

**FORM
INSP**

Rev
X/15

**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:

09/09/2019

Submitted Date:

09/10/2019

Document Number:

696200743

FIELD INSPECTION FORM

Loc ID 447523 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:

OGCC Operator Number: 10112
Name of Operator: FOUNDATION ENERGY MANAGEMENT LLC
Address: 5057 KELLER SPRINGS RD STE 650
City: ADDISON State: TX Zip: 75001

Findings:

- 9 Number of Comments
- 2 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
		dnr_cogccenforcement@state.co.us	
		regulatory@foundationenergy.com	All Inspections

Inspected Facilities:

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
447524	TANK BATTERY	AC	09/01/2016		-	Krager TB	RI

General Comment:

This is a follow-up final reclamation, good housekeeping and stormwater inspection.

This inspection is to document compliance for the following corrective actions:
603.f: Noxious weed management.
1004.a: Final Reclamation

This inspection is also in response to Form 18 complaint #200447500 in regards to noxious weed management on Foundation locations; On 6/25/2019 complainant submitted a formal complaint Form 18 regarding noxious weed issues on location #447525, and #331849 (associated with battery #447523). Complaint was forwarded to inspector on 6/26/2019 and inspector made contact with complainant on 6/27/2019 at ~08:49 hours. Complainant stated that Foundation has failed to conduct sufficient and ongoing noxious weed monitoring and management, as Diffuse Knapweed (*Centaurea diffusa*) has continued to establish on the locations, and spread onto the adjacent lands. Complainant also indicated that Field Bindweed (*Convolvulus arvensis*) has become an issue.

On 7/1/2019 and 8/8/2019, Inspector conducted a follow-up inspection, it was documented that *Centaurea diffusa* and *Convolvulus arvensis* issues remain and that sufficient and ongoing noxious weed monitoring and management does not appear to be being conducted. It was also documented that no reclamation has been conducted in accordance with 1004.a and corrective actions.

It was documented in this inspection that *Centaurea diffusa* and *Convolvulus arvensis* issues remain and that sufficient and ongoing noxious weed monitoring and management does not appear to be being conducted. It was also documented that no reclamation has been conducted in accordance with 1004.a and corrective actions

See the "Good Housekeeping" and "Reclamation" sections of this report.

Refer to the photo-documentation of the observed compliance issues attached to this report.
Any corrective action(s) from previous inspections that have not been addressed are still applicable.

A follow up on this site inspection will be conducted to ensure the compliance issues have been corrected to comply with COGCC rules.

Location

Overall Good:

Emergency Contact Number:

Comment:

Corrective Action:

Date: _____

Good Housekeeping:

Type	WEEDS		
Comment:	<p>Previous inspections documented that Diffuse Knapweed (<i>Centaurea diffusa</i>) has continued to establish on the location and spread onto adjacent lands. Inspection required operator to properly remove and control noxious weeds on location and adjacent lands.</p> <p>Diffuse Knapweed remains evident on the location and the adjacent lands where weeds have spread from the Foundation location. Corrective action requiring ongoing weed management, and for operator to remove and control noxious weeds on location and adjacent lands remains applicable. Field Bindweed (<i>Convolvulus arvensis</i>) has also continued to establish and spread throughout a large portion of the location.</p>		
Corrective Action:	<p>Properly remove and control noxious weeds on location. Properly manage and remove noxious weeds from the adjacent lands that have encroached from Foundations location. Ongoing weed management and monitoring is required, and needs to occur in accordance to COGCC rules and regulations.</p>		Date:

Overall Good:

Spills:

Type	Area	Volume		

In Containment: No _____

Comment:

Multiple Spills and Releases?

Venting:

Yes/No			
Comment:			
Corrective Action:		Date:	

Flaring:

Type		
Comment:		
Corrective Action:		Date:

Inspected Facilities

Facility ID: 447524 Type: TANK API Number: - Status: AC Insp. Status: RI

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 _____

Comment _____

Corrective Action _____

Date _____

1002c. PROTECTION OF SOILS _____

Comment _____

Corrective Action _____

Date _____

1002E. SURFACE DISTURBANCE MINIMIZATION _____

Comment _____

Corrective Action _____

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 **Fail** No disturbance /Location never built _____

Access Roads Regraded **Fail** Contoured **Fail** Culverts removed **Fail**

Gravel removed **Fail**

Location and associated production facilities reclaimed **Fail** Locations, facilities, roads, recontoured **Fail**

Compaction alleviation **Fail** Dust and erosion control _____

Non cropland: Revegetated 80% **Fail** Cropland: perennial forage _____

Weeds present **Fail** Subsidence _____

1004.d. FINAL VEGETATION TRANSECT
 TRANSECT RESULTS OF DISTURBED AREA% _____
 TRANSECT RESULTS OF REFERENCE AREA% _____
 TOTAL % OF DESIRABLE VEGETATION COVER _____
 VEGETATIVE COVER _____

Comment:

	<p>Previous inspections documented that all wells associated with this battery facility appear to have been abandoned and that the battery facility no longer appears to be active and that final reclamation is required. Stained soil due to chemical discharge from the tank also remains, and has not been properly cleaned/removed.</p> <p>Operator has failed to conduct final reclamation in accordance with 1004 rules; equipment/facilities, risers, stained soils, trash debris remain on the location.</p>	
Corrective Action:	<p>Perform final reclamation in accordance with COGCC rule 1004.a; remove all equipment, risers, stained soils, trash debris and remaining facilities on location and establish vegetation with total perennial, non-invasive uniform plant cover of at least eighty (80) percent of predisturbance or reference area levels. Use a seed mixture requested by the surface owner, or a mixture prescribed by the local county NRCS. Ensure erosion controls are implemented to stabilize the seeded soil, and continue to monitor and manage this site until Final Reclamation has passed. Revegetation activities shall be completed no later than 12/17/2018.</p>	Date 12/17/2018
Overall Final Reclamation	Fail	Well Release on Active Location <input type="checkbox"/>
		Multi-Well Location <input type="checkbox"/>

COGCC Comments

Comment	User	Date
<p>The following comment is copied from inspection #682503486, please see FIR for additional details: Complainant contacted Reclamation staff on 6/12/2018 in regards to noxious weed concerns on Foundation Locations and submitted complaint doc. #200445970 stating that "Diffuse Knapweed has returned to both locations" on 6/13/2018. The locations in reference are the Krager TB / well location and the SOONER SE SEC 21 TB location, both of which have past complaints regarding noxious weed concerns (see inspection #682401201 and inspection #682401240).</p> <p>On 6/13/2018 at 15:09, upon receiving a formal complaint, Reclamation Specialist Trujillo contacted complainant via phone to discuss concerns. Complainant stated that operator has failed to perform weed management, and weeds (Diffuse Knapweed) has continued to grow and spread from the location onto their property</p>	trujilloam	09/10/2019
<p>Operator is directed to perform corrective actions outlined on this inspection report immediately. Doing so may decrease the duration of the alleged violations and the penalties that may be assessed pursuant to Rule 523.</p>	trujilloam	09/10/2019
<p>On 9/2/2018 Complainant contacted COGCC staff indicating locations have not received proper "good housekeeping". Complainant indicated that she personally bagged "21 garbage sacks of diffuse knapweed from this area".</p>	trujilloam	09/10/2019
<p>On August 3rd, 2018, COGCC Field Inspector Evans contacted Reclamation Specialist Trujillo regarding weed issues. Evans stated that the Complainant was on location and made contact with him. Complainant indicated that sufficient weed management has not been conducted and that noxious weed issues remained.</p>	trujilloam	09/10/2019
<p>Noxious weed issues have been identified and ongoing since 2016.</p>	trujilloam	09/10/2019

Attached Documents

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

Document Num	Description	URL
402172061	INSPECTION SUBMITTED	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=4933488
696200744	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=4933476