

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:

403685571

Date Received:

02/21/2024

SPILL/RELEASE REPORT (SUPPLEMENTAL)

This form is to be submitted by the party responsible for the oil and gas spill or release. Refer to COGCC Rule 912.b. for reporting requirements of spills or releases of E&P Waste, produced Fluids, or unauthorized Releases of natural gas. Submit a Site Investigation and Remediation Workplan (Form 27) if Rule 913.c. applies.

Spill report taken by:

NEIDEL, KRIS

Spill/Release Point ID:

485405

OPERATOR INFORMATION

Name of Operator: FULCRUM ENERGY OPERATING LLC Operator No: 10805 Phone Numbers: (970) 896-5665 Address: 240 SAINT PAUL STREET SUITE 502 City: DENVER State: CO Zip: 80206 Contact Person: Rikki Ross Email: rikki.ross@fulcrumeo.com

Transfer of Operatorship: Pursuant to Rule 912.f, this Supplemental Form 19 is being submitted to designate the Buying Operator as the responsible Operator for this Spill and Release.

INITIAL SPILL/RELEASE REPORT

Initial Spill/Release Report Doc# 403578693

Initial Report Date: 10/31/2023 Date of Discovery: 10/30/2023 Spill Type: Recent Spill

Spill/Release Point Location:

QTRQTR NESW SEC 16 TWP 7N RNG 80W MERIDIAN 6

Latitude: 40.573423 Longitude: -106.381535

Municipality: County: JACKSON

Enter Lat./long measurement of the actual Spill/Release Point. Lat./Long. Data shall meet standards of Rule 216.

Form 19 Supplemental -- Checkbox defaults to value submitted on the most recent Form 19 submitted for the facility, but checkbox value may be changed by the user.

Reference Location:

Facility Type: TANK BATTERY Facility/Location ID No: 446527 Spill/Release Point Name: Pintail 16 Well API No. (Only if the reference facility is well) 05- - No Existing Facility or Location ID No.

Estimated Total Spill Volume: use same ranges as others for values

Estimated Oil Spill Volume(bbl): 0 Estimated Condensate Spill Volume(bbl): 0 Estimated Flow Back Fluid Spill Volume(bbl): 0 Estimated Produced Water Spill Volume(bbl): >=100 Estimated Other E&P Waste Spill Volume(bbl): 0 Estimated Drilling Fluid Spill Volume(bbl): 0

Specify: Approximately 670 bbls

Has the subject Spill/Release been controlled at the time of reporting? Yes

Land Use:

Current Land Use: NON-CROP LAND Other(Specify): Weather Condition: Clear and 24 degrees Surface Owner: FEE Other(Specify): Kohlman' Ranch

DENIED

Describe what is known about the spill/release event (what happened -- including how it was stopped, contained, and recovered):

On 10/30/2023, at 9:30 PM, Fulcrum Energy had a spill on the Pintail 16 Pad. The produced water pump from the Bighorn did not properly shut off and over filled two produced water tanks on the Pintail location. The lease operator was working his route when he arrived on the location and was able to make the proper notifications to shut the pump off. Approximately 670 BBL's of produced water spilled inside the tank containment. Clean up begun as of 11/9/2023. All standing water has been vacuumed into trucks and has been salvaged and hauled back to the Bighorn Pad (Location ID: 446174) and was stored in a produced water tank at that location. The equipment around the spill area has been fully cleaned and absorbent material was liberally spread around the containment area. The spill occurred on a liner, completely inside of containment. There were no holes observed in the liner and the integrity of the liner is still intact. There has been no contact with the soil.

List of Agencies and Other Parties Notified Pursuant to Rule 912.b.(7)-(11):

OTHER NOTIFICATIONS

| Date | Agency/Party | Contact | Phone | Response |
|------------|-----------------|-----------------|-------|----------|
| 10/31/2023 | Kohlman's Ranch | Greg Ray | - | |
| 10/31/2023 | Jackson County | Samantha Martin | - | |

REPORT CRITERIA

Rule 912.b.(1) Report to the Director (select all criteria that apply):

- No Rule 912.b.(1).A: A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.
- Waters of the State: _____ Public Water System: _____
Residence or Occupied Structure: _____ Livestock: _____
Wildlife: _____ Publicly-Maintained Road: _____
- No Rule 912.b.(1).B: A Spill or Release in which 1 barrel or more of E&P Waste or produced fluids is spilled or released outside of berms or other secondary containment.
- Yes Rule 912.b.(1).C: A Spill or Release of 5 barrels or more of E&P Waste or produced Fluids regardless of whether the Spill or Release is completely contained within berms or other secondary containment.
- No Rule 912.b.(1).D: Within 6 hours of discovery, a Grade 1 Gas Leak. For a Grade 1 Gas Leak from a Flowline, the Operator also must submit the Form 19 – Initial, document number on a Form 44, Flowline Report, for the Grade 1 Gas Leak
- Enter the approximate time of discovery _____ (HH:MM)
Enter the Document Number of the Grade 1 Gas Leak Report, Form 44 _____
Was there a reportable accident associated with either a Grade 1 Gas Leak or an E&P waste spill or release? _____
Enter the Document Number of the Initial Accident Report, Form 22 _____
Was there damage during excavation? _____
Was CO 811 notified prior to excavation? _____
- No Rule 912.b.(1).E: The discovery of 10 cubic yards or more of impacted material resulting from a current or historic Spill or Release. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards.
- Estimated Volume of Impacted Solids (cu. yd.): _____
- No Rule 912.b.(1).F: The discovery of impacted Waters of the State, including Groundwater. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards. The presence of free product or hydrocarbon sheen on Groundwater or surface water is reportable. The presence of contaminated soil in contact with Groundwater or surface water is reportable. Check all that apply:
- The presence of free product or hydrocarbon sheen Surface Water
 - The presence of free product or hydrocarbon sheen on Groundwater
 - The presence of contaminated soil in contact with Groundwater
 - The presence of contaminated soil in contact with Surface water

| | |
|----|--|
| No | Rule 912.b.(1).G: A suspected or actual Spill or Release of any volume where the volume cannot be immediately determined, including a spill or release of any volume that daylight from the subsurface. |
| No | Rule 912.b.(1).H: Spill or Release resulting in vaporized hydrocarbon mists that leave the Oil and Gas Location or Off-Location Flowline right of way from an Oil and Gas Location and impacts or threatens to impact off-location property. <input type="checkbox"/> Areas offsite of Oil & Gas Location <input type="checkbox"/> Off-Location Flowline right of way |
| No | Rule 912.b.(1).I: A Release of natural gas that results in an accumulation of soil gas or gas seeps. |
| No | Rule 912.b.(1).J: A Release that results in natural gas in Groundwater. |

SPILL/RELEASE DETAIL REPORTS

| | | | | |
|---|--|--|--|--|
| #1 | Supplemental Report Date: | 10/30/2023 | | |
| FLUIDS | BBL's SPILLED | BBL's RECOVERED | Unknown | |
| OIL | 0 | 0 | <input type="checkbox"/> | |
| CONDENSATE | 0 | 0 | <input type="checkbox"/> | |
| PRODUCED WATER | 670 | 670 | <input type="checkbox"/> | |
| DRILLING FLUID | 0 | 0 | <input type="checkbox"/> | |
| FLOW BACK FLUID | 0 | 0 | <input type="checkbox"/> | |
| OTHER E&P WASTE | 0 | 0 | <input type="checkbox"/> | |
| specify: _____ | | | | |
| Was spill/release completely contained within berms or secondary containment? <u>YES</u> Was an Emergency Pit constructed? <u>NO</u> | | | | |
| <i>Secondary containment, including walls & floor regardless of construction material, must be sufficiently impervious to contain any discharge from primary containment until cleanup occurs.</i> | | | | |
| A Form 15 Pit Report shall be submitted within 30 calendar days after the construction of an emergency pit | | | | |
| Impacted Media (Check all that apply) <input type="checkbox"/> Soil <input type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water <input type="checkbox"/> Dry Drainage Feature | | | | |
| Surface Area Impacted: Length of Impact (feet): _____ | | Width of Impact (feet): _____ | | |
| Depth of Impact (feet BGS): _____ | | Depth of Impact (inches BGS): _____ | | |
| How was extent determined? | | | | |
| Site observations. Steel berm and lined secondary containment is approximately 140 feet x 60 feet. | | | | |
| Soil/Geology Description: | | | | |
| According to the USDA Natural Resource Conservation Soil Survey, the containment area is made up of two major soil types: CyF—Cryorthents, steep (CyF) and Fluetsch-Tiagos association (Fh). The native composition of each soil type is: | | | | |
| CyF — (72%) | | | | |
| H1 - 0 to 4 inches: cobbly loam | | | | |
| H2 - 4 to 8 inches: cobbly loam | | | | |
| H3 - 8 to 15 inches: very cobbly loam | | | | |
| H4 - 15 to 19 inches: unweathered bedrock | | | | |
| Fh — (27%) | | | | |
| H1 - 0 to 10 inches: sandy loam | | | | |
| H2 - 10 to 30 inches: sandy clay loam | | | | |
| H3 - 30 to 60 inches: sandy loam | | | | |
| Depth to Groundwater (feet BGS) <u>100</u> | | Number Water Wells within 1/2 mile radius: <u>2</u> | | |
| If less than 1 mile, distance in feet to nearest | | Water Well <u>2600</u> None <input type="checkbox"/> | Surface Water <u>2700</u> None <input type="checkbox"/> | |
| | Wetlands <u>890</u> None <input type="checkbox"/> | | Springs _____ None <input checked="" type="checkbox"/> | |
| | Livestock <u>890</u> None <input type="checkbox"/> | | Occupied Building _____ None <input checked="" type="checkbox"/> | |
| Additional Spill Details Not Provided Above: | | | | |

CORRECTIVE ACTIONS

#1 Supplemental Report Date: 12/22/2023

Root Cause of Spill/Release Equipment Failure

Other (specify) _____

Type of Equipment at Point of Spill/Release: Other

If "Other" selected above, specify or describe here:

Pump shutoff control.

Describe Incident & Root Cause (include specific equipment and point of failure)

The produced water pump from the Bighorn did not properly shut off and over-filled two produced water tanks on the Pintail location.

Describe measures taken to prevent the problem(s) from reoccurring:

Replacement of automatic shutoff control switch was completed.

Volume of Soil Excavated (cubic yards): _____

Disposition of Excavated Soil (attach documentation) Offsite Disposal Onsite Treatment
 Other (specify) _____

Volume of Impacted Ground Water Removed (bbls): _____

Volume of Impacted Surface Water Removed (bbls): _____

REQUEST FOR CLOSURE

Spill/Release Reports should be closed when impacts have been remediated or when further investigation and corrective actions will take place under an approved Form 27.

- Basis for Closure: Corrective Actions Completed (documentation attached, check all that apply)
- Horizontal and Vertical extents of impacts have been delineated.
 - Documentation of compliance with Table 915-1 is attached.
 - All E&P Waste has been properly treated or disposed.
 - Work proceeding under an approved Form 27 (Rule 912.c).
Form 27 Remediation Project No: _____
 - SUSPECTED Spill/Release did not occur or was below Rule 912.a.(5) reporting thresholds.

OPERATOR COMMENTS:

Failed 02/26/2024 The ECMC provided General Comments on Form 19 Supplemental Report (Doc# 403634837) requesting information regarding the disposition of the spilled fluid as well as information on the brown material seen in the attached photo documentation. All standing produced water was salvaged via vacuum truck and hauled to the Bighorn Pad (Location ID: 446174) for disposal via injection well (Bighorn-Pintail Entrada SWD (Facility ID: 160017). After clean-up, the containment area was liberally covered with brown absorbent material as a final step for cleanup. However, weather interfered causing freezing conditions and absorbent material will be removed in Spring 2024 when conditions allow to prevent potentially damage to the liner. Attachment A has been updated to depict the date each photo was taken.

Fulcrum respectfully requests closure of Spill ID# 485405.

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

Signed: _____ Print Name: Joel Mason

Title: Agent Date: 02/21/2024 Email: joel.mason@absarokasolutions.com

| COA Type | Description |
|-----------------|--|
| 1 COA | At the time of final abandonment of this tank battery, soil samples shall be collected to determine if soil has been impacted as a result of this spill. |

Attachment List

| Att Doc Num | Name |
|--------------------|-----------------------|
| 403685571 | FORM 19 DENIED |
| 403693790 | PHOTO DOCUMENTATION |
| 403699444 | FORM 19 SUBMITTED |
| 403699445 | DENIED FORM 19 DENIED |
| 403699446 | DENIED FORM 19 DENIED |

Total Attach: 5 Files

General Comments

| User Group | Comment | Comment Date |
|-------------------|---|---------------------|
| Environmental | Upon submitting a F27, the Operator shall submit a Supplemental F19 requesting closure of Spill/Release ID 485405 and that work will proceed under the approved F27. | 02/23/2024 |
| Environmental | Date of discovery was October 30, 2023, 90-days after discovery would have been on January 28, 2024. The Operator will need to continue this Spill/Release on a F27, per Rule 912.b.(6).B.ii. addressing how they will dispose of the brown absorbent material. | 02/23/2024 |
| Environmental | Under the REQUEST FOR CLOSURE Tab, the Operator checked the box "All E&P Waste has been properly treated or disposed." The brown absorbent material is considered E&P waste. This box should not have been checked. | 02/23/2024 |
| Environmental | A note about sampling was added to the scout card of this facility. | 02/22/2024 |

Total: 4 comment(s)