

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
403460533

Date Received:  
07/12/2023

**FIR RESOLUTION FORM**

Overall Status: **BOTH**

CA Summary:

4 of 4 CAs from the FIR responded to on this Form

2 CA Completed  
2 Factual Review Request

**OPERATOR INFORMATION**

OGCC Operator Number: 10814  
Name of Operator: MDS ENERGY DEVELOPMENT LLC  
Address: 409 BUTLER RD SUITE A  
City: KITTANNING State: PA Zip: 16201

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

Additional Operator Contact:

Contact Name	Phone	Email
<u>SAADEH, RICHARD</u>		<u>richard.saadeh@mdsed.com</u>
<u>Jim Jacobsen</u>		<u>jim.jacobsen@iptwell.com</u>
<u>Bracey, Deborah</u>		<u>deborah.bracey@state.co.us</u>

**COGCC INSPECTION SUMMARY:**

FIR Document Number: 708200369  
Inspection Date: 07/06/2023 FIR Submit Date: 07/07/2023 FIR Status: \_\_\_\_\_

**Inspected Operator Information:**

Company Name: MDS ENERGY DEVELOPMENT LLC Company Number: 10814  
Address: 409 BUTLER RD SUITE A  
City: KITTANNING State: PA Zip: 16201

**LOCATION** - Location ID: 477495

Location Name: Daffy Number: Pad County: \_\_\_\_\_  
Qtrqtr: NENW Sec: 33 Twp: 8N Range: 59W Meridian: 6  
Latitude: 40.622725 Longitude: -103.985025

**FACILITY** - API Number: 05-123-00 Facility ID: 477495

Facility Name: Daffy Number: Pad  
Qtrqtr: NENW Sec: 33 Twp: 8N Range: 59W Meridian: 6  
Latitude: 40.622725 Longitude: -103.985025

**CORRECTIVE ACTIONS:**

1  CA# 174846

Corrective Action: Install sign to comply with Rule 605.a. Corrective action date is the date the location was observed out of compliance. Date: 07/06/2023

Response: CA COMPLETED Date of Completion: 07/08/2023

Operator Comment: A new sign was installed on location that complies with Rule 605.a. Please see the attached photo.

COGCC Decision: Approved pending re-inspection

COGCC Representative: Approved pending re-inspection of this FIR resolution acknowledges the document was received. It is not an acknowledgement that the corrective action has been passed. A field inspection will be conducted at a future date to evaluate compliance with ECMC rules.

2  CA# 174847

Corrective Action: Submit any new or updated files and attachments via Form 4 Sundry.

Date: 07/12/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: A Form 4 cannot be submitted until the pending Form 9 has been approved. MDS will submit a Form 4 with revised layout drawings for the pad due to the reduction of size required for the proposed wells.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC decision "Not Approved". Operator shall email all updated drawings to the area Reclamation Specialist (Dylan Edwardson), and will remain out of compliance until the Operator has done so. In addition, the Buying and Selling Operators must submit the proper information to ECMC so the Form 9 can be properly processed. Once the Form 9 has been approved, the Operator will be required to update the location file with all updated documents.

COGCC Supervisor: ECMC decision "Not Approved". Operator shall email all updated drawings to the area Reclamation Specialist (Dylan Edwardson), and will remain out of compliance until the Operator has done so. In addition, the Buying and Selling Operators must submit the proper information to ECMC so the Form 9 can be properly processed. Once the Form 9 has been approved, the Operator will be required to update the location file with all updated documents.

3  CA# 174848

Corrective Action: Submit pre-construction nesting migratory bird survey via Form 4 Sundry Notice by COB 07/12/2023. The assumption is that this has already occurred, therefore a short corrective action date to submit the information has been applied.

Date: 07/12/2023

Operator shall provide documentation via Form 4 Sundry; route to Area Reclamation Specialist Dylan Edwardson.

Response: CA COMPLETED

Date of Completion: 07/03/2023

Operator Comment: A representative of IPT Well Solutions was contracted to walk and survey the perimeter of the proposed pad prior to dirt moving construction activities. The representative was looking for signs of wildlife including migratory birds. He did not see any evidence of nests, burrowing owls or any other migratory bird in the area of the location.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC decision "Not Approved". Corrective action required the Operator to submit documentation (e.g. photos, protocol, survey results, maps/figures, etc) via Form 4 Sundry Notice. No Form 4 Sundry notice has been submitted by the Operator as of 07/18/2023. The location will remain out of compliance until the corrective action has been completed.

4  CA# 174849

Corrective Action: Comply with Rule 1002.f.(2) to install BMPs in accordance with good engineering practices. Corrective action date is the date the location was observed out of compliance.

Date: 07/06/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: This location is actively being constructed. All stormwater BMPs, including the ditch and berm, will be stabilized once all construction has been completed in compliance with COGCC and Weld County regulations.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC decision "Not Approved". Based on the Operator response the corrective action has been performed. Field observations on 07/06/2023 (Doc #708200369) documented sediment transport on the northern and southeastern portions of the stormwater control measures (e.g. ditch and berm) due to unconsolidated material. The stormwater control measures will need to be repaired, or additional control measures will need to be implemented, in order to come into compliance with Rule 1002.f. The location needs to be in compliance at all

COGCC  
Supervisor:

times, not once construction has been completed. There were inadequate temporary control measures in place at the time of this inspection. Adequate perimeter control measures (stormwater BMPs) need to be in place during the construction phase. The location will remain out of compliance until the Corrective Action has been completed. ECMC decision "Not Approved". Based on the Operator response the corrective action has been performed. Field observations on 07/06/2023 (Doc #708200369) documented sediment transport on the northern and southeastern portions of the stormwater control measures (e.g. ditch and berm) due to unconsolidated material. The stormwater control measures will need to be repaired, or additional control measures will need to be implemented, in order to come into compliance with Rule 1002.f. The location needs to be in compliance at all times, not once construction has been completed. There were inadequate temporary control measures in place at the time of this inspection. Adequate perimeter control measures (stormwater BMPs) need to be in place during the construction phase. The location will remain out of compliance until the Corrective Action has been completed.

**OPERATOR COMMENT AND SUBMITTAL**

Comment:

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

Print Name: Andrea Gross

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

Title: Permit Agent

Date: 7/12/2023 9:39:04 AM

**ATTACHMENT LIST**

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

**Document Number**      **Description**

403460533	FIR RESOLUTION SUBMITTED
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Total Attach: 1 Files