

State of Colorado
Energy & Carbon Management Commission



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Document Number:
403457258

Date Received:
08/12/2023

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

7 of 7 CAs from the FIR responded to on this Form

7 CA Completed
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 10701
Name of Operator: UPLAND EXPLORATION LLC
Address: 424 S MAIN ST
City: BOERNE State: TX Zip: 78006

Contact Name and Telephone:
Name: _____
Phone: () _____ Fax: () _____
Email: _____

Additional Operator Contact:

Contact Name	Phone	Email
<u>Dustin Rollins</u>	<u>405-361-9224</u>	<u>dustin@uplandexploration.com</u>

COGCC INSPECTION SUMMARY:

FIR Document Number: 697504722
Inspection Date: 06/15/2023 FIR Submit Date: 06/21/2023 FIR Status: _____

Inspected Operator Information:

Company Name: UPLAND EXPLORATION LLC Company Number: 10701
Address: 424 S MAIN ST
City: BOERNE State: TX Zip: 78006

LOCATION - Location ID: 456651

Location Name: Salt Ranch Fee Number: 18 East County: _____
Qtrqtr: SESE Sec: 18 Twp: 11N Range: 64W Meridian: 6
Latitude: 40.914603 Longitude: -104.584484

FACILITY - API Number: 05-123-00 Facility ID: 456651

Facility Name: Salt Ranch Fee Number: 18 East
Qtrqtr: SESE Sec: 18 Twp: 11N Range: 64W Meridian: 6
Latitude: 40.914603 Longitude: -104.584484

CORRECTIVE ACTIONS:

1 CA# 173461

Corrective Action: Comply with Rule 606.c. Date: 02/10/2023

Response: CA COMPLETED Date of Completion: 03/01/2023

Operator Comment: Location was all sprayed last year by CCR before Upland took over the lease, weeds were dormant, this was discussed with Chris Binschus 2/28/2023. Crews conducted pulling weeds by hand (3/2/23 - 3/31/23); Precision Industrial Applications is conducting weed spraying at the location and along lease road .Upland has continued to spray and remove weeds. As stated above, Colorado has seen an unprecedented amount of precipitation. Russian Thistle was present along the road and adjacent lands prior to Upland operations as represented in historical aerial photos. Weed mitigation/spraying and removal is ongoing as Colorado is seeing an unprecedented amount of precipitation.

COGCC Decision: **Not Approved**

COGCC Representative: The current weed management plan is not sufficient and remains out of compliance, as demonstrated in the most recent field inspection conducted on August 3rd and 7th (Doc. # 697504785).

2  CA# 173462

Corrective Action: Comply with Rule 606.d.

Date: 02/10/2023

Response: CA COMPLETED

Date of Completion: 02/12/2023

Operator Comment: Upland placed an enclosed dumpster on location - trash being discovered is not a direct result of Upland operations; field personnel are maintaining good housekeeping measures. The access road is utilized by multiple contractors and the landowner. The location and access road is driven and maintained daily, if trash is observed it is picked up and properly disposed of; this area experiences significant winds; trash observed by the inspector is not the result of Upland activities.

COGCC Decision: **Not Approved**

COGCC Representative: As the Operator stated, multiple contractors are conducting work at the location and are the likely source of trash.

3  CA# 173463

Corrective Action: Comply with Rule 427.b.

Date: 02/28/2023

Response: CA COMPLETED

Date of Completion: 06/27/2023

Operator Comment: Upland has reduced the speed of the road, adjusted the schedule of water hauling activities to the evening and on non-high wind days, utilizing water trucks to the road as needed, and applied road base, graded, compacted to an additional 1.9 miles of the access road from 6/19-6/27/23. As represented in several FIRR responses and directly in meetings with ECMC, dust mitigation and stormwater management is an ongoing activity due to weather events and winds, Colorado has seen an unprecedented amount of precipitation. The balance of watering and grading is being completed as necessary.

COGCC Decision: **Not Approved**

COGCC Representative: The current dust mitigation efforts are not complete, as demonstrated in the most recent field inspection conducted on August 3rd and 7th (Doc. # 697504785).

Mr. Rollins was notified on June 27, 2023 to immediately cease dust suppression activities until Operator can demonstrate its ability to ensure dust suppression activities are conducted with fresh water, free from liquid hydrocarbons, among other contaminants. Operator may not resume dust suppression activities without authorization from the Director.

4  CA# 173464

Corrective Action: Operator shall submit an engineered stamped Permanent Stormwater Management Plan. The Plan shall address the access road and location.

Date: 07/05/2023

Response: CA COMPLETED

Date of Completion: 07/28/2023

Operator Comment: Oil and Gas location and access road were constructed by CCRP in 2018 with ditches running parallel to the road, CCRP still utilizes the access road for access to their location; the SFR location was constructed with perimeter diversion ditches and a catch basin located in the southwest corner of the pad. The construction inspection was approved back in 2019, document # 697500395, it was a Construction and Stormwater Inspection in response to Form 42: Notice of construction Document #402041061. The site was transferred to Upland in In 2022.

Per the request of Chris Binchus, Upland has implemented several additional controls and rock diversions as directed. Along the area of the road that crossed the creek Upland and CCRP installed rock diversions to control sediment discharge and mitigate waters from entering the Creek. These controls were rebuilt after the road was reworked post the winter season snowplowing activities. As stated above on-going maintenance activities of the road and pad are occurring to address the high level of precipitation and traffic occurring on an active location and access road that is shared by another active Operator, CCRP.

The requested but not required by rule, engineered stamped Permanent Stormwater Management Plan is attached. Upland contracted Martin and Martin to develop the plan. The timeframe for this request was insufficient and is not required by rule. Typical certified SW Plan takes upwards of 3-6 months to complete New SW BMP installations will be completed once the approved assessment activities are completed by Eagle Environmental Consulting due to Landowner complaint re. suspected waste being buried.

COGCC Decision: **Not Approved**

COGCC Representative:

Operator has only submitted a general Stormwater Management Plan and has not submitted the required Permanent Stormwater Management Plan to address the access road and location.

Note- ECMC has documented sediment discharge into the eastern channel of Geary Creek. The attachments are from the western channel of Geary Creek.

5 CA# 173465

Corrective Action:

Date: 02/10/2023

Response: CA COMPLETED

Date of Completion: 03/06/2023

Operator Comment:

Topsoil stockpiles have been sprayed and reseeded as well as crimped and stabilized to address the excessive rainfall and wind storm events; Upland continues to conduct weed and sediment erosion mitigation as necessary.

COGCC Decision: **Not Approved**

COGCC Representative:

Operator is failing to conduct sufficient weed management along the access road and failed to reseed the windrowed topsoil along an approximate 1.5 mile section of the access road, as demonstrated in the most recent field inspection conducted on August 3rd and 7th (Doc. # 697504785).

6 CA# 173466

Corrective Action:

Date: 02/10/2023

Response: CA COMPLETED

Date of Completion: 03/06/2023

Operator Comment:

Standard Resources conducted work on access road and sediment discharge issues; the road was professionally surveyed and the road was not widened by the repair activities as stated by the inspector or landowner - survey was provided to landowner. Any rock that was thrown into the filed from snowplowing actions was removed. Due to issues with landowner, Upland was unable to commence additional stabilization of the road until June 19-27, 2023. Upland contractor Standard Resources was verbally attacked and threatened again by the landowner for commencing the work. As stated above additional road base was applied to 1.9 miles to help compact and further mitigate dust and sediment control. Construction activities and additional BMPS are being installed to further mitigate dust and control sediment transport. This road is well traveled and maintenance actions will be on-going given the volume of storm events.

COGCC Decision: **Not Approved**

COGCC Representative:

Surface disturbance minimization remains out of compliance, as demonstrated in the most recent field inspection conducted on August 3rd and 7th (Doc. # 697504785).

7 CA# 173467

Corrective Action:

Date: 05/11/2023

Response: CA COMPLETED

Date of Completion: 07/10/2023

Operator Comment:

Access road was constructed and improved by the previous Operator CCRP who also shares use of the road to access their locations. The access road was surveyed and the extents of the road are not outside the SUA agreement. The areas that were requested to be improved by the Landowner were then prohibited by him to commence work on several occasions by threatening Upland's subcontractor. Given the continued harassment from Mr. Salo Upland documented the landowner's written threats and completed the clean up along the edge of the road and reseeded on 7/20. The SFR location had been seeded and crimped and weeds sprayed starting back in May. Additional crimping was added to topsoil piles and weed mitigation conducted. The location is now being required to be assessed due to Landowner allegation of burying waste and Upland is having to conduct sitewide assessment activities which will then have to be repaired and new reclamation activities will occur post assessment.

COGCC Decision: **Not Approved**

COGCC Representative:

Stormwater management remains out of compliance, as demonstrated in the most recent field inspection conducted on August 3rd and 7th (Doc. # 697504785).

Note- Operator has failed to consult with the Mr. Salo regarding an approved seed mixture.

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: Dustin Rollins Signed: _____

Title: Field Supervisor Date: 8/12/2023 9:54:23 AM

ATTACHMENT LIST

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

Document Number	Description
403457258	FIR RESOLUTION SUBMITTED
403480313	Access road drainage repairs
403480329	Seeding & Crimping - Interim Rec
403480338	Dust Mitigation - Road base application
403480347	Engineered Stormwater Control Plans

Total Attach: 5 Files