

**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:

08/30/2021

Submitted Date:

09/07/2021

Document Number:

697503198

FIELD INSPECTION FORMLoc ID 317954 Inspector Name: Binschus, Chris On-Site Inspection ☐ 2A Doc Num: _____**Operator Information:**

OGCC Operator Number: 39560

Name of Operator: TOP OPERATING COMPANY

Address: 3609 S WADSWORTH BLVD STE 340

City: LAKEWOOD State: CO Zip: 80235

Status Summary:☐ THIS IS A FOLLOW UP INSPECTION☒ FOLLOW UP INSPECTION REQUIRED☐ NO FOLLOW UP INSPECTION REQUIRED**Findings:**

6 Number of Comments

3 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
		paul.herring@topoperating.com	

Inspected Facilities:

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
240247	WELL	PA	02/01/2020	OW	123-08035	COUNTER 2	RI
242506	WELL	PA		OW	123-10297	COUNTER 3	RI

General Comment:

This inspection is in response to a reclamation complaint. Refer to the equipment, complaint and final reclamation sections for more detail.

LocationOverall Good: ☐

Emergency Contact Number:

Comment: Corrective Action: Date: Overall Good: ☐**Spills:**

Type	Area	Volume		
------	------	--------	--	--

In Containment: No

Comment: ☐ Multiple Spills and Releases?**Equipment:**

Type:	#		corrective date
Comment:	Operator has failed to remove all equipment and debris. Refer to the attached inspection photos.		
Corrective Action:	Comply with Rule 1004.a. to remove (regardless of ownership) all debris, abandoned gathering line risers, and flowline risers, and equipment within three months of plugging the last well (2/8/2020). All work should have been conducted by 5/8/2020.		Date:
	There is no corrective action date because this might be referred to Enforcement.		

Venting:

Yes/No		
Comment:		
Corrective Action:		Date:

Flaring:

Type		
Comment:		
Corrective Action:		Date:

Inspected FacilitiesFacility ID: 240247 Type: WELL API Number: 123-08035 Status: PA Insp. Status: RIFacility ID: 242506 Type: WELL API Number: 123-10297 Status: PA Insp. Status: RI**Complaint**

Comment: [Complaint #: 402793698](#)
[Field Inspector Assigned: Chris Binschus](#)
[Location ID#: 317954](#)
[Inspection Document #: 697503198](#)
[Nature of complaint: Complainant, also the tenant farmer, has concerns that reclamation has not been performed.](#)

[This complaint is associated with two wells, a well location access road and the associated production facility.](#)

Corrective Action:

Date:

Environmental**Spills/Releases:**

Type of Spill: _____ Estimated Spill Volume: _____

Comment:

There appeared to be localized oily waste with a hydrocarbon odor observed along the southern production facility. Refer to Photos #1 and #9.

Corrective Action:

Properly dispose of oily waste in accordance with 905.e. There is no corrective action date because this might be referred to Enforcement.

Date: _____

Reportable: _____ GPS: Lat _____ Long _____

Proximity to Surface Water: _____ Depth to Ground Water: _____

Water Well Complaint:

Lat _____ Long _____

DWR Receipt Num: _____ Owner Name: _____ GPS : _____

Field Parameters:

Sample Location: _____ Comment: _____

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 _____

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 REVEGETATIONCropland

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 Pass Pit mouse/rat holes, cellars backfilled _____

Debris removed Fail No disturbance /Location never built _____

Access Roads Regraded Fail Contoured Fail Culverts removed _____

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% _____ Cropland: perennial forage Fail

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:

Corrective Action:	<p>This location does not comply with Rule 1004. Reclamation rules require reclamation activities to be conducted within three months of plugging on cropland. The associated production facility serviced three wells and the last well was plugged 2/8/2020.</p> <p>Operator has failed to complete final reclamation activities at the Counter #2 and #3 well location, the Counter #3 well location access road, and the associated production facility. Undesirable and noxious weeds were observed throughout the above described locations.</p> <p>Equipment and debris remained throughout the associated production facility. Refer to the equipment section for the corrective action.</p>	Date _____
	<p>Comply with Rule 1004. Collaborate with the complainant, also the tenant farmer, to determine mitigating measures that will allow reclamation work to be conducted in such a manner as to not interfere with agricultural activities or crop production. Provide documentation within the FIR Resolution form of when the corrective action work will be completed and provide the date and documentation of coordination with the complainant.</p> <p>There is no corrective action date because this might be referred to Enforcement.</p>	
Overall Final Reclamation Fail Well Release on Active Location <input type="checkbox"/> Multi-Well Location <input type="checkbox"/>		

COGCC Comments

Comment	User	Date
COGCC Staff, Chris Binschus, contacted and communicated to the Operator the observed violations on September 1st and September 3rd, 2021.	binschusc	09/07/2021

Attached Documents

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

Document Num	Description	URL
697503199	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=5525570