. Spills and Releases
- 8) 913. Stie Investigation and Remediation Workplan
- 9) 909. Pits

Refer to the Lease Road, Good Housekeeping, Complaint, Environmental, Reclamation, Stormwater and COGCC Comment sections of this inspection report for additional details.

Location**Lease Road:**

Type	Main		
comment:	<p>At the time of this inspection, the main gated entrance off CR57 was open because of automated gate issues, which has been open for approximately two weeks per a complainant statement. The complainant indicated that gates being left open started around September 2022 and stated this has been an ongoing issue.</p> <p>Operator has failed to restrict access by unauthorized persons. Refer to Photo 2.</p>		
Corrective Action	<p>Comply with Rule 603.h.</p> <p>The corrective action date is the date the location was observed out of compliance.</p>	Date:	02/10/2023

Overall Good: ☐**Emergency Contact Number:**

Comment:		
Corrective Action:		Date: _____

Good Housekeeping:

Type	WEEDS		
Comment:	<p>An approximate 1.5 mile section of the 5.5 mile access road has undesirable weeds (Russian thistle) along the ditch areas of the access road. Russian thistle is a troublesome annual non-native weed that easily breaks off at the stem and becomes a tumbleweed. The failure to control and manage this type of weed can impact native vegetation on private lands, Pawnee National Grassland, and can impact other adjacent reclamation efforts being performed on the Salt Creek gas pipeline.</p> <p>Operator has failed to control and manage weeds to prevent weed waste and prevent seeds from spreading onto adjacent lands. Refer to Photos 13-14.</p>		
Corrective Action:	<p>Comply with Rule 606.c.</p> <p>The corrective action date is the date the location was observed out of compliance.</p>	Date:	02/10/2023
Type	TRASH		
Comment:	<p>Trash was observed along portions of the access road, on and around the location, and observed off location. The complainant has shared photos with COGCC staff from Oct. 2022-Jan. 2023 documenting trash of said areas. COGCC staff did not incorporate all trash photos into this inspection to minimize the length of attached photos.</p> <p>A contractor on location confirmed that there had been a dumpster without a cover, which contributed to the issue. The contractor stated a new dumpster with a cover was being brought out but did not indicate when it would arrive on location.</p> <p>Operator has failed to properly contain trash. Operator allowed trash to remain on the ground and some of which has blown off location. Refer to Photo 22.</p>		
Corrective Action:	<p>Comply with Rule 606.d.</p> <p>The corrective action date is the date the location was observed out of compliance.</p>	Date:	02/10/2023

Overall Good: ☐**Spills:**

Type	Area	Volume		
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In Containment: No

Comment: ☐ Multiple Spills and Releases?**Venting:**

Yes/No		
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Comment:			
Corrective Action:		Date:	
Flaring:			
Type			
Comment:			
Corrective Action:		Date:	

Inspected Facilities									
Facility ID:	456651	Type:	LOCATION	API Number:	-	Status:	AC	Insp. Status:	RI
Complaint									
Comment:	Complaint: # 403313765 Field Inspector Assigned: Chris Binschus Location ID: #456651 Inspection Document: #697504498 Nature of complaint: Complainant had concerns about weeds growing along the access road that were not being managed, which then go to seed and are spreading across the ranch. There were concerns about road maintenance during snow removal and the associated disturbances. There were also concerns about trespassers and poachers due to the gated entry being left open, as well as trash that was blowing off location.								
Corrective Action:								Date:	

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Environmental**Spills/Releases:**

Type of Spill: _____ Estimated Spill Volume: _____

Comment: Stained soil throughout the location and spills around frac tanks were observed. COGCC staff has drone imagery documenting this as well. Staff did not observe any Form 19's on file. Operator has failed to properly dispose of oily waste and has failed to report spills. Refer to Photos 15-18.

Corrective Action: Comply with Rule 912.a. and 912.b. to submit a Form 19 immediately for spills around the frac tanks.

Date: 02/10/2023

Reportable: _____ GPS: Lat _____ Long _____

Proximity to Surface Water: _____ Depth to Ground Water: _____

Water Well Complaint:

Lat _____ Long _____

DWR Receipt Num: _____ Owner Name: _____ GPS : _____

Field Parameters:

Sample Location: _____ Comment: _____

Waste Management:

Type Management Condition GPS (Lat) (Long)

Oily Soil					
Comment	There is an excavation ~ 3' x 8' in size with an unknown depth but ~5-6' deep, which would be considered a pit. The western sidewall of the excavation had observed soil staining, as did the surface adjacent to the excavation. Operator will have to take samples from the sidewall/pit and develop a Form 27 Site Investigation and Remediation Workplan and receive Director approval before backfill operations can commence. Refer to Photo 19.				
Corrective Action	Comply with Rule 913.c.(8). to submit a Form 27 for the pit.				Date: 02/10/2023
	Pits				
Comment	The above pit failed to have a fence and net or installed CPW-approved exclusion device. Refer to Photo 19.				
Corrective Action	Comply with Rule 909.f.				Date: 02/10/2023

Spill/Remediation:

Comment: _____

Corrective Action: _____ Date: _____

Emission Control Burner (ECB): _____

Comment: _____

Pilot: _____ Wildlife Protection Devices (fired vessels): _____

Reclamation - Storm Water - Pit**Interim Reclamation:**

Date Interim Reclamation Started: _____ Date Interim Reclamation Completed: _____

Land Use: RANGELAND

Comment: _____

1002 SITE PREPARATION AND STABILIZATION

1002a. FENCING _____

Comment _____

Corrective Action _____

Date _____

1002b. SOIL REMOVAL AND _____

Comment _____

Corrective Action _____

Date _____

1002c. PROTECTION OF SOILS _____ Fail _____

Comment

The topsoil stockpile is bare and has weedy vegetation with no perennial vegetation establishment that would out compete the weeds. One of the benefits of perennial vegetation is that it serves to stabilize the soils.

Topsoil has been windrowed along an approximate 1.5 mile section of the access road on both sides that has weedy vegetation.

Operator has failed to prevent weed establishment on the topsoil stockpile at the location and along an approximate 1.5 mile section of windrowed topsoil. Refer to Photos 13-14, and 21.

Corrective Action

Comply with Rule 1002.c.

The corrective action date is the date the location was observed out of compliance.

Date **02/11/2023**

1002E. SURFACE DISTURBANCE MINIMIZATION _____ Fail _____

Comment

Refer to the COGCC Comments section for the Surface Disturbance Minimization comments.

Corrective Action

Comply with Rule 1002.e.(1) and 1002.e.(4)

The corrective action date is the date the location was observed out of compliance.

Date **02/10/2023**

1003a. Waste and Debris removed? _____

Comment _____

Corrective Action _____

Date _____

Unused or unneeded equipment onsite? _____

Comment _____

Corrective Action _____

Date _____

Pit, cellars, rat holes and other bores closed? _____

Comment _____

Corrective Action _____

Date _____

Guy line anchors marked? _____

Comment _____

Corrective Action _____

Date _____

1003b. Area no longer in use? _____ Production areas stabilized ? _____

1003c. Compacted areas have been cross ripped? _____

1003d. Drilling pit closed? _____ Subsidence over on drill pit? _____

Cuttings management: _____

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? _____

Production areas have been stabilized? _____ Segregated soils have been replaced? _____

RESTORATION AND REVEGETATIONCropland

Top soil replaced _____ Recontoured _____ Perennial forage re-established _____

Non-Cropland

Top soil replaced _____ Recontoured _____ 80% Revegetation _____

1003e. INTERIM VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% _____

TRANSECT RESULTS OF REFERENCE AREA% _____

TOTAL % OF DESIRABLE VEGETATION COVER _____

VEGETATIVE COVER _____

1003 f. Weeds Noxious weeds? _____

Comment _____

Corrective Action _____ Date _____

Overall Interim Reclamation

Final Reclamation/ Abandoned Location:

Date Final Reclamation Started: _____ Date Final Reclamation Completed: _____

Final Land Use: RANGELAND

Reminder: _____

Comment: _____

Well plugged _____ Pit mouse/rat holes, cellars backfilled _____

Debris removed _____ No disturbance /Location never built _____

Access Roads _____ Regraded _____ Contoured _____ Culverts removed _____

Gravel removed _____

Location and associated production facilities reclaimed _____ Locations, facilities, roads, recontoured _____

Compaction alleviation _____ Dust and erosion control _____

Non cropland: Revegetated 80% _____ Cropland: perennial forage _____

Weeds present _____ Subsidence _____

1004.d. FINAL VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% _____

TRANSECT RESULTS OF REFERENCE AREA% _____

TOTAL % OF DESIRABLE VEGETATION COVER _____

VEGETATIVE COVER _____

Comment: _____

Corrective Action: _____ Date _____

Overall Final Reclamation _____ Well Release on Active Location ☐ Multi-Well Location ☐

Storm Water:

Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment

Comment: [Refer to the COGCC Comments section for the Stormwater Management comments.](#)
 Corrective Action: [Comply with Rules 1002.f.\(2\) and 1002.f.\(2\)B](#)
[The corrective action date is the date the location was observed out of compliance.](#)

Date: 02/10/2023

Pits: ☐ NO SURFACE INDICATION OF PIT

COGCC Comments

Comment	User	Date
<p>Surface Disturbance Minimization comments:</p> <p>Operator has conducted snow removal on the access road and has created additional disturbances by plowing road base off the access road and plowing off of the access road onto private land. There are some areas where the access road is now approximately twice the width of the original access road due to poor road maintenance. This described disturbance was observed throughout the first ~4 miles of the access road. Staff also has drone imagery documenting this observation.</p> <p>If not properly managed, the above described disturbance is likely to cause weed infestations along the portions where perennial vegetation has been removed. Since there is already a source of Russian thistle establishment along the access road due to the oil and gas disturbance, this is another potential threat for additional undesirable weeds spreading onto private lands, Pawnee National Grassland, and the other adjacent reclamation from the Salt Creek gas pipeline that parallels the access road.</p> <p>In addition, there are areas where contractors are driving off the access road.</p> <p>Operator has failed to reasonably minimize land disturbances along the access road, and to reasonably minimize the alteration of natural features and removal of surface materials. Operator has failed to restrict travel on the access road. Refer to Photos 10-12 and 24.</p>	binschusc	02/14/2023
<p>Stormwater Management comments:</p> <p>1) Sediment discharge into Geary Creek from the access road was observed. Portions of the access road, east of Geary Creek, are not sufficiently stabilized and the south-facing fill slopes leading into Geary Creek are not stabilized.</p> <p>Operator has failed to prevent transport of sediment into a High Priority Habitat (Aquatic Native Species Conservation Waters). Refer to Photos 5-8.</p> <p>2) A cattle guard along the access road is not in proper functioning condition to exclude cattle due to sediment accumulation.</p> <p>Operator has failed to maintain a BMP. Refer to Photo 9.</p> <p>3) Operator has leaky gasoline containers on location without proper containment. Also, a porta-john was observed laying on its side/knocked over.</p> <p>Operator has failed implement material handling and spill prevention. Refer to Photos 20 and 23.</p>	binschusc	02/14/2023

COGCC Summary:

binschusc

02/15/2023

The location and access road contain High Priority Habitat for big game species and aquatic native species conservation waters. The neighboring Pawnee National Grassland and private land support a number of flora and fauna, including grazing operations. The violations observed threatens the public health, safety, welfare, the environment and wildlife resources.

Attached Documents

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
403322505	INSPECTION SUBMITTED	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6023026
697504501	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6023025