

**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:

05/30/2023

Submitted Date:

06/01/2023

Document Number:

702801561

**FIELD INSPECTION FORM**
 Loc ID 335045 Inspector Name: O'Malley, Anna On-Site Inspection ☐ 2A Doc Num:
**Operator Information:**

OGCC Operator Number: 96850

Name of Operator: TEP ROCKY MOUNTAIN LLC

Address: 1058 COUNTY ROAD 215

City: PARACHUTE State: CO Zip: 81635

**Status Summary:**

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

**Findings:**

25 Number of Comments

11 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
Gardner, Mike	9706234875	mgardner@terraep.com	
, TEP		COGCCInspectionReports@terraep.com	All Inspections
Arthur, Denise		denise.arthur@state.co.us	
Trujillo, Aaron		aaron.trujillo@state.co.us	

**Inspected Facilities:**

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
299205	WELL	SI	03/01/2023	GW	045-17609	SOUTH LEVERICH 13-10A	RI
299206	WELL	SI	03/01/2023	GW	045-17610	SOUTH LEVERICH 13-07B	RI
299207	WELL	SI	03/01/2023	GW	045-17611	SOUTH LEVERICH 13-09D	RI
301622	WELL	SI	03/01/2023	GW	045-18208	SOUTH LEVERICH 18-05D	RI
483796	WELL	AP	02/03/2023		045-24554	Leverich SR 322-13	RI
483797	WELL	AP	02/03/2023		045-24555	Leverich SR 321-24	RI
483798	WELL	AP	02/03/2023		045-24556	Leverich WMC 412-18-793	RI
483799	WELL	AP	02/03/2023		045-24557	Leverich WMC 523-18-793	RI
483800	WELL	AP	02/03/2023		045-24558	Leverich WMC 423-18-793	RI
483801	WELL	AP	02/03/2023		045-24559	Leverich WMC 514-18-793	RI
483802	WELL	AP	02/03/2023		045-24560	Leverich SR 523-13	RI
483803	WELL	AP	02/03/2023		045-24561	Leverich SR 423-13	RI
483804	WELL	AP	02/03/2023		045-24562	Leverich WMC 414-18-793	RI
483805	WELL	AP	02/03/2023		045-24563	Leverich SR 24-13	RI
483806	WELL	AP	02/03/2023		045-24564	Leverich SR 323-13	RI
483807	WELL	AP	02/03/2023		045-24565	Leverich SR 421-24	RI
483808	WELL	AP	02/03/2023		045-24566	Leverich SR 422-13	RI
483809	WELL	AP	02/03/2023		045-24567	Leverich SR 524-13	RI

483810	WELL	AP	02/03/2023		045-24568	Leverich SR 521-24	RI
483811	WELL	DG	05/25/2023		045-24569	Leverich SR 324-13	RI
483812	WELL	AP	02/03/2023		045-24570	Leverich WMC 512-18-793	RI
483813	WELL	AP	02/03/2023		045-24571	Leverich WMC 314-18-793	RI
483814	WELL	AP	02/03/2023		045-24572	Leverich SR 21-24	RI
483815	WELL	AP	02/03/2023		045-24573	Leverich SR 511-18	RI
483816	WELL	AP	02/03/2023		045-24574	Leverich SR 424-13	RI

**General Comment:**

On 5/30/2023, Reclamation Specialists O'Malley conducted a construction and stormwater inspection at TEP's South Leverich 13-09 Pad Location #335045 in Garfield County, Colorado.

This is a follow-up to inspection #702801487 to determine compliance with corrective actions relating to topsoil segregation and protection and stormwater management.

The following compliance issues were observed during this inspection:

- 1002.b: Topsoil segregation
- 1002.c: Topsoil protection
- 1002.e: Surface disturbance minimization
- 1002.f: Stormwater
- Noxious weeds

Refer to the "Location," "Construction," "Reclamation," "Stormwater" and "COGCC Comments" sections of this inspection report for additional details.

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 inspection on this site will be conducted to ensure the compliance issues have been addressed.

**Location**Overall Good: ☐**Signs/Marker:**

Type	OTHER		
Comment:	Permit information per Rule 406.c observed at Location sign. Documents were previously saturated, frozen together and illegible. It appears new documents have been added to address the issue.		
Corrective Action:		Date:	

**Emergency Contact Number:**

Comment:	970-285-9377		
Corrective Action:		Date:	

**Good Housekeeping:**

Type	WEEDS		
Comment:	List B Noxious Weeds (Canada thistle, scentless chamomile) observed at the northwest of the location (Photo 33).		
Corrective Action:	Conduct weed management to prevent further establishment and spread of undesirable plant species and noxious weeds; ongoing weed management required until location passes final reclamation.		Date: 05/30/2023

Overall Good: ☐**Spills:**

Type	Area	Volume		
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In Containment: No

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

Yes/No			
Comment:			
Corrective Action:		Date:	

**Flaring:**

Type		
Comment:		
Corrective Action:		Date:

**Location Construction**Location ID: 335045 CDP: 

Comment: Form 2A permitted disturbance area during construction is 6.43 ac. It was observed in this inspection that it appears that disturbance has occurred in areas outside the permitted area. At the north of the location the construction drawing (#4223007) indicates that the location disturbance terminates at the perimeter stormwater BMPs (ditch and sediment trap). The actual location disturbance extends beyond the perimeter stormwater BMPs for approximately 70 feet to the north. To the east of the location entrance the location extends to the east of the access road. The construction drawing indicates that the location disturbance terminates west of the access road. See Photos 3, 28, 29, 30. COGCC is looking into this issue internally.

Corrective Action: Date: **Form 2A COAs:**

**Comment:**

Corrective Action:

Date:

**Wildlife BMPs:****Comment:**

Corrective Action:

Date:

**Stormwater:**

Erosion BMPs

Present

Other BMPs

Present

Comments: Erosion BMPs:

Previous inspection #702801487 observed hydromulch on topsoil was not evenly distributed to cover the entire exposed soil surface. Operator submitted FIRR Resolution #403411071 indicating "Hydromulch has been re-applied."

It was observed in this inspection that hydromulch has been applied to the topsoil stockpile and is evenly applied over most of the stockpile. However, the hydromulch BMP is not fully maintained; a portion is degraded. A new corrective action is given. (Photo 21).

Other BMPs:

Corrective Action: Install or repair BMPs per Rule 1002.f and 1002.c.

Date: 05/30/202

3

DITCHES

Yes

Comments: Erosion BMPs:

A diversion ditch is present along the Location perimeter. Construction of the ditch does not appear to be in accordance with good engineering practices; ditch soils are loose, unconsolidated and subject to erosion from concentrated flows in the ditch. BMP requires proper consolidation. (Photos 10, 11)

Other BMPs:

Velocity checks have been installed within the perimeter ditch. (Photo 7, 10, 22, 27)

Corrective Action: Install or repair BMPs per Rule 1002.f.

Date: 05/30/202

3

Comments: Erosion BMPs:

It was observed in this inspection that two (2) slope drains are installed in the fill slope. Drains are not installed per good engineering practices; the pipe is not properly anchored, the pipe is discharging mid-slope/does not extend beyond the toe of the slope and lacks proper outlet protections (Photo 12).

Other BMPs:

Corrective Action: Install or repair BMPs per Rule 1002.f.

Date: 05/30/202

3

Comments: Erosion BMPs:

Previous inspection #702801487 observed sediment traps at the west of the location appear to be designed to discharge stormwater directly into an unvegetated, unstabilized topsoil berm.

It was observed in this inspection that outlets, including to the west have been installed to discharge into vegetated, stabilized areas. Sediment trap inlets/outlets are installed with a geotextile liner and rip-rap (Photo 24). Operator shall monitor the site to ensure outlets do not cause offsite degradation.

Other BMPs:

Corrective Action:

Date:

Comments:	Erosion BMPs:	<p>Previous inspection #702801487 observed controls to stabilize the cut and fill slopes are missing/insufficient. Inspector required Operator to Install or repair BMPs by 4/27/23. Operator submitted FIRR #403411071: "Hydromulch has been re-applied to...slopes."</p> <p>It was observed in this inspection that Hydromulch has been applied to slopes (Photo 19, 31). Corrective action has been addressed. However, new Hydromulch is degraded and slopes are unstable (slumping). Photo 17, 18, 20. New CA given.</p>	
	Other BMPs:	<p>Previous inspection #702801487 observed erosion control bags installed at the base of the fill slope and perimeter berm are in disrepair at the western perimeter of the location. Inspector required Operator to Install or repair BMPs by 4/27/23. Operator submitted FIRR #403411071: "Erosion control bags have been re-set around the perimeter."</p> <p>It was observed in this inspection that erosion control bags are properly installed around the perimeter. Corrective action has been addressed (Photo 3).</p>	
Corrective Action:		<u>Install or repair BMPs per Rule 1002.f.</u>	
		Date: 05/30/2023	
WADDLES	Yes		
Comments:	Erosion BMPs:	<p>Previous inspection #702801487 observed straw wattles not trenched and backfilled around the topsoil stockpile. Inspector required Operator to Install or repair BMPs by 4/26/23. Operator submitted FIRR #403411071: "Wattles around the perimeter of the disturbed areas have been re-staked / installed."</p> <p>It was observed in this inspection that wattles are installed at the topsoil stockpile per good engineering practice. However, a wattle is in disrepair (Photo 22). Original CA remains applicable.</p>	
	Other BMPs:		
Corrective Action:		<u>Install or repair BMPs per Rule 1002.f and 1002.c.</u>	
		Date: 04/26/2023	
		Material Handling And Spill Prevention	No
Comments:	Erosion BMPs:		
	Other BMPs:	<p>Previous inspection #702801487 observed portable toilet on location not secured to prevent a spill. Inspector required Operator to Install or repair BMPs by 4/29/23. Operator submitted FIRR #403411071: "the trailer frame and attached toilette was secured with metal posts."</p> <p>It was observed in this inspection that portable toilets on location are not secured to prevent a spill. No metal posts or other spill prevention BMP observed (Photo 32). Original CA remains applicable.</p>	
Corrective Action:		<u>Implement or modify BMPs for improved material handling and spill prevention.</u>	
		Date: 04/29/2023	
BERMS	Yes		
Comments:	Erosion BMPs:	<p>It was observed in this inspection that the WPA perimeter berm is not constructed per good engineering practices; berm is loose, unconsolidated and vertical in portions (Photo 16).</p>	
	Other BMPs:	<p>Run-on at the south of the location is breaking through the perimeter berm into the ditch and sediment trap. Accumulation of stormwater runon at the south, without a proper inlet appears to be causing degradation to BMPs (Photo 25, 26, 27).</p>	
Corrective Action:		<u>Install or repair BMPs per Rule 1002.f.</u>	
		Date: 05/30/2023	

**Comment:**

**Corrective**

**Action:**

**Date:**

**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: <u>299205</u>	Type: <u>WELL</u>	API Number: <u>045-17609</u>	Status: <u>SI</u>	Insp. Status: <u>RI</u>
Facility ID: <u>299206</u>	Type: <u>WELL</u>	API Number: <u>045-17610</u>	Status: <u>SI</u>	Insp. Status: <u>RI</u>
Facility ID: <u>299207</u>	Type: <u>WELL</u>	API Number: <u>045-17611</u>	Status: <u>SI</u>	Insp. Status: <u>RI</u>
Facility ID: <u>301622</u>	Type: <u>WELL</u>	API Number: <u>045-18208</u>	Status: <u>SI</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483796</u>	Type: <u>WELL</u>	API Number: <u>045-24554</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483797</u>	Type: <u>WELL</u>	API Number: <u>045-24555</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483798</u>	Type: <u>WELL</u>	API Number: <u>045-24556</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483799</u>	Type: <u>WELL</u>	API Number: <u>045-24557</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483800</u>	Type: <u>WELL</u>	API Number: <u>045-24558</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483801</u>	Type: <u>WELL</u>	API Number: <u>045-24559</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483802</u>	Type: <u>WELL</u>	API Number: <u>045-24560</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483803</u>	Type: <u>WELL</u>	API Number: <u>045-24561</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483804</u>	Type: <u>WELL</u>	API Number: <u>045-24562</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483805</u>	Type: <u>WELL</u>	API Number: <u>045-24563</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483806</u>	Type: <u>WELL</u>	API Number: <u>045-24564</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483807</u>	Type: <u>WELL</u>	API Number: <u>045-24565</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483808</u>	Type: <u>WELL</u>	API Number: <u>045-24566</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483809</u>	Type: <u>WELL</u>	API Number: <u>045-24567</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>
Facility ID: <u>483810</u>	Type: <u>WELL</u>	API Number: <u>045-24568</u>	Status: <u>AP</u>	Insp. Status: <u>RI</u>

Inspector Name: O'Malley, Anna

Facility ID:	483811	Type:	WELL	API Number:	045-24569	Status:	DG	Insp. Status:	RI
Facility ID:	483812	Type:	WELL	API Number:	045-24570	Status:	AP	Insp. Status:	RI
Facility ID:	483813	Type:	WELL	API Number:	045-24571	Status:	AP	Insp. Status:	RI
Facility ID:	483814	Type:	WELL	API Number:	045-24572	Status:	AP	Insp. Status:	RI
Facility ID:	483815	Type:	WELL	API Number:	045-24573	Status:	AP	Insp. Status:	RI
Facility ID:	483816	Type:	WELL	API Number:	045-24574	Status:	AP	Insp. Status:	RI



**Reclamation - Storm Water - Pit****Interim Reclamation:**

Date Interim Reclamation Started: \_\_\_\_\_

Date Interim Reclamation Completed: \_\_\_\_\_

Land Use: RANGELAND, RECREATIONAL

Comment: \_\_\_\_\_

**1002 SITE PREPARATION AND STABILIZATION**

1002a. FENCING \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002b. SOIL REMOVAL AND  
SEGREGATION

Fail

Comment

Refer to the "SOIL REMOVAL AND SEGREGATION" comments in the "COGCC Comments" section of this FIR.

Corrective Action

Corrective Action 1: Conduct additional topsoil salvage per Rule 1002.b: CA Date 4/25/2023.

Date **04/25/2023**

Corrective Action 2: Operator is being directed to propose an acceptable solution to the COGCC in order to resolve the soil salvage compliance issues. Operator shall provide meaningful solutions to address this issue. Submit in a Form 4 with a request that document is routed to Reclamation Specialist O'Malley. CA Date 6/6/2023.

1002c. PROTECTION OF SOILS \_\_\_\_\_ Fail

Comment

Previous inspection observed topsoil has been applied to slopes... and Topsoil has been applied to slope directly adjacent to subsoil. Inspector required Operator to implement BMPs to protect topsoil applied throughout the location from erosion degradation and from contamination with subsoil by 4/27/23.

It was observed in this inspection that topsoil applied to fill slopes has been hydromulched (CA partially addressed) but grub piles containing topsoil at the location perimeter continue to lack erosion protections (Photo 4, 5, 6, 9). Also, BMPs to protect topsoil from contamination with subsoil not observed (Photo 14, 15). Original CA remains applicable.

Corrective Action

Implement BMPs to protect topsoil applied throughout the location from erosion degradation and from contamination with subsoil.

Date **04/27/2023**

1002E. SURFACE DISTURBANCE MINIMIZATION \_\_\_\_\_

Comment

Actual construction disturbance extends beyond permitted location disturbance area. Refer to the "Construction" section of this report.

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: RANGELAND, RECREATIONAL \_\_\_\_\_

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:		
Corrective Action:		Date: _____
Overall Final Reclamation	Well Release on Active Location <input type="checkbox"/>	Multi-Well Location <input type="checkbox"/>

**Storm Water:**

Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment
		Gravel	Pass			access road stable
Gravel	Pass					WPA stable
Compaction	Pass					WPA stable
Other	Pass					Vehicle tracking not observed
		Ditches	Pass			access road stable
		Compaction	Pass			access road stable

Comment:	<p>Previous inspection #702801487 observed location and access road lack stabilization. Also, a stormwater drain pipe was discharging concentrated flows without outlet protections. Operator submitted FIRR #403411071. See FIRR for details on corrective actions taken.</p> <p>It was observed in this inspection that roads and the WPA are stabilized. The drain pipe to the east discharges into an armored outlet/sediment trap. Original corrective action has been addressed. However, walls of the newly installed sediment trap are unconsolidated. The trap outlet discharges water into a disturbed area of loose unconsolidated soil. Soils east of the access road required stabilization (Photo 28, 29).</p>	
Corrective Action:	<p>Install or repair required BMPs per Rule 1002.f.</p>	
	Date: 05/30/2023	

**Pits:** ☐ NO SURFACE INDICATION OF PIT

Type:	Lined:	Pit ID:	Lat:	Long:
Reference Point: _____	Other: _____	Length: _____	Width: _____	

Lining:	
Liner Type:	Liner Condition:
Comment:	
Corrective Action	Date:

Fencing:	
Fencing Type:	Fencing Condition:
Comment:	
Corrective Action	Date:

Netting:	
Netting Type:	Netting Condition:
Comment:	
Corrective Action	Date:

Anchor Trench Present:	Oil Accumulation:	2+ feet Freeboard:
Comment:	<p>Cuttings trench present at the south of the Location. Unable to find records that the cuttings trench has been permitted; no Form 15 permit observed within the Location records. A Form 15 is required to be submitted within 30 days of constructing the cuttings trench.</p>	
Corrective Action	Date:	

**COGCC Comments**

Comment	User	Date
<p><b>SOIL REMOVAL AND SEGREGATION:</b>  Previous inspection #702801487 observed: 1. Topsoil not been salvaged from perimeter stormwater BMPs. 2. Discrepancies in the topsoil protection plan and COGCC disagreed with the depth of topsoil to be salvaged from the topsoil protection plan. Inspector required Operator to: 1. Conduct additional topsoil salvage per Rule 1002.b by 4/25/2023. 2. Submit documentation attached to a Form 4 of the actual amount of topsoil salvaged.</p> <p>It was observed in this inspection that:  1. Topsoil has not been salvaged from the areas where perimeter stormwater BMPs have been constructed. (Photo 7, 8, 10, 27, 28) Stormwater flowing through a BMPs constructed of topsoil may degrade and erode it. Standard engineering practice (ie: compaction, consolidation) for ditches and berms degrades the topsoil resource. Constructing stormwater BMPs (ditches and berms) from topsoil is not protective of the resource. Topsoil salvage at stormwater BMPs is required. Original corrective action remains applicable.</p> <p>2. TEP has submitted Form 4 #403411906 which included the requested topsoil calculations. Corrective action to submit Form 4 has been addressed. TEP indicates in the F4 that all the available topsoil was not salvaged and proposes to "address any long-term issues associated with site reclamation as they come." COGCC does not accept the plan for TEP to address issues with insufficient topsoil salvage in the future "as they come." TEP is being directed to propose meaningful, acceptable solutions to the COGCC to resolve the soil salvage compliance issues - not plans to address it if/when it arises during final reclamation.</p> <p>Refer to COGCC's analysis below of topsoil issues based on the amount of topsoil that was available pre-disturbance (in 2008) and will be available during final reclamation:  - Total Disturbance area 2023: ~7.13 ac  - Topsoil salvage area (total disturbance - topsoil area &amp; grub piles): 6.432 ac  - Topsoil salvage for 6.432 ac @ 12 in topsoil (12 in based on TEP topsoil protection plan undisturbed pits #4 and #11): 10,367 CY  - Total topsoil salvaged per TEP as built assessment: 3,887 CY: A difference of 6,480 CY - 37.5% of originally available topsoil  - Reclaiming the 6.432 ac disturbance with 3,887 CY of available topsoil results in 4.49 in of topsoil applied during final reclamation.</p> <p><b>CORRECTIVE ACTION DATE COMMENTS:</b>  The date of discovery is given for all new corrective action dates. It is COGCC's expectation that Operators are in compliance with COGCC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.</p>	omalleya	05/31/2023

**Attached Documents**

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

Document Num	Description	URL
702801562	Inspection Photos	<a href="http://ogccwebblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6133169">http://ogccwebblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6133169</a>