

**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:

06/26/2024

Submitted Date:

07/01/2024

Document Number:

696205931

FIELD INSPECTION FORM

Loc ID 485573 Inspector Name: Trujillo, Aaron On-Site Inspection 2A Doc Num: _____

Status Summary:

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

Operator Information:

ECMC Operator Number: 10421
Name of Operator: PETROLEUM RESOURCE MANAGEMENT CORP
Address: 1110 SOUTH VINE STREET
City: DENVER State: CO Zip: 80210

Findings:

- 28 Number of Comments
- 19 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
		hhill@fieldinghillllc.com	Principal Agent
Fischer, Alex		alex.fischer@state.co.us	
Kirschner, Steven		steven.kirschner@state.co.us	
Ferrin, Jeremy		jeremy.ferrin@state.co.us	
,		dnr_cogccenforcement@state.co.us	
Maxwell, Logan		logan.maxwell@state.co.us	
Waldron, Emily		emily.waldron@state.co.us	
Arthur, Denise		denise.arthur@state.co.us	
Neidel, Kris		kris.neidel@state.co.us	

Inspected Facilities:

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
485573	LOCATION	AC	11/21/2023		-	Duncan Unpermitted Pad	RI

General Comment:

On June 26th, 2024, NW Reclamation Specialist Trujillo, Reclamation Specialist Maxwell and Reclamation Supervisor Arthur conducted a joint inspection with ECMC Environmental Staff (NW Supervisor Fischer, NW EPS Kris Neidel) at an unpermitted Oil and Gas Location referred to as the "Duncan Unpermitted Pad".

As documented by Inspection #696205712 dated 10/17/2023, Petroleum Resource Management conducted Oil and Gas disturbances without receiving an approved Oil and Gas Development Plan, and an Oil and Gas Assessment Permit (Form 2A) for the Duncan Unpermitted Pad Location and associated flowline system. This inspection is a follow-up to #696205712 to determine compliance with the following corrective actions:

- Signage requirements
- Topsoil salvage and protection of soils
- Stormwater
- Surface Disturbance Minimization
- Impacts to wetlands and riparian habitats
- Wildlife protections and mitigation plan within High Priority Habitat.

Location is Fee Surface, Federal Minerals. Location and associated flowline system are within the following High Priority Habitats: Elk Migration Corridor; Elk Production Area; Elk Severe Winter Range; Mule Deer Severe Winter Range; Mule Deer Winter Concentration Area; Aquatic Sportfish Management Waters; Aquatic Native Species Conservation Waters; Aquatic Cutthroat Trout Designated Crucial Habitat. Location also within other Consultation Habitats, including Columbian Sharp Tailed Grouse Winter Range (a Colorado State species of concern). Location is approximately 1.4 miles from a known Columbian Sharp Tailed Grouse NSO Lek Site buffer, and there are 3 other known lek sites also within relatively close proximity to the Location and flowline system disturbance.

This inspection does not identify all the alleged compliance issues associated with this Location (e.g. permitting requirements, etc...), rather, only the compliance issues that were apparent at time of the inspection.

Due to the nature of the issues associated with this Location, this site will be considered "Out of Compliance" with ECMC Rules and Regulations until, at a minimum, all permitting and compliance issues have been resolved. Corrective action dates are not being provided within this Report, as many issues can not be resolved until the approval of an OGD and 2A.

Location			
Overall Good: <input type="checkbox"/>			
Signs/Marker:			
Type	OTHER		
Comment:	<p>The Operator will, concurrent with the Rule 412 Surface Owner notice, post a sign not less than 2 feet by 2 feet at the intersection of the lease road and the public road providing access to the Oil and Gas Location, with the name of the proposed Well or Oil and Gas Location, the legal location thereof, and the estimated date of commencement of construction. Such sign will be maintained until Well completion operations and construction operations at the Oil and Gas Location are concluded.</p> <p>Location signage pursuant to Rule 406.d not posted.</p>		
Corrective Action:	<p>Pursuant to Rule 406.d., The Operator will, concurrent with the Rule 412 Surface Owner notice, post a sign not less than 2 feet by 2 feet at the intersection of the lease road and the public road providing access to the Oil and Gas Location, with the name of the proposed Well or Oil and Gas Location, the legal location thereof, and the estimated date of commencement of construction. Such sign will be maintained until Well completion operations and construction operations at the Oil and Gas Location are concluded.</p>	Date:	
Type	OTHER		
Comment:	<p>A copy of the approved Form 2A, and any Form 4 modifying the approved Form 2A, will be posted in a protected and conspicuous place on location upon commencement of operations with heavy equipment until the conclusion of interim Reclamation.</p> <p>Operator conducted construction activities of the Location prior to receiving a Form 2A Location permit.</p>		
Corrective Action:	<p>Pursuant to Rule 406.c, a copy of the approved Form 2A, and any Form 4 modifying the approved Form 2A, will be posted in a protected and conspicuous place on location upon commencement of operations with heavy equipment until the conclusion of interim Reclamation.</p>	Date:	
Type	OTHER		
Comment:	<p>For new Oil and Gas Locations, from the time of construction until Reclamation is complete, the Operator will post a sign at the entrance to an Oil and Gas Location that includes the: (1) Oil and Gas Location name; (2) Commission's assigned Oil and Gas Location identification number (ID #); (3) The Operator's telephone number where it may be reached at all times; and (4) Telephone number(s) for local emergency services (911 where available).</p> <p>Signage pursuant to Rule 605.a not posted.</p>		
Corrective Action:	<p>Pursuant to Rule 605.a., For new Oil and Gas Locations, from the time of construction until Reclamation is complete, the Operator will post a sign at the entrance to an Oil and Gas Location that includes the: (1) Oil and Gas Location name; (2) Commission's assigned Oil and Gas Location identification number (ID #); (3) The Operator's telephone number where it may be reached at all times; and (4) Telephone number(s) for local emergency services (911 where available).</p>	Date:	
Type			
Comment:	<p>Inspection #696205712 observed that Operator stored 11 steel tanks on the Location, as well as, what appears to be, 4 frac tanks. Tanks had not been labeled or posted with the required information pursuant to Rule 605.h.</p> <p>It was observed in this inspection that the 4 frac tanks (as identified within inspection #696205712) have been removed. Signage has been applied to the remaining 11 steel tanks stored on the Location pursuant to Rule 605.h.</p>		
Corrective Action:		Date:	
Emergency Contact Number:			
Comment:	901-560-1741 - Sigage posted on tanks stored on Location.		
Corrective Action:			Date: _____
Overall Good: <input type="checkbox"/>			

Spills:			
Type	Area	Volume	

In Containment: No

Comment:

Multiple Spills and Releases?

Equipment: corrective date

Type: Vertical Heater Treater #

Comment: Pursuant to Condition #7 provided to PRM in ECMC email correspondence dated 10/19/2023, PRM shall ensure that "All other equipment on locations will also be properly secured to the ground".

On 10/17/2023, ECMC Staff inspected the Location and observed O&G equipment stored on the Location, including a vertical heater treater on the northwest corner of the Location.

It was observed in this inspection that the vertical heater treater equipment has since been "blown over" and off the concrete base it was placed on; Operator failed to properly secure the equipment to the ground.

Corrective Action: Pursuant to Condition #7 provided to PRM in ECMC email correspondence dated 10/19/2023, PRM shall ensure that "All other equipment on locations will also be properly secured to the ground". Date:

Type: #

Comment: Inspection #696205712 observed that Operator placed 11 steel tanks on the Location tanks were open at the manhole, or other areas of the tanks; Tanks were not properly closed, covered, or lack other BMPs to prevent unauthorized access by people or wildlife.

It was observed in this inspection that 10 of the 11 tanks have been properly closed and/or covered in a manner to prevent unauthorized access by people or wildlife. Southern-most crude oil tank remains uncovered/open at top.

Corrective Action: Pursuant to Rule 902.b., Operators will prevent adverse environmental impacts on any air, water, soil, or biological resource resulting from Oil and Gas Operations and will protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources. Date:

Replace covers at tanks and/or install BMPs to prevent wildlife access to tanks.

Venting:

Yes/No	<input type="text"/>	<input type="text"/>	<input type="text"/>
Comment:	<input type="text"/>		
Corrective Action:	<input type="text"/>		Date: <input type="text"/>

Flaring:

Type	<input type="text"/>	<input type="text"/>
Comment:	<input type="text"/>	
Corrective Action:	<input type="text"/>	Date: <input type="text"/>

Location Construction

Location ID: 485573 CDP:

Comment: Operators will provide the Commission written notice 2 business days in advance of commencing construction or a major change at any Oil and Gas Location or Oil and Gas Facility. Such notice will be provided on a Form 42, Field Operations Notice – Notice of Construction or Major Change. Based on Satellite imagery, construction of the Location commenced at some point between 7/30/2023 and 8/9/2023. Operator failed to provide written notice of construction via a Form 42.

Corrective Action: Pursuant to Rules 405.b and 406.b, Operators will provide the Commission written notice 2 business days in advance of commencing construction or a major change at any Oil and Gas Location or Oil and Gas Facility. Such notice will be provided on a Form 42, Field Operations Notice – Notice of Construction or Major Change.

Date: _____

Form 2A COAs:

Comment: Petroleum Resource Management conducted Oil and Gas disturbances without receiving an approved Oil and Gas Development Plan, and an Oil and Gas Assessment Permit (Form 2A) for the Duncan Unpermitted Pad Location and associated flowline system.

Corrective Action: Pursuant to Rule 304.a, Operators will submit and obtain approval of a Form 2A prior to surface disturbance at a site previously undisturbed by Oil and Gas Operations.

Date: _____

Wildlife BMPs:

Comment: Based on Satellite imagery, construction of the Location and flowline system commenced at some point between 7/30/2023 and 8/9/2023, within the nesting season for migratory birds (April 1 to August 31).

To ensure compliance with Rule 1202.a(8), Inspection #696205712 required documentation of pre-construction nesting migratory bird surveys within the disturbance areas.

On 4/4/2024 Operator submitted Form 4 #403743820; on 4/5/2024 Operator submitted Form 4 #403744135. A "Migratory Bird / Raptor Survey Report" was attached to each sundry.

After review of the "Migratory Bird / Raptor Survey Report" attachments, it was determined that the information provided was inadequate, and the Form 4 Sundries were "Denied". See the Sundries for additional details.

Corrective Action: CA Per Inspection #696205712:

Submit the pre-construction nesting migratory bird survey. Operator shall provide documentation via Form 4 Sundry; route to Area Reclamation Specialist Aaron Trujillo.

Date: _____

Stormwater:

Erosion BMPs	Present	Other BMPs	Present

Comments: Erosion BMPs: Inspection #696205712 observed that Operator had implemented 2 outlets from the stormwater diversion ditch; BMPs were not constructed in conjunction with sediment traps to allow for sediment drop-out prior to stormwater discharging from Location. Additionally, BMPs have been constructed with use of Topsoil material.

It was observed in this inspection that the BMP has not been constructed in conjunction with sediment traps per good engineering practice.

Other BMPs: It was also observed that the BMPs remain constructed with use of Topsoil material. See "1002.b".

Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.

Date: _____

Erosion BMPs	Present	Other BMPs	Present

Comments: Erosion BMPs: Inspection #696205712 observed culverts installed along access road at an unnamed intermittent drainage; Inlet/outlet protections and armoring not observed. Inspection required Operator to comply with Rule 1002.f

It was observed in this inspection that inlet/outlet protections have been implemented. This CA has been resolved.

Other BMPs:

Corrective Action:

Date: _____

<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p style="color: red;">Inspection #696205712 observed that Stormwater and erosion control measures to stabilize, as well as to manage runoff in a manner that minimizes erosion and degradation at the (cut) slopes on the northeast end of the Location are missing or insufficient; slopes bare and at risk to erosion degradation.</p> <p style="color: red;">It was observed in this inspection that Operator has implemented erosion blankets on the cut and fill slopes of the Location; blankets have not been installed or maintained in proper functioning condition; blankets have not been properly overlapped, have been secured with metal stakes rather than wooden or biodegradable stakes, and are not in full contact with the soil; erosion, degradation and sediment transport observed.</p>		
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.</p>		<p>Date: _____</p>	

SILT FENCES

<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p style="color: red;">Inspection #696205712 observed Silt fences implemented along areas of the pipeline corridor; BMPs have not been installed or maintained per good engineering practices.</p> <p style="color: red;">It was observed in this inspection that the silt fence appears to have been re-installed along the pipeline corridor; BMP has not been installed or maintained per good engineering practice, and is in disrepair.</p>		
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.</p>		<p>Date: _____</p>	

<p>Comments: Erosion BMPs:</p> <p>Other BMPs:</p>	<p style="color: red;">No other BMPs to manage runoff appear to have been implemented in conjunction with the erosion blankets on the fill slopes; runoff from the pad onto the fill slopes is resulting in degradation and gully formation.</p> <p style="color: red;">Large cracks (~2' deep) were also observed along the southeastern edge of the pad; additional cracks also observed along the contour of the southeastern fill slopes; stabilization concerns with risk of mass soil migration exist on the Location.</p>		
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation</p>		<p>Date: _____</p>	

WADDLES			
<p>Comments: Erosion BMPs:</p>	<p>Inspection #696205712 observed that Operator placed erosion logs along areas of the flowline system disturbance, including a constructed access road. Erosion logs have not been installed per good engineering practices.</p> <p>Per this inspection, work to address the compliance issues were apparent, however erosion logs across the access road were observed to have not been installed per good engineering practices, or to have not been maintained in a proper functioning condition.</p>		
<p>Other BMPs:</p>	<p>It is also noted that erosion log BMPs along the flowline system show signs of disrepair. Maintenance advised prior to failure.</p>		
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.</p>		<p>Date: _____</p>	

DITCHES			
<p>Comments: Erosion BMPs:</p>	<p>Inspection #696205712 observed a combination Ditch and Berm constructed on the southern, western, and northwestern perimeter of the disturbance. Inspection also noted that the BMPs have been constructed with use of Topsoil material. See "1002.b".</p> <p>It was observed in this inspection that the BMPs remain constructed with topsoil material.</p>		
<p>Other BMPs:</p>	<p>Multiple sections of the ditch along the perimeter of the Location has filled with sediment due to erosion at the fill slopes.</p>		
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.</p>		<p>Date: _____</p>	

<p>Comments: Erosion BMPs:</p>	<p>Inspection #696205712 observed that Stormwater and erosion control measures are missing or insufficient along the access road; BMPs to minimize erosion, degradation and sediment transport inadequate.</p> <p>It was observed in this inspection that the BMPs to minimize erosion, degradation and sediment transport along slopes of the access road remain missing or insufficient.</p>		
<p>Other BMPs:</p>			
<p>Corrective Action: Pursuant to Rule 1002.f, operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation.</p>		<p>Date: _____</p>	

Comment: All oil and gas locations are subject to the Best Management Practices requirements of Rule 1002.f.(2)

Corrective Action: _____ **Date:** _____

Pursuant to Rule 1002.f, Oil and gas operators shall implement and maintain Best Management Practices (BMPs) at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation... Operators shall implement, and maintain BMPs in accordance with good engineering practices, including measures such as: erosion controls designed to minimize erosion from unpaved areas, including operational well pads, road surfaces and associated culverts, stream crossings, and cut/fill slopes.

On Site Inspection (305):

Surface Owner Contact Information:

Name: _____ Address: _____
Phone Number: _____ Cell Phone: _____

Operator Rep. Contact Information:

Landman Name: _____ Phone Number: _____
Date Onsite Request Received: _____ Date of Rule 306 Consultation: _____

Request LGD Attendance: _____

LGD Contact Information:

Name: _____ Phone Number: _____ Agreed to Attend: _____

Summary of Landowner Issues:

Summary of Operator Response to Landowner Issues:

Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:

Inspected Facilities

Facility ID: 485573 Type: LOCATION API Number: - Status: AC Insp. Status: RI

The subreport 'InspWellFlowline' could not be found at the specified location \\10.14.12

Reclamation - Storm Water - Pit

Interim Reclamation:

Date Interim Reclamation Started: _____ Date Interim Reclamation Completed: _____

Land Use: _____

Comment: _____

1002 SITE PREPARATION AND STABILIZATION

1002a. FENCING _____

Comment _____

Corrective Action _____

Date _____

1002b. SOIL REMOVAL AND SEGREGATION Fail

Comment [See "1002.b-Soil Removal and Segregation" under "COGCC Comments" at the end of this report, for comment regarding topsoil.](#)

Corrective Action Pursuant to Rule 1002.b., operator shall separate and store the topsoil horizon or the top six (6) inches, whichever is deeper, and mark or document stockpile locations to facilitate subsequent reclamation. When separating the soil horizons, the operator shall segregate the horizon based upon noted changes in physical characteristics such as organic content, color, texture, density, or consistency.

Date _____

1002c. PROTECTION OF SOILS Fail

Comment [See "1002.c-Protection of Soils" under "COGCC Comments" at the end of this report, for comment regarding stockpile protections.](#)

Corrective Action Pursuant to Rule 1002.c- All stockpiled soils shall be protected from degradation due to contamination, compaction and, to the extent practicable, from wind and water erosion during drilling and production operations. Best management practices to prevent weed establishment and to maintain soil microbial activity shall be implemented.

Date _____

1002E. SURFACE DISTURBANCE MINIMIZATION Fail

Comment [See "1002.e -Surface Disturbance Minimization" under "COGCC Comments "at the end of this report, for comment regarding Surface Disturbance Minimization.](#)

Corrective Action Pursuant to Rule 1002.e and 1002.f- In order to reasonably minimize land disturbances and facilitate future reclamation, well sites, production facilities, gathering pipelines, and access roads shall be located, adequately sized, constructed, and maintained so as to reasonably control dust and minimize erosion, alteration of natural features, removal of surface materials, and degradation due to contamination. Operators shall avoid or minimize impacts to wetlands and riparian habitats to the degree practicable. Operators shall implement BMPs in accordance with good engineering practices, including erosion controls to minimize erosion from unpaved areas, including road surfaces, associated culverts, and stream crossings.

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

Corrective Action

Date _____

Overall Interim Reclamation

Final Reclamation/ Abandoned Location:

Date Final Reclamation Started: _____ Date Final Reclamation Completed: _____

Final Land Use: _____

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: <input style="width: 95%;" type="text"/>	
Corrective Action: <input style="width: 95%;" type="text"/>	Date: <input style="width: 50%;" type="text"/>
Overall Final Reclamation <input type="checkbox"/>	Well Release on Active Location <input type="checkbox"/> Multi-Well Location <input type="checkbox"/>

ECMC Comments

Comment	User	Date
<p>1002.c. - PROTECTION OF SOILS</p> <p>All stockpiled soils shall be protected from degradation due to contamination, compaction and, to the extent practicable, from wind and water erosion during drilling and production operations. Best management practices to prevent weed establishment and to maintain soil microbial activity shall be implemented.</p> <p>Inspection #696205712 observed that Operator placed topsoil in a stockpile along the perimeter of the working pad surface on the north end of the Location; stockpile was bare, unstabilized and at risk from wind and water erosion; BMPs to minimize erosion and degradation missing from the stockpiles; control measures to manage stormwater runoff and minimize sediment transport are also missing along the perimeter of the stockpile.</p> <p>Inspection #696205712 also observed that Operator utilized topsoil material at the base of the fill slopes/subsoils of the Location as stormwater and erosion control BMPs (Ditch/Berm/Outlets) to manage stormwater runoff along the perimeter of the Location. Topsoil is not an appropriate material to construct stormwater control measures, as doing so places the resource at risk of degradation due to mixing/contamination with subsoils/sediment, loss, and displacement due to stormwater discharge. In addition, the stormwater BMPs are required to be compacted per good engineering practices, which damages and degrades the topsoil resource; use of topsoil as stormwater control measures does not comport with Rule 1002.b and 1002.c.</p> <p>It was observed in this inspection that erosion blankets have been implemented at the topsoil stockpile on the north end of the Location. Erosion blanket at the stockpile appeared to be in proper functioning condition (See "Stormwater" regarding erosion blankets on cut/fill slopes and flowline system disturbance). Weeds (cheatgrass) observed establishing on the stockpile.</p> <p>It was also observed that topsoil material remains improperly utilized as part of Operator's Stormwater and Erosion control BMPs; sediment deposition due to erosion from the fill slopes is evident, resulting in comingling of soils.</p> <p>Operator has failed to ensure all topsoil is properly salvaged, segregated, stored and protected.</p>	trujilloam	07/01/2024

ECMC EMAIL CORRESPONDANCE DATED 10/19/2023

trujilloam

07/01/2024

Trask - DNR, Sabrina <sabrina.trask@state.co.us>
Thu, Oct 19, 2023, 6:24?PM
to Jeremy, Mike, Greg, Emily, Joei, denise.arthur@state.co.us, me,
kevin.fletcher@state.co.us, petromgt, jcar75, Jill, heidi

Hello Joei and PRM,

ECMC has met internally to discuss PRM's construction of an unpermitted oil and gas location. We intend to follow up with compliance and enforcement discussions that may result in additional findings than what is described in this email, but we also acknowledge the urgency of ensuring this site is stabilized prior to winter in order to protect public health, safety, welfare, and particularly the environment and wildlife resources since this site is in mapped High Priority Habitat.

We expect PRM to immediately take the following actions on the constructed site and areas where flowlines have been installed and at any other related surface disturbances:

- 1) Stabilize all soils in compliance with Rule 1002.c ;
- 2) Install effective stormwater management controls in accordance with good engineering practices in compliance with Rules 1002.e and f;
- 3) Install flowline markers pursuant to Rule 1102.g;
- 4) No additional equipment will be placed on the unpermitted location. The location cannot be used for storage of any materials except for the large equipment that is currently on the location. Any placement of additional large equipment that is not currently on the location will be viewed as an additional violation;
- 5) Ensure that all openings (including pipes) in all equipment are secured with screens or other methods to prevent entry by people, livestock and wildlife (including birds and bats);
- 6) All equipment will be appropriately secured and labeled to Rule 605.h even though the tanks are not in an upright position;
- 7) All other equipment on locations will also be properly secured to the ground;
- 8) Weeds and trash will be managed pursuant to Rule 606;
- 9) PRM will provide to ECMC via email copies of all local, county, federal, or other permits that have been approved or otherwise granted by a jurisdictional entity for the development of this project. This includes but is not limited to County land use and flowline permits, Army Corp nationwide permit for stream crossings, and the CDPHE construction stormwater permit and specific stormwater permitting information for this particular location.
- 10) At this time fencing of the site has not been evaluated by ECMC. Any requirement to install a fence (as described in an SUA for this site) is a third party contract between PRM and the surface owner.

This work will be completed no later than Friday, November 3, 2023. If an extension is necessary, or if PRM is otherwise unable to comply with this email, PRM will contact Denise Arthur and John Noto immediately. No new or additional surface disturbance or operations are permitted on this site or along this proposed/constructed flowline until a Form 2A and Oil and Gas Development Plan are approved by Commission hearing; please see the 300-series rules for a description of that process.

ECMC will conduct inspections at this site to determine compliance with this email. ECMC may require additional compliance measures as more information is discovered.

Please contact Denise Arther and John Noto if you have any questions about this email.

Thank you,
Sabrina

Sabrina Trask
Planning & Permitting Manager
(she/her)

sabrina.trask@state.co.us | www.colorado.gov/ecmc

1002.E- SURFACE DISTURBANCE MINIMIZATION

trujilloam

07/01/2024

In order to reasonably minimize land disturbances and facilitate future reclamation, well sites, production facilities, gathering pipelines, and access roads shall be located, adequately sized, constructed, and maintained so as to reasonably control dust and minimize erosion, alteration of natural features, removal of surface materials, and degradation due to contamination. Operators shall avoid or minimize impacts to wetlands and riparian habitats to the degree practicable. Operators shall implement BMPs in accordance with good engineering practices, including measures such as erosion controls designed to minimize erosion from unpaved areas, including road surfaces and associated culverts, and stream crossings.

Inspection #696205712 observed that Operator constructed a pipeline leading to and from the Duncan Unpermitted Facility; pipeline travels south approximately 4 miles, and crosses multiple drainages and Wetland (Riverine) corridors with an ECMC designation of "Aquatic High Priority habitats", including Aquatic Sportfish Management Waters, Aquatic Native Species Conservation Waters and Aquatic Cutthroat Trout Designated Crucial Habitat. Part of the construction also included new roads with stream crossings.

Inspection also observed that some reclamation along the pipeline is apparent, such as replacement of soils. However, stormwater erosion control measures to manage runoff in a manner that minimizes erosion, degradation and sediment transport were missing or insufficient throughout the pipeline disturbance, and associated access road stream crossings:

-Erosion logs implemented along the access road; BMP has not been installed or maintained per good engineering practice, and alone is inadequate.

-Access road has not been installed with an engineered stream crossing; tracking and degradation evident; this is considered impacts to Waters of the State.

-There are areas of the pipeline disturbance where ~20 feet of Silt fence has been implemented at the toe of slopes. BMP was not installed in accordance with good engineering practice; control was installed backwards, and had not been properly trenched resulting in degradation and sediment transport.

-Areas of the pipeline construction had disturbed a spring, resulting in sedimentation and impacts to Waters of the State.

It was observed in this inspection that work to address the compliance issues have not been performed, or have been insufficient or not maintained:

-Work to address the erosion logs issues apparent, however erosion logs across the access road have not been installed per good engineering practices, or have not been maintained in a proper functioning condition. Additionally, erosion log BMPs along the flowline system show signs of disrepair. Maintenance advised prior to failure. Trash/Debris (bag, old erosion log) also observed along the road and within the stream.

- Work to address the silt fence issues apparent, however BMP has not been installed or maintained per good engineering practice, and is in disrepair.

-Other BMPs including mulch and erosion blankets have been implemented along areas of the pipeline disturbance. Erosion blankets observed to have not been installed per good engineering practice or maintained in proper functioning condition.

-A properly engineered stream crossing has not been constructed at the access road.

<p>1002.b-SOIL REMOVAL AND SEGREGATION</p> <p>Pursuant to Rule 1002.b.(2), Operator shall separate and store the topsoil horizon or the top six (6) inches, whichever is deeper.</p> <p>As stated within Inspection #696205712, with use of a sUAS, ECMC Staff measured the disturbance area and topsoil stockpiles on the Location, and determined that Operator had salvaged and stored ~1,809 cubic yards of topsoil material on the north end of the site. The pad, and areas of the Location subject to soil salvage requirements were measured to be 4.85 acres; at a minimum of 6", it is expected that at least 3,908 cubic yards of topsoil should have been salvaged and stored on the Location. Intact vegetation evident at the toe of the slopes, partially covered with fill material also indicates that not all of the topsoil had been salvaged and segregated.</p> <p>Inspection also observed that Operator utilized topsoil material at the base of the fill slopes/subsoils of the Location as part of the Operator's Stormwater BMPs (Ditch/Berm/Outlets) to manage stormwater runoff along the perimeter of the Location; topsoil is not an appropriate material to construct stormwater control measures; topsoil is at risk of degradation/contamination, and loss/displacement due to stormwater discharge; use of topsoil as stormwater control measures does not comport with Rule 1002.b and 1002.c.</p> <p>It was observed in this inspection that topsoil material remains improperly utilized as part of Operator's Stormwater and Erosion control BMPs; sediment deposition due to erosion from the fill slopes is evident, resulting in comingling of soils.</p> <p>Operator has failed to ensure all topsoil is properly salvaged, segregated and stored pursuant to Rule 1002.b.(2).</p> <p>ADDITIONAL COMMENTS:</p> <p>NRCS Soil Survey and UC Davis SoilWeb data indicate soils within the area of the Location are a "Herm-Fughes complex, 10 to 20 percent slopes. Soil data for the "Herm" series indicate an A horizon from 0-6", AB from 6-13", with the Bt1 horizons continuing to a depth of ~17".</p> <p>Soil data for the "Fughes" series indicate an A horizon from 0-5", a BA horizon from 5-18".</p> <p>Operator did not submitted a Topsoil Protection Plan pursuant to Rule 304.c.(14), and ECMC Staff was unable to inspect the site during construction activities, therefore Staff was unable to determine the topsoil horizon depths throughout the Location. However, based on the NRCS and UC Davis data, topsoil depth throughout the Location could vary between 6 to 18 inches in depth.</p>	<p>trujilloam</p>	<p>07/01/2024</p>
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Attached Documents

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

Document Num	Description	URL
696205932	Photos and Issue Report	https://ecmc.state.co.us/weblink/DownloadDocumentPDF.aspx?DocumentId=6608534