

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:  
403607985

Date Received:  
01/16/2024

**FIR RESOLUTION FORM**

Overall Status: CAC

CA Summary:

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

6 CA Completed  
0 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
		<a href="mailto:dlee@nngus.com">dlee@nngus.com</a>
		<a href="mailto:dlee@nng.us.com">dlee@nng.us.com</a>
<u>.TEP</u>		<a href="mailto:COGCCInspectionReports@terraep.com">COGCCInspectionReports@terraep.com</a>
<u>Fischer, Alex</u>		<a href="mailto:alex.fischer@state.co.us">alex.fischer@state.co.us</a>
<u>Heil, John</u>		<a href="mailto:john.heil@state.co.us">john.heil@state.co.us</a>
<u>Kirschner, Steven</u>		<a href="mailto:steven.kirschner@state.co.us">steven.kirschner@state.co.us</a>
<u>Schroeder, Siera</u>		<a href="mailto:siera.schroeder@state.co.us">siera.schroeder@state.co.us</a>

COGCC INSPECTION SUMMARY:

FIR Document Number: 696205408  
Inspection Date: 11/06/2023 FIR Submit Date: 11/08/2023 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: 322524

Location Name: Puckett Number: MV 1-23 County: \_\_\_\_\_  
Qtrqtr: NWN Sec: 23 Twp: 6S Range: 97W Meridian: 6  
W  
Latitude: 39.514047 Longitude: -108.195719

FACILITY - API Number: 05-045- -00 Facility ID: 322524

Facility Name: Puckett Number: MV 1-23  
Qtrqtr: NWN Sec: 23 Twp: 6S Range: 97W Meridian: 6  
W  
Latitude: 39.514047 Longitude: -108.195719

CORRECTIVE ACTIONS:

1  CA# 188021

Corrective Action: Comply with Rule 911 and submit a Form 27 for O&G facility closure.  
Comply with 1105 for Flowline abandonment requirements, including the Form 42 – Abandonment of Flowlines notice.

Date: 11/06/2023

Response: CA COMPLETED

Date of Completion: 11/08/2023

Operator Comment: This comment is intended to provide an update / response to this Corrective Action: TEP has agreed to physically remove Non-Such's meter run shed / equipment as described in Inspection doc # 696205408, but this will not occur until the Summer of 2024. TEP will notify ECMC when the equipment has been physically relocated. Because the equipment still belongs to Non-Such, they are responsible for preparing and submitting a Form 27 to comply with Rule 911. TEP cannot submit a request to closure of a facility / equipment that does not belong to us. Therefore, TEP will not submit a Form 27 for closure of this facility as this is the responsibility of Non-Such.

The comment to comply with Rule 1105 for abandonment of the flowlines is not applicable, as these flowlines will not be abandoned. The existing flowlines will simply be extended to the new meter run location where they will be reconnected and continue in service. Again, TEP will conduct this work during the Summer of 2024 and prior to the commencement of fracing operations at the Arco Deep 1-27 which are scheduled to begin during the Fall of 2024.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Operator response of "Corrective Action Complete" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed

This corrective action was provided to both Nonsuch and TEP.

TEP can submit an F27 under another Operator's name and number; the F27 requirement for facility closure remains applicable and required prior to removal of the facility. At this time, it is ECMCs expectation that Nonsuch and TEP will collaborate to resolve the matter.

2  CA# 188022

Corrective Action: Provide (attached to a Form 4) ECMC with an update/information/documentation regarding the current status of this monitoring well; if monitoring well has been P&A, provide records that well was properly P&A per DWR requirements.

Date: 11/06/2023

Response: CA COMPLETED

Date of Completion: 11/08/2023

Operator Comment: This comment is intended to provide an update / response to this Corrective Action: The surface mount cap marked "658" was not a water monitoring well regulated by the DWR. This was a shallow soil-gas sampling point that was part of a shallow soil-gas study conducted by Williams Energy throughout the Trail Ridge area around 2010-2012. These soil gas sampling points consisted of quarter-inch (0.25-inch) plastic tubing installed to a maximum depth of 10-feet bgs. Using a Tedlar bag, soil-gas samples would be collected to determine the composition of background shallow soil-gas constituents. These sampling points were never installed as "water monitoring wells" and were never used for water sampling. The shallow soil gas sampling points did not require permitting with the DWR. See attached photo.

COGCC Decision: Approved

COGCC Representative: Per ECMC West Environmental Supervisor-Corrective action has been satisfied.

3  CA# 188023

Corrective Action: Comply with Rule 606

Date: 11/06/2023

Response: CA COMPLETED

Date of Completion: 11/08/2023

Operator Comment: The location was still under construction when the inspection was conducted and final cleanup of the site had not yet occurred. TEP has since removed the trash debris and torn liner materials observed on the fill slopes and berms. This CA is complete.

COGCC Decision: Approved

Resolved via FIR 696205436

COGCC  
Representative:

4  CA# 188024

Corrective Action: Comply with the Form 4 SWMP and 1002.f

Date: 11/06/2023

Response: CA COMPLETED

Date of Completion: 11/22/2023

Operator Comment: The location was still under construction when the inspection was conducted and hydro-mulching and the final installation of wattles had not yet been completed. Per TEP's SWMP and the approved Form 4 (doc #40318897), straw wattles / erosion logs have since been installed along the perimeter of the disturbance and around the topsoil stockpile on the north end of the location, and all side slopes have been hydro-mulched. See attached photograph.

COGCC Decision: Approved

COGCC Representative: Resolved via FIR 696205436

5  CA# 188025

Corrective Action: Comply with the Form 4 SWMP and 1002.f

Date: 11/06/2023

Response: CA COMPLETED

Date of Completion: 11/22/2023

Operator Comment: The location was still under construction when the inspection was conducted and the drive-over berm had not yet been constructed. Per TEP's SWMP and the approved Form 4 (doc #40318897), a drive-over berm to contain storm water on the WPS has since been constructed at the location entrance at the top of the Ramp Road onto pad. In addition to the drive-over berm, a 75-foot screened rock tracking pad was constructed immediately below the drive-over berm. See attached photograph.

COGCC Decision: Approved

COGCC Representative: Resolved via FIR 696205436

6  CA# 188026

Corrective Action: Install or repair required BMPs per Rule 1002.f.(2)C. Ensure control measures are installed in accordance with good engineering practices, and maintained in proper functioning condition.

Date: 07/20/2021

Response: CA COMPLETED

Date of Completion: 11/22/2023

Operator Comment: These are historical inspection items that have not yet been resolved by Non-Such. TEP has no responsibility for correcting these items that belong to Non-Such. ECMC will need to resolve these items directly with Non-Such.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Operator response of "Corrective Action Complete" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed

Upon re-disturbing the Location, TEP re-acquired responsibility regarding stormwater management and maintenance of access road leading to the TEP/Nonsuch Location. At this time, it is ECMCs expectation that Nonsuch and TEP will collaborate to resolve the matter.

#### OPERATOR COMMENT AND SUBMITTAL

Comment: Inspector Trujillo conducted the initial inspection of this location when the site was still under active construction. All corrective actions have since been completed except for CA #188026. This corrective relates to historical inspection items that have not yet been resolved by Non-Such. TEP has no responsibility for correcting these items that belong to Non-Such. ECMC will need to resolve these items directly with Non-Such.

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: \_\_\_\_\_

**ATTACHMENT LIST**

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

<b>Document Number</b>	<b>Description</b>
403607985	FIR RESOLUTION SUBMITTED
403656484	Wattle installation and drive-over berm at the MV 1-23 entrance
403656639	Shallow soil-gas sampling point from 2010-2012
403656641	Shallow soil-gas sampling point from 2010-2012

Total Attach: 4 Files