

State of Colorado
Energy & Carbon Management Commission



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

Document Number:

403624254

Date Received:

12/15/2023

FIR RESOLUTION FORM

Overall Status:

CA Summary:

1 of 1 CAs from the FIR responded to on this Form

0 CA Completed
1 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

Baker, Brandon

bbaker@terraep.com

Mahaffey, Justin

jmahaffey@terraep.com

TEP

COGCCInspectionReports@terraep.com

COGCC INSPECTION SUMMARY:

FIR Document Number: 696205467

Inspection Date: 12/11/2023

FIR Submit Date: 12/13/2023

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: 335451

Location Name: EPPERLY-66S92W Number: 23SWSW County: _____

Qtrqr: SWS Sec: 23 Twp: 6S Range: 92W Meridian: 6

Latitude: 39.506541 Longitude: -107.640772

FACILITY - API Number: 05-045-00 Facility ID: 335451

Facility Name: EPPERLY-66S92W Number: 23SWSW

Qtrqr: SWS Sec: 23 Twp: 6S Range: 92W Meridian: 6

Latitude: 39.506541 Longitude: -107.640772

CORRECTIVE ACTIONS:

1 CA# 189174

Corrective Action: Provide key, combinations, or alternate method of access to comply with rule 204

Date: 12/11/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

TEP requests further review and discussion of this FIR with Inspector Trujillo and ECMC management. TEP

Operator
Comment:

disputes the finding of this inspection report for the following reasons:

- 1) Inspector Trujillo attempted to conduct the inspection on 12/11/23. The FIR and corrective action were sent to TEP on 12/13/23 with a corrective action due date of 12/11/23. The inspection report was not submitted or received by TEP until two days AFTER the due date had passed. Therefore the corrective action date for this inspection report is not attainable.
- 2) Inspector Trujillo states that he attempted to contact and leave messages for TEP staff at the time of the inspection (12/11/23). This statement is not accurate. The staff mentioned by Inspector Trujillo have verified that they did not receive any phone call, text, email, or other message from inspector Trujillo about this location on the inspection date.
- 3) Inspector Trujillo included a photograph that he took of a locked gate and included the photo in his inspection report. The Epperly well pad is in clear view in the background of the photo (see attached). The distance from the gate to the well pad is approximately 150 feet. Access to the well pad is easily gained from the location of the gate. The locked gate does not close very well and is easily passable on foot.
- 4) If Inspector Trujillo did not want to walk the short distance to the well pad from the gate, he could have easily driven onto the well pad from the east side of the well location. The same road with the locked gate is open without any locked gates if approaching the pad from the other direction.
- 5) If Inspector Trujillo could not contact individual TEP staff, he could have also called TEP's 24-hour phone number (970-285-9377) that is posted at all locations. This number is available 24 hours per day and will put the caller in touch with the appropriate TEP personnel. Inspector Trujillo did not call or leave any message on this 24-hour phone line.
- 6) The GPS coordinates on the photograph submitted by Inspector Trujillo are incorrect and do not correlate to the location of the locked gate. The coordinates on Inspector Trujillo's photograph actually plot to a street located in downtown Silt, CO (see attached).

COGCC Decision: _____

COGCC
Representative: _____

OPERATOR COMMENT AND SUBMITTAL

- Comment: TEP requests further review and discussion of this FIR with Inspector Trujillo and ECMC management. TEP disputes the finding of this inspection report for the following reasons:
- 1) Inspector Trujillo attempted to conduct the inspection on 12/11/23. The FIR and corrective action were sent to TEP on 12/13/23 with a corrective action due date of 12/11/23. The inspection report was not submitted or received by TEP until two days AFTER the due date had passed. Therefore the corrective action date for this inspection report is not attainable.
 - 2) Inspector Trujillo states that he attempted to contact and leave messages for TEP staff at the time of the inspection (12/11/23). This statement is not accurate. The staff mentioned by Inspector Trujillo have records to verify that they did not receive any phone call, text, email, or other message from inspector Trujillo about this location on the inspection date.
 - 3) Inspector Trujillo included a photograph that he took of a locked gate and included the photo in his inspection report. The Epperly well pad is in clear view in the background of the photo (see attached). The distance from the gate to the well pad is approximately 150 feet. Access to the well pad is easily gained from the location of the gate. The locked gate does not close very well and is easily passable on foot.
 - 4) If Inspector Trujillo did not want to walk the short distance to the well pad from the gate, he could have easily driven onto the well pad from the east side of the well location. The same road with the locked gate is open without any locked gates if approaching the pad from the other direction.
 - 5) If Inspector Trujillo could not contact individual TEP staff, he could have also called TEP's 24-hour phone number (970-285-9377) that is posted at all locations. This number is available 24 hours per day and will put the caller in touch with the appropriate TEP personnel. Inspector Trujillo did not call or leave any message on this 24-hour phone line.
 - 6) The GPS coordinates on the photograph submitted by Inspector Trujillo are incorrect and do not correlate to the location of the locked gate. The coordinates on Inspector Trujillo's photograph actually plot to a street located in downtown Silt, CO (see attached).
- In addition to TEP's 24-hour contact number (970-285-9377), the direct cell phone number for TEP's Environmental Lead (Mike Gardner) is 970-623-4875, and the direct cell phone number for the Silt Field Operations Supervisor (Justin Mahaffey) is 970-930-5867. Voice mail messages may be left at any of the above numbers, and text messages may be left at either of the cell phone numbers above.

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: 12/15/2023 5:06:28 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>
403626791	Inspection Photo with Epperly Pad in background and incorrect location coordinates
403626792	Actual location of inspection photo coordinates

Total Attach: 2 Files