

State of Colorado  
Energy & Carbon Management Commission



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Document Number:  
403502191

Date Received:  
08/18/2023

## 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: 10515

Name of Operator: GUNNISON ENERGY LLC

Address: 1801 BROADWAY #1150

City: DENVER State: CO Zip: 80202

Contact Name and Telephone:

Name: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Additional Operator Contact:

Contact Name	Phone	Email
.		<a href="mailto:dnr_cogccenforcement@state.co.us">dnr_cogccenforcement@state.co.us</a>
<a href="#">Johnston, Tyson</a>		<a href="mailto:tyson.johnston@oxbow.com">tyson.johnston@oxbow.com</a>
<a href="#">Kosola, Jason</a>		<a href="mailto:jason.kosola@state.co.us">jason.kosola@state.co.us</a>
.		<a href="mailto:geops@oxbow.com">geops@oxbow.com</a>
<a href="#">Grey, Daniel</a>		<a href="mailto:daniel.gray@usda.gov">daniel.gray@usda.gov</a>
		<a href="mailto:wtoews@blm.gov">wtoews@blm.gov</a>

### COGCC INSPECTION SUMMARY:

FIR Document Number: 696205092

Inspection Date: 07/10/2023

FIR Submit Date: 07/12/2023

FIR Status: \_\_\_\_\_

### Inspected Operator Information:

Company Name: GUNNISON ENERGY LLC

Company Number: 10515

Address: 1801 BROADWAY #1150

City: DENVER State: CO Zip: 80202

### LOCATION - Location ID: 453805

Location Name: Trail Gulch Unit 1090 Number: 30 County: \_\_\_\_\_

Qtrqr: SWSE Sec: 30 Twp: 10S Range: 90W Meridian: 6

Latitude: 39.157036 Longitude: -107.477597

### FACILITY - API Number: 05-051-00 Facility ID: 453805

Facility Name: Trail Gulch Unit 1090 Number: 30

Qtrqr: SWSE Sec: 30 Twp: 10S Range: 90W Meridian: 6

Latitude: 39.157036 Longitude: -107.477597

### CORRECTIVE ACTIONS:

1  CA# 175216

Corrective Action:

Date: 07/10/2023

Install or maintain BMP to ensure secondary containment remains impervious to contain a spill or release. The "Date of Discovery" is being provided as the corrective action date. Location will remains out of compliance until corrective actions have been resolved.

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Burrow under tank battery checked for wildlife, filled and repaired. Inspection of liner showed no damage. See 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# 175217

Corrective Action: Comply with 606 Rules. The "Date of Discovery" is being provided as the corrective action date. Location will remains out of compliance until corrective actions have been resolved.

Date: 07/11/2023

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Equipment, hoses and unused materials removed from tank area. Barrel remains in separate containment inside of tank containment to protect from wind. See photos.

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.

**3**  CA# 175218

Corrective Action: Comply with Rule 605.h. The "Date of Discovery" is being provided as the corrective action date. Location will remains out of compliance until corrective actions have been resolved.

Date: 07/10/2023

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Tank Battery signage shown in the attached photos were omitted from inspection photos. This sign, inside of containment and outside of containment on both ends containing all operator, emergency, location and other information has been there. See photos. "Oil Tank" also blacked out from Tank 3.

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.

**4**  CA# 175219

Corrective Action: Properly secure/close hatch at tank. The "Date of Discovery" is being provided as the corrective action date. Location will remains out of compliance until corrective actions have been resolved.

Date: 07/10/2023

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Hatch on sand can properly secured. See 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.

**5**  CA# 175220

Corrective Action:

Date: 07/10/2023

Comply with Rule 1002.f and install or repair BMPs to minimize erosion/degradation/sediment transport, and to protect/stabilize the cut slopes of the Location. The "Date of Discovery" is being provided as the corrective action date. Location will remain out of compliance until corrective action has been resolved.

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Substantial Growth shown with wet spring/summer. Torrential rains seen in the spring did cause some minor erosion in spots, however, secondary measures including ditches, and catch basin, were able to keep 100% of all stormwater on location. Minor erosion areas were repaired and areas where hydroseed did not work will be seeded again in the fall when growth is most likely. Straw will be used in the interim to prevent further erosion. See slope growth photos 1-3.

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.

**6**  CA# 175221

Corrective Action: Comply with Rule 1003.a. The "Date of Discovery" is being provided as the corrective action date. Location will remain out of compliance until corrective action is resolved.

Date: 07/10/2023

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Anchor marker replaced.

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.

**7**  CA# 175222

Corrective Action: Comply with 1002.f; implement BMPs at the excavated areas of the ditch along east end of the Location, in order to prevent potential impacts to stormwater runoff/runoff.

Date: 11/01/2022

Response: CA COMPLETED

Date of Completion: 07/14/2023

Operator Comment: Photo 14 was the remanence of impacted soils that were removed in accordance with Form 27 Doc. No. 403225349. Remnant holes have been back filled.

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.

**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: Tyson Johnston

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

Title: Vice President

Date: 8/18/2023 3:47:50 PM

**ATTACHMENT LIST**

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

<u>Document Number</u>	<u>Description</u>
403502191	FIR RESOLUTION SUBMITTED
403502206	Filled Burrow
403502216	Containment equipment cleanup 1
403502219	Containment equipment cleanup 2
403502220	Containment equipment cleanup 3
403502236	Tank Battery Sign inside containment
403502237	Tank Battery Sign outside containment
403502241	Sand Can Hatch
403502257	Slope Growth
403502265	Slope Growth 3
403502268	Slope Growth 2

Total Attach: 11 Files