

State of Colorado
Energy & Carbon Management Commission



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Phone: (303) 894-2100 Fax: (303) 894-2109

Document Number:
403526856

Date Received:
09/12/2023

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

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

2 CA Completed
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 52530
Name of Operator: MAGPIE OPERATING INC
Address: 2707 SOUTH COUNTY RD 11
City: LOVELAND State: CO Zip: 80537

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

Additional Operator Contact:

Contact Name	Phone	Email
		dnr_cogccenforcement@state.co.us
<u>Trujillo, Aaron</u>		aaron.trujillo@state.co.us
<u>WARNER, JAMES</u>	<u>970-669-6308</u>	jwarner105@gmail.com
<u>Warner, Ross</u>		ross.magpieoil@gmail.com
<u>Heibel, Krystal</u>		krystal.heibel@state.co.us

COGCC INSPECTION SUMMARY:

FIR Document Number: 708200446
Inspection Date: 08/03/2023 FIR Submit Date: 08/08/2023 FIR Status: _____

Inspected Operator Information:

Company Name: MAGPIE OPERATING INC Company Number: 52530
Address: 2707 SOUTH COUNTY RD 11
City: LOVELAND State: CO Zip: 80537

LOCATION - Location ID: 312143

Location Name: WARNECKE-68N53W Number: 30SESE County: _____
Qtrqr: SESE Sec: 30 Twp: 8N Range: 53W Meridian: 6
Latitude: 40.625638 Longitude: -103.337188

FACILITY - API Number: 05-075-00 Facility ID: 312143

Facility Name: WARNECKE-68N53W Number: 30SESE
Qtrqr: SESE Sec: 30 Twp: 8N Range: 53W Meridian: 6
Latitude: 40.625638 Longitude: -103.337188

CORRECTIVE ACTIONS:

1 CA# 177766

Corrective Action: Properly dispose of oily waste in accordance with 905.e. Corrective action date is the date the location was observed out of compliance.

Date: 08/03/2023

Response: CA COMPLETED

Date of Completion: 01/12/2023

Operator Comment: Per approved Supplemental Form 27 Document #403400235, all organic hydrocarbon contamination was confirmed to be removed from site. The material identified by the inspector is surface owner manure being utilized for reclamation purposes, see attached photo.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Operator response of "Corrective Action Complete" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed. Refer to Inspection Photo log (doc #708200561) from FIR (doc #708200559) conducted on 09/18/2023 and Inspection Photo log (doc #708200450) from FIR (doc #708200446) conducted on 08/03/2023.

2  CA# 177767

Corrective Action: Comply with 1004 Rules immediately. Corrective action date is being back dated to when final reclamation activities should have been completed.

Date: 07/22/2019

Response: CA COMPLETED

Date of Completion: 05/11/2023

Operator Comment: Per approved Supplemental Form 27 Document # 403400235, final reclamation activities are ongoing, addressing the inorganic constituents remaining above Table 915-1 in the area of the historic pit. Magpie is scheduling excavation and further delineation of inorganic impacts.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC Decision "Not Approved". Operator response of "Corrective Action Complete" is a notification to the State that the corrective action has been addressed in its entirety. Based on operator comments corrective action does not appear to have been completed. A 09/18/2023 Field Inspection Report (doc #708200559) documented that no reclamation activities have occurred since the previous inspection.

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: Amber Barnett

Signed: _____

Title: Compliance Specialist

Date: 9/12/2023 8:37:02 AM

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>
403526856	FIR RESOLUTION SUBMITTED
403526901	Supplemental Form 27
403526905	Photo of Manure on Location

Total Attach: 3 Files