

State of Colorado Oil and Gas Conservation Commission

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Document Number:

402956497

Date Received:

02/15/2022

Spill report taken by:

Kosola, Jason

Spill/Release Point ID:

481586

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.

OPERATOR INFORMATION

Name of Operator: <u>D90 ENERGY LLC</u>	Operator No: <u>10706</u>	Phone Numbers
Address: <u>952 ECHO LANE SUITE 480</u>		Phone: <u>(713) 227-0391</u>
City: <u>HOUSTON</u>	State: <u>TX</u>	Zip: <u>77024</u>
Contact Person: <u>Kevin Oakes</u>		Mobile: <u>()</u>
		Email: <u>kevin@d90energy.com</u>

☐ 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# 402948358

Initial Report Date: 02/04/2022 Date of Discovery: 02/02/2022 Spill Type: Recent Spill

Spill/Release Point Location:

QTRQTR NWNE SEC 7 TWP 7S RNG 54W MERIDIAN 6Latitude: 39.460040 Longitude: -103.483070Municipality (if within municipal boundaries): _____ County: LINCOLN

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

Reference Location:

Facility Type: OTHER☒ Facility/Location ID No 440099Spill/Release Point Name: KEYSTONE 3-7☐ 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): >=5 and <100Estimated Condensate Spill Volume(bbl): 0Estimated Flow Back Fluid Spill Volume(bbl): 0Estimated Produced Water Spill Volume(bbl): >=5 and <100Estimated Other E&P Waste Spill Volume(bbl): 0Estimated Drilling Fluid Spill Volume(bbl): 0

Specify: _____

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

Land Use:

Current Land Use: CROP LAND

Other(Specify): _____

Weather Condition: WINDY AND SNOWINGSurface Owner: FEEOther(Specify): MARK BAIN

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

Heater Treater malfunction. shut off well, closed all needed valves, called contractor to start cleanup

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

OTHER NOTIFICATIONS

<u>Date</u>	<u>Agency/Party</u>	<u>Contact</u>	<u>Phone</u>	<u>Response</u>
2/3/2022	Lincoln County	Fred Lundy	-	Notified of release.
2/2/2022	Landowner	Mark Bain	719-740-2363	Was on location with Contractor
	Colorado Construction	Roy Brossman	719-660-5714	drove to location and started cleaning impacted area
2/2/2022	COGCC	Susan Sherman	719-775-1111	Called Jason at COGCC

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: _____
- ☐ Yes 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:
	<input type="checkbox"/> The presence of free product or hydrocarbon sheen Surface Water <input type="checkbox"/> The presence of free product or hydrocarbon sheen on Groundwater <input type="checkbox"/> The presence of contaminated soil in contact with Groundwater <input type="checkbox"/> 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.
Yes	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 checked="" 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: 02/15/2022		
FLUIDS	BBL's SPILLED	BBL's RECOVERED	Unknown
OIL			<input checked="" type="checkbox"/>
CONDENSATE	0	0	<input type="checkbox"/>
PRODUCED WATER			<input checked="" 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 checked="" 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): <u>40</u>	
		Width of Impact (feet): <u>25</u>	
Depth of Impact (feet BGS): <u>1</u>		Depth of Impact (inches BGS): _____	
How was extent determined?			
Please see attached excavation diagram.			
Soil/Geology Description:			
sand and clay			
Depth to Groundwater (feet BGS) <u>20</u>		Number Water Wells within 1/2 mile radius: <u>0</u>	
If less than 1 mile, distance in feet to nearest	Water Well _____	None <input checked="" type="checkbox"/>	Surface Water _____
	Wetlands _____	None <input checked="" type="checkbox"/>	Springs _____
	Livestock _____	None <input checked="" type="checkbox"/>	Occupied Building _____
Additional Spill Details Not Provided Above:			

CORRECTIVE ACTIONS

#1 Supplemental Report Date: 02/15/2022

Root Cause of Spill/Release Equipment Failure

Other (specify)

Type of Equipment at Point of Spill/Release: Vertical Heater Treater

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

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

The cause of the leak was determined to be a failure of the bottom man way gasket

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

The Gasket was replaced along with all the other gaskets on the treater. The treater was inspected from top to bottom. It was then tested at normal operating pressure.

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): 0

Volume of Impacted Surface Water Removed (bbls): 0

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:

Submitting on behalf of Polaris Energy. Excavation is ongoing at this point. Soil samples are expected to be pulled this week and sent to lab. They are requesting a 72hour turn around on results. Once samples have been returned, another Form 19S will be submit showing all samples per cogcc guidelines.

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

Signed: Print Name: Kevin Oakes

Title: Vice President Date: 02/15/2022 Email: kevin@d90energy.com

Condition of Approval

COA Type**Description**

	NO PHOTO DOCUMENTATION No photo documentation was attached. Operator will attach photo documentation required by Rule 912.b.(4)B. on a Form 19 Supplemental Report.
1 COA	

Attachment List

Att Doc Num**Name**

402956497	SPILL/RELEASE REPORT(SUPPLEMENTAL)
402956536	OTHER
402957597	FORM 19 SUBMITTED

Total Attach: 3 Files

General Comments

User Group**Comment****Comment Date**

		Stamp Upon Approval
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Total: 0 comment(s)