

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:  
403657938

Date Received:  
01/17/2024

**FIR RESOLUTION FORM**

Overall Status: FRQ

CA Summary:

2 of 2 CAs from the FIR responded to on this Form

0 CA Completed  
2 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
<u>TEP</u>		<u>COGCCInspectionReports@terraep.com</u>
<u>Toews, Wesley</u>		<u>wtoews@blm.gov</u>

**COGCC INSPECTION SUMMARY:**

FIR Document Number: 696205525  
Inspection Date: 01/16/2024 FIR Submit Date: 01/17/2024 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: 335636**

Location Name: FEDERAL Number: RWF 12-9 County: \_\_\_\_\_  
Qtrqr: NESE Sec: 8 Twp: 6S Range: 94W Meridian: 6  
Latitude: 39.539200 Longitude: -107.903804

**FACILITY - API Number: 05-045-00 Facility ID: 335636**

Facility Name: FEDERAL Number: RWF 12-9  
Qtrqr: NESE Sec: 8 Twp: 6S Range: 94W Meridian: 6  
Latitude: 39.539200 Longitude: -107.903804

**CORRECTIVE ACTIONS:**

1  CA# 190082

Corrective Action: Comply with 606 Rules. Date: 01/16/2024

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: The inspection for this location was conducted on 01/16/24 and the Field Inspection report was received today (01/17/24). The Inspector assigned 01/16/24 as the due date for all corrective actions. Compliance with this date is not possible since the compliance date had already passed before the Field Inspection Report was even sent to TEP. Please resubmit the FIR with attainable corrective due dates that comply with the ECMC corrective

action matrix.

COGCC Decision: **Not Approved**

COGCC Representative:

As stated within the Field Inspection Report, the "date of discovery" is given for all new corrective action dates.  
It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.  
TEP's Factual Review request is denied.

COGCC Supervisor:

As stated within the Field Inspection Report, the "date of discovery" is given for all new corrective action dates.  
It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.  
TEP's Factual Review request is denied.

2  CA# 190083

Corrective Action:

Comply with Rule 1003.f and 606.c- Ongoing weed management required until Location receives a passing final reclamation inspection.

Date: 01/16/2024

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment:

The inspection for this location was conducted on 01/16/24 and the Field Inspection report was received today (01/17/24). The Inspector assigned 01/16/24 as the due date for all corrective actions. Compliance with this date is not possible since the compliance date had already passed before the Field Inspection Report was even sent to TEP. Please resubmit the FIR with attainable corrective due dates that comply with the ECMC corrective action matrix.

COGCC Decision: **Not Approved**

COGCC Representative:

As stated within the Field Inspection Report, the "date of discovery" is given for all new corrective action dates.  
It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.  
TEP's Factual Review request is denied.

COGCC Supervisor:

As stated within the Field Inspection Report, the "date of discovery" is given for all new corrective action dates.  
It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.  
TEP's Factual Review request is denied.

**OPERATOR COMMENT AND SUBMITTAL**

Comment:

The inspection for this location was conducted on 01/16/24 and the Field Inspection report was received today (01/17/24). The Inspector assigned 01/16/24 as the due date for all corrective actions. Compliance with this date is not possible since the compliance date had already passed before the Field Inspection Report was even sent to TEP. Please resubmit the FIR with attainable corrective due dates that comply with the ECMC corrective action matrix.

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: 1/17/2024 4:18:12 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>
403657938	FIR RESOLUTION SUBMITTED

Total Attach: 1 Files