

State of Colorado  
Energy & Carbon Management Commission



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Document Number:  
403548746

Date Received:  
10/17/2023

**FIR RESOLUTION FORM**

Overall Status: CAC

CA Summary:

3 of 6 CAs from the FIR responded to on this Form

3 CA Completed  
0 Factual Review Request

**OPERATOR INFORMATION**

OGCC Operator Number: 10814  
Name of Operator: MDS ENERGY DEVELOPMENT LLC  
Address: 409 BUTLER RD SUITE A  
City: KITTANNING State: PA Zip: 16201

Contact Name and Telephone:  
Name: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

Additional Operator Contact:

Contact Name	Phone	Email
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COGCC INSPECTION SUMMARY:

FIR Document Number: 708200543  
Inspection Date: 09/06/2023 FIR Submit Date: 09/15/2023 FIR Status: \_\_\_\_\_

Inspected Operator Information:

Company Name: MDS ENERGY DEVELOPMENT LLC Company Number: 10814  
Address: 409 BUTLER RD SUITE A  
City: KITTANNING State: PA Zip: 16201

LOCATION - Location ID: 477495

Location Name: Daffy Number: Pad County: \_\_\_\_\_  
Qtrqr: NENW Sec: 33 Twp: 8N Range: 59W Meridian: 6  
Latitude: 40.622725 Longitude: -103.985025

FACILITY - API Number: 05-123-00 Facility ID: 477495

Facility Name: Daffy Number: Pad  
Qtrqr: NENW Sec: 33 Twp: 8N Range: 59W Meridian: 6  
Latitude: 40.622725 Longitude: -103.985025

CORRECTIVE ACTIONS:

1  CA# 181253

Corrective Action: Install sign to comply with Rule 605.a. Corrective action date is the date the location was observed out of compliance.

Date: 09/06/2023

Response: CA COMPLETED

Date of Completion: 10/13/2023

Operator Comment: A sign that complies with Rule 605.a has been installed. Please see the attached photos.

COGCC Decision: Approved pending re-inspection

COGCC Representative: Approved pending re-inspection. Based on photo documentation provided, work to address the corrective action appears to have been performed. A field inspection will be conducted at a future date to evaluate compliance with ECMC rules.

**2** CA# 181254

Corrective Action: Per Rule 1202.a.8, Operators will conduct pre-construction nesting migratory bird surveys within the approved disturbance area prior to any vegetation removal during the nesting season (April 1 to August 31). The Operator submitted report (doc #403506506) does not conform to the requirements of Rule 1202.a.8 based on the protocol performed in the report and that it was performed on 07/19/2023, after the location was approximately 95% constructed. This location is out of compliance with Rule 1202.a.8, and is being referred to Enforcement.

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

Response: CA COMPLETED

Date of Completion: 07/19/2023

Operator Comment: Operator will work with the enforcement group.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Corrective action cannot be completed due to the nature of the corrective action requirement prior to construction, that was not conducted. Per the Operator comments, once the notice of violation is issued then the Operator will engage with the Enforcement group.  
It is appreciated that the Operator responded to the FIRR per the Rules.

**6** CA# 181258

Corrective Action: Comply with Rule 1002.f. Location will remain out of compliance until the corrective action has been resolved.

Date: 09/06/2023

Response: CA COMPLETED

Date of Completion: 09/06/2026

Operator Comment: Trash has been picked up from location. Regular inspections are taking place and good housekeeping BMPs are being maintained.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Based on operator comments corrective action does not appear to have been completed. This corrective action is to address Rule 1002.f Stormwater related compliance issues, not good housekeeping (trash) compliance issues, as that was addressed in a separate corrective action.

**OPERATOR COMMENT AND SUBMITTAL**

Comment: Construction will be completed by the week of October 23rd. The access road violations will be corrected and the FIRR for those will be submitted.  
Corrective Action #2 will be worked through the enforcement group.

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

Print Name: Andrea Gross Signed: \_\_\_\_\_  
Title: Permit Agent Date: 10/17/2023 1:09:00 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>
403548746	FIR RESOLUTION SUBMITTED
403563070	Photos

Total Attach: 2 Files