

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
401545028  
Date Received:  
02/14/2018

## FIR RESOLUTION FORM

### 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: 10459  
Name of Operator: EXTRACTION OIL & GAS INC  
Address: 370 17TH STREET SUITE 5300  
City: DENVER State: CO Zip: 80202  
Contact Name and Telephone:  
Name: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

### Additional Operator Contact:

Contact Name	Phone	Email
Jeff Rickard	720 737-5144	jrickard@extractionog.com

### COGCC INSPECTION SUMMARY:

FIR Document Number: 682403260  
Inspection Date: 02/07/2018 FIR Submit Date: 02/12/2018 FIR Status: \_\_\_\_\_

### Inspected Operator Information:

Company Name: EXTRACTION OIL & GAS INC Company Number: 10459  
Address: 370 17TH STREET SUITE 5300  
City: DENVER State: CO Zip: 80202

### LOCATION - Location ID: 451214

Location Name: Wake North Number: 32-K County: \_\_\_\_\_  
Qtrqtr: NWSE Sec: 32 Twp: 6N Range: 65W Meridian: 6  
Latitude: 40.443610 Longitude: -104.685580

### FACILITY - API Number: 05-123-00 Facility ID: 451214

Facility Name: Wake North Number: 32-K  
Qtrqtr: NWSE Sec: 32 Twp: 6N Range: 65W Meridian: 6  
Latitude: 40.443610 Longitude: -104.685580

### CORRECTIVE ACTIONS:

1 CA# 114400

Corrective Action: Install or repair required BMPs per Rule 1002.f. The start of construction date (Form 42 Doc. # 401526030) is being used as the corrective action date.

Date: 01/27/2018

Response: FACTUAL REVIEW REQUEST

Basis for Review: CA dates are not per the guidelines

Operator Comment: The Corrective Action date is not immediate or 30 days as prescribed by the Corrective Action Matrix. It is dated before the FIR submitted date on the inspection, and is even dated before the date of discovery by the inspector. Per COGCC Guidance: "It is important to note that corrective action dates must be based off of the date the FIR was submitted to the operator and not the date of inspection."

COGCC Decision: **Not Approved**

COGCC Representative: The inspection was entered for notification and documentation only and was not intended to provide the Operator the opportunity to resolve the alleged violations without the imposition of a penalty, pursuant to Rule 522.c.(1). Strict compliance with the Corrective Action Matrix Guidance would have frustrated that intent and, therefore, Staff exercised its discretion to select a more appropriate corrective action date.

Operator shall install stormwater and erosion control BMPs in accordance with good engineering practices per Rule 1002.f.(2), and BMPs shall be installed prior to, or at, the start of construction. Operator failed to install the silt fence BMP in accordance with good engineering practices during construction activities; therefore, the corrective action remains open until resolved.

It should be noted that Staff contacted and communicated to the Operator on February 7, 2018 that the silt fence BMP was not properly installed. Operator communicated to Staff on February 8, 2018 that BMP repairs were underway. However, observations on February 9, 2018 indicated that no BMP repairs had been performed.

COGCC Supervisor: The inspection was entered for notification and documentation only and was not intended to provide the Operator the opportunity to resolve the alleged violations without the imposition of a penalty, pursuant to Rule 522.c.(1). Strict compliance with the Corrective Action Matrix Guidance would have frustrated that intent and, therefore, Staff exercised its discretion to select a more appropriate corrective action date.

Operator shall install stormwater and erosion control BMPs in accordance with good engineering practices per Rule 1002.f.(2), and BMPs shall be installed prior to, or at, the start of construction. Operator failed to install the silt fence BMP in accordance with good engineering practices during construction activities; therefore, the corrective action remains open until resolved.

#### OPERATOR COMMENT AND SUBMITTAL

Comment:

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

Print Name: Jeff Rickard

Signed:

Title: Regulatory Compliance Co

Date: 2/14/2018 7:03:20 AM

#### 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>
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401545028	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files