

**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:

11/14/2023

Submitted Date:

11/15/2023

Document Number:

708200700

**FIELD INSPECTION FORM**Loc ID 471039 Inspector Name: Edwardson, Dylan On-Site Inspection ☐ 2A Doc Num: \_\_\_\_\_**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

**Status Summary:**

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

**Findings:**

6 Number of Comments

2 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
Heibel, Krystal		krystal.heibel@state.co.us	
		siji.chaparro@iptwell.com	
Arthur, Denise		denise.arthur@state.co.us	
SAADEH, RICHARD		richard.saadeh@mdsed.com	

**Inspected Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
471039	LOCATION	AC			-	Castor 7-59 10	RI
471064	WELL	WO	08/01/2023	LO	123-50750	CASTOR 7-59 10-3-1	CI
471065	WELL	WO	08/01/2023	LO	123-50751	CASTOR 7-59 10-3-5	CI
471066	WELL	DG	08/01/2023	LO	123-50752	CASTOR 7-59 10-3-8	CI
471069	WELL	DG	10/20/2023	LO	123-50755	CASTOR 7-59 10-3-12	CI

**General Comment:**

This is a follow-up Construction and Stormwater Inspection for Location ID (471039). This inspection is being entered to update the status of an outstanding compliance issue (Rule 1002.b).

Inspected Facilities				
Facility ID: <u>471039</u>	Type: <u>LOCATION</u>	API Number: <u>-</u>	Status: <u>AC</u>	Insp. Status: <u>RI</u>
Facility ID: <u>471064</u>	Type: <u>WELL</u>	API Number: <u>123-50750</u>	Status: <u>WO</u>	Insp. Status: <u>CI</u>
Facility ID: <u>471065</u>	Type: <u>WELL</u>	API Number: <u>123-50751</u>	Status: <u>WO</u>	Insp. Status: <u>CI</u>
Facility ID: <u>471066</u>	Type: <u>WELL</u>	API Number: <u>123-50752</u>	Status: <u>DG</u>	Insp. Status: <u>CI</u>
Facility ID: <u>471069</u>	Type: <u>WELL</u>	API Number: <u>123-50755</u>	Status: <u>DG</u>	Insp. Status: <u>CI</u>

**Environmental****Spills/Releases:**

Type of Spill: \_\_\_\_\_

Estimated Spill Volume: \_\_\_\_\_

Comment: During this inspection, Staff observed hydrocarbons within the liner near flowback equipment. It was apparent that not all free fluids have been removed and properly disposed of, as tire tracks transported E&P waste outside of secondary containment. Additionally, stained soils were observed around the production areas and staining/free fluids within the tank battery secondary containment. Staff is unclear if this is related to Spill ID #484957 as the Operator has not complied with COA #6 (doc #403490670) to provide all pertinent information about the spill including but not limited to maps, photos, GPS coordinates, etc. If this incident is completely separate from Spill ID #484957, Operator will need to follow 900 Series rules to report additional spills. Refer to attached inspection photos.

Corrective Action: Report spill or release of E&P waste or produced fluids. Remove free fluids and contact ECMC EPS staff per Rule 912.b. 24 hours to remove free fluids. 24 hours for notification to area EPS Staff (Krystal.Heibel@state.co.us) and 72 hours for Initial Form 19 Report.

Date: 11/16/2023

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: \_\_\_\_\_

**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 SEGREGATION FailComment [See "ECMC Inspector Comments" section at the end of this document.](#)

Corrective Action

Comply with Rule 1002.b. Operator shall import approximately 2,952 CY of topsoil to supplement the deficit for the minimum required 6" of topsoil. Operator shall submit soil analytical data on the imported topsoil, and from adjacent reference area, no later than 1 month before importation, via Form 4 Sundry (Route to Reclamation Specialist Dylan Edwardson). Operator shall use the ECMC Topsoil Protection Plan guidance for agronomic properties and analyte testing (page 4) and compare those results with a topsoil assessment for reference areas to ensure equivalent topsoil is being imported. Corrective action date is being back-dated to when the location should have been in compliance.

Date **10/25/2022**

1002c. PROTECTION OF SOILS \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002E. SURFACE DISTURBANCE MINIMIZATION \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

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 REVEGETATION**Cropland

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 Operator shall comply with interim reclamation timing requirements. Refer to "Notice to Operators: Interim Reclamation Procedures for Delayed Operations" found on ECMC website under the following tabs "Regulation" -> "Policies" for additional information.

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 <input type="checkbox"/>	Multi-Well Location <input type="checkbox"/>
<b>COGCC Comments</b>		
Comment	User	Date
Most recent Form 19 Initial submittal (Doc #403490670) was received on August 8, 2023. A Form 19 Supplemental submittal was due 90 days later, no later than November 6, 2023.	edwardsond	11/15/2023
Pursuant to Rule 912.b.(6) Operator is required to submit a Form 19 Supplemental Report for the associated spill within 90 days of the spill date requesting closure pursuant to Rule 913.h and supported by adequate documentation to demonstrate that the Spill or Release has been fully cleaned up and complies with Table 915-1; or A Form 27 if any of the criteria listed in Rules 912.b.(6).B.i–iii apply. If Remediation will continue under an approved Form 27, the Operator will also submit a Form 19 – Supplemental which requests closure of the Spill or Release and includes the Remediation project number assigned by the Director.		
1002.b Comments	edwardsond	11/15/2023
Previous FIR (doc #708200062) documented that the Operator had failed to salvage all topsoil on location during construction activities, noting that the topsoil stockpile was approximately 5,925 CY and required the Operator to import approximately 8,700 CY to account for the deficit (~10" of topsoil over a 10.9 acre disturbance). However, during this inspection, Staff recalculated the salvageable disturbance area (~8 acres) and remeasured the topsoil stockpile (~3,495 CY) using drone technology and has determined that approximately 3.25" of topsoil was originally salvaged from the location. The Operator should have salvaged at least 6,447 CY at the minimum required depth of 6" over the salvageable area, however, ALL salvageable topsoils should have been separated and stored during the initial location construction. Therefore, the Operator is being required to import ~ 2,952 CY of topsoil to supplement the deficit, in order to have at least ~6,447 CY, or 6" over the ~8 acre disturbance area, for subsequent reclamation activities. It is ECMC's expectation that all State and County permitting requirements have been obtained and shall be made available for submission to ECMC Staff upon request.		
Refer to attached inspection photos for documentation.		

**Attached Documents**

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

Document Num	Description	URL
403596765	INSPECTION SUBMITTED	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6323227">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6323227</a>
708200701	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6323193">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6323193</a>