

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
403426356

Date Received:  
06/07/2023

FIR RESOLUTION FORM

Overall Status: FRQ

CA Summary:

2 of 3 CAs from the FIR responded to on this Form

0 CA Completed  
2 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 96850  
Name of Operator: TEP ROCKY MOUNTAIN LLC  
Address: 1058 COUNTY ROAD 215  
City: PARACHUTE State: CO Zip: 81635

Contact Name and Telephone:  
Name: \_\_\_\_\_  
Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

Additional Operator Contact:

Contact Name	Phone	Email
<u>TEP</u>		<u>COGCCInspectionReports@terraep.com</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 702801570  
Inspection Date: 05/30/2023 FIR Submit Date: 06/06/2023 FIR Status: \_\_\_\_\_

Inspected Operator Information:

Company Name: TEP ROCKY MOUNTAIN LLC Company Number: 96850  
Address: 1058 COUNTY ROAD 215  
City: PARACHUTE State: CO Zip: 81635

LOCATION - Location ID: 452566

Location Name: FEDERAL Number: RU 23-17 County: \_\_\_\_\_  
Qtrqtr: NESW Sec: 17 Twp: 7S Range: 93W Meridian: 6  
Latitude: 39.443375 Longitude: -107.797294

FACILITY - API Number: 05-045-00 Facility ID: 452566

Facility Name: FEDERAL Number: RU 23-17  
Qtrqtr: NESW Sec: 17 Twp: 7S Range: 93W Meridian: 6  
Latitude: 39.443375 Longitude: -107.797294

CORRECTIVE ACTIONS:

2  CA# 172197

Corrective Action: Conduct weed management to prevent further establishment and spread of noxious weeds; ongoing weed management required until location passes final reclamation. Date: 05/30/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: This inspection report (doc #702801570) was received by TEP on June 6, 2023. COGCC set the corrective action date for this item as May 30, 2023 which was before the report was even sent to TEP. Therefore, this corrective action date is not possible / attainable. TEP will continue to conduct weed management at this location to prevent further establishment and spread of any noxious weeds.

COGCC Decision: Approved pending re-inspection

COGCC Representative: TEP was made aware of noxious weed issues in previous inspection (#696203418). It appears that the presence of noxious weeds is an ongoing issue at this site.

The date of discovery is given for the corrective action date. 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.

Approval of this form is not an approval of an extension of the corrective action date. The location will remain out of compliance until the corrective action is addressed.

COGCC Supervisor: TEP was made aware of noxious weed issues in previous inspection (#696203418). It appears that the presence of noxious weeds is an ongoing issue at this site.

The date of discovery is given for the corrective action date. 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.

Approval of this form is not an approval of an extension of the corrective action date. The location will remain out of compliance until the corrective action is addressed.

3  CA# 172198

Corrective Action: Install or repair required BMPs per Rule 1002.f. Continue to monitor and manage stormwater on the Location. Ongoing stormwater management is required until the site receives a passing final inspection.

Date: 05/30/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: This inspection report (doc #702801570) was received by TEP on June 6, 2023. COGCC set the corrective action date for this item as May 30, 2023 which was before the report was even sent to / received by TEP. Therefore, this corrective action date is not possible / attainable. Site conditions around the slump area and the outer edges of the pad remain too wet to safely work with heavy equipment. TEP will proceed with repairing the unstable areas as site conditions dry out. TEP anticipates that these areas will not be sufficiently dry for another 4 - 6 weeks (i.e., approximately mid-July, 2023).

It should be noted that the the exceptional amount of snow received during this past winter and the abnormal amount of snow-melt runoff experienced in this area are the primary causes for the slope instability observed at the location and the damaged BMPs around the pad. Maintenance and repair of BMPs are expected after every winter season, and especially after such a severe winter and heavy runoff as were experienced this year. Once this repair work related to this corrective action has been completed, TEP will submit a FIRR documenting its closure.

COGCC Decision: Approved pending re-inspection

COGCC Representative: TEP was made aware of stormwater issues in previous inspection (#696203418, submitted 12/8/21). In particular, the previous inspection noted issues in the cut slopes of the location (at the northwest of the working pad area, behind the separators). It appears that TEP did not submit a resolution for that corrective action, or address the issue. It appears the corrective action was ignored, and continues to be an issue.

The date of discovery is given for the corrective action date. 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.

Approval of this form is not an approval of an extension of the corrective action date. The location will remain out of compliance until the corrective action is addressed.

COGCC Supervisor: TEP was made aware of stormwater issues in previous inspection (#696203418, submitted 12/8/21). In particular, the previous inspection noted issues in the cut slopes of the location (at the northwest of the working pad area, behind the separators). It appears that TEP did not submit a resolution for that corrective action, or address the issue. It appears the corrective action was ignored, and continues to be an issue.

The date of discovery is given for the corrective action date. 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.

Approval of this form is not an approval of an extension of the corrective action date. The location will remain out of compliance until the corrective action is addressed.

OPERATOR COMMENT AND SUBMITTAL

Comment:

This inspection report (doc #702801570) was received by TEP on June 6, 2023. COGCC set the corrective action date for CAs #172197 and #172198 as May 30, 2023. COGCC set corrective action dates for these items as May 30, 2023 which was before the report was even sent to / received by TEP. Therefore, this corrective action date for these items is not possible / attainable.

Maintenance and repair of BMPs are expected after every winter season, and especially after such a severe winter and heavy runoff as were experienced this year. Once this repair / maintenance work related to these corrective actions has been completed, TEP will submit a FIRR documenting their closure.

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

Print Name: Michael Gardner

Signed: \_\_\_\_\_

Title: TEP Environmental Lead

Date: 6/7/2023 3:30:36 PM

## ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

**Document Number**      **Description**

403426356	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files