

**FORM
INSP**Rev
X/20**State of Colorado
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109

Inspection Date:

10/04/2023

Submitted Date:

10/13/2023

Document Number:

697504884

FIELD INSPECTION FORMLoc ID 456651 Inspector Name: Binschus, Chris On-Site Inspection ☐ 2A Doc Num: _____**Operator Information:**

OGCC Operator Number: 10701

Name of Operator: UPLAND EXPLORATION LLC

Address: 424 S MAIN ST

City: BOERNE State: TX Zip: 78006

Status Summary:

- ☒ THIS IS A FOLLOW UP INSPECTION
- ☒ FOLLOW UP INSPECTION REQUIRED
- ☐ NO FOLLOW UP INSPECTION REQUIRED

Findings:

12 Number of Comments

8 Number of Corrective Actions

- ☒ Corrective Action Response Requested

**ANY CORRECTIVE ACTION(S) FROM
PREVIOUS INSPECTIONS THAT HAVE NOT
BEEN ADDRESSED ARE STILL APPLICABLE****Contact Information:**

Contact Name	Phone	Email	Comment
		dustin@uplandexploration.com	

Inspected Facilities:

Facility ID	Type	Status	Status Date	Well Class	API Num	Facility Name	Insp Status
456651	LOCATION	AC			-	Salt Ranch Fee 18 East	RI

General Comment:

On 10/4/2023, Reclamation Specialist Chris Binschus and Denise Arthur performed a follow up inspection at the request of an Operator representative, Dustin Rollins.

On 10/11/2023, Reclamation Specialist Chris Binschus performed a follow up inspection at the MLVT area.

This inspection also addresses complaints submitted on 8/21/2023, 8/22/2023 and 10/11/2023.

ECMC issued a NOAV on 3/16/2023 (Doc.# 403347572). Note- this inspection does not address all of the violations issued in the NOAV, which still remain out of compliance.

Refer to the Lease Road, Good Housekeeping, Location Construction/Stormwater, Complaint, Reclamation, Stormwater and COGCC Comments sections of this inspection report for additional details.

Location			
Lease Road:			
Type	Main		
comment:	<p>Operator has completed the import of new road base to help dust mitigation and Staff acknowledges the significant effort performed to accomplish this and has considered this dust issue resolved. However, dust complaints have been submitted and the most recent being on 10/11/2023 due to contractors not following posted vehicle speed restrictions. The Operator has a guard at the entrance of CR57 who instructs vehicles to obey speed restrictions, yet there are continued issues with contractors not following the speed restriction to minimize dust.</p> <p>Since there continues to be dust issues due to contractors not obeying speed restrictions, this corrective action remains out of compliance.</p>		
Corrective Action:	<p>Comply with Rule 427.b.</p> <p>It is the responsibility of the Operator to manage all contractors.</p> <p>Operator shall implement more robust BMPs to ensure speed restrictions are being followed.</p>	Date:	02/28/2023
Overall Good: <input type="checkbox"/>			
Emergency Contact Number:			
Comment:			
Corrective Action:			
Date: _____			
Good Housekeeping:			
Type	WEEDS		
Comment:	<p>Note for Enforcement purposes, Rule 606.c still remains out of compliance since 2/10/2023 and has not been resolved. The Weed Management Plan corrective action date of 8/25/2023 has not cleared out the original rule violation from 2/10/2023.</p>		
Corrective Action:			
Date:			
Type	WEEDS		
Comment:	<p>On 10/4/2023, Staff and the Operator stopped along a portion of the road where the Operator has failed to prevent the continued growth of Russian thistle, inconsistent herbicide applications and has not reseeded. Staff had a discussion about weed management and helped educate the Operator regarding proper weed management. Staff also explained why the resubmitted Weed Management Plan was denied.</p> <p>Weed management remains out of compliance.</p>		
Corrective Action:	<p>Operator shall resubmit the Weed management plan and address the following COAs:</p> <p>1) For any day "Weed Spraying" was conducted as documented in Exhibit 1, Operator shall include what herbicide was applied, application rates, and application method(s). Note application method(s) and rates were previously requested.</p> <p>2) Provide the mixing order conducted for each herbicide.</p> <p>3) Provide the surfactant type used with fluroxypyr and the surfactant rate.</p> <p>4) Provide justification for using fluroxypyr to control Russian thistle.</p>		
Date:	08/25/2023		
Type	TRASH		
Comment:	<p>There was a complaint submitted back on 8/22/2023 regarding trash. On 10/4/2023, trash from plastic bags used for erosion control blankets were observed on the ground, along with other items. Trash was picked up along the way and put into a proper disposal bin on location.</p> <p>Operator claims to walk the location every day and pick up trash but it does not appear to be sufficient and continues to be an on-going issue.</p>		
Corrective Action:			
Date:			
Overall Good: <input type="checkbox"/>			
Spills:			
Type	Area	Volume	

In Containment: No

Comment:

☐ Multiple Spills and Releases?

Venting:

Yes/No			
Comment:			
Corrective Action:		Date:	

Flaring:

Type		
Comment:		
Corrective Action:		Date:

Location Construction

Location ID: 456651 CDP: _____

Comment: _____

Corrective Action: _____

Date: _____

Form 2A COAs:Comment: _____

Corrective Action: _____

Date: _____

Wildlife BMPs:Comment: _____

Corrective Action: _____

Date: _____

Stormwater:

Erosion BMPs	Present	Other BMPs	Present
_____	_____	_____	_____

Comments: Erosion BMPs: Operator has made significant efforts to install stormwater BMPs and conduct stormwater repairs along the access road; however, BMP's have not been installed per good engineering practices. To date, the Operator has not submitted the required plan.

The intent was for the Operator to submit the required plan so the Operator would know how to properly install the BMPs.

Other BMPs: _____

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

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Comment: _____Corrective Action: _____

Date: _____

On Site Inspection (305):Surface Owner Contact Information:

Name: _____

Address: _____

Phone Number: _____

Cell Phone: _____

Operator Rep. Contact Information:

Landman Name: _____

Phone Number: _____

Date Onsite Request Received: _____

Date of Rule 306 Consultation: _____

Request LGD Attendance: _____

LGD Contact Information:

Name: _____ Phone Number: _____ Agreed to Attend: _____

Summary of Landowner Issues:

Summary of Operator Response to Landowner Issues:

Onsite Inspection Memorandum Summarizing Discussions at Inspection as Attachment:

Inspected FacilitiesFacility ID: 456651 Type: LOCATION API Number: - Status: AC Insp. Status: RI**Complaint**

Comment: Operator submitted the Topsoil Importation Plan and Topsoil Protection Plan via FIRR; however, Staff did not approve the Plan via FIRR because it did not address the entire disturbance area along the access road. On 10/4/2023, Staff highlighted some of the areas beyond 1.9 miles but did not show every issue, which is what the Operator wanted. Staff encouraged the Operator to coordinate with the Surface Owner to ensure all issues were addressed.

The previous inspection required the Operator to submit the Plan via Form 4 Sundry Notice. Staff has requested the Operator to submit the Plan via Form 4 so that Staff could put comments and apply Conditions of Approval. To date, the Operator has failed to submit the Plan via Form 4 Sundry Notice.

Corrective Action: Operator shall submit the original Plan via Form 4 Sundry Notice and resubmit the required Plan to address the entire disturbance area along the access road, which goes beyond the first 1.9 miles.

Date: 08/25/2023

Reclamation - Storm Water - Pit**Interim Reclamation:**

Date Interim Reclamation Started: _____ Date Interim Reclamation Completed: _____

Land Use: RANGELAND

Comment: _____

1002 SITE PREPARATION AND STABILIZATION

1002a. FENCING _____

Comment _____

Corrective Action _____

Date _____

1002b. SOIL REMOVAL AND _____

Comment _____

Corrective Action _____

Date _____

1002c. PROTECTION OF SOILS _____ Fail _____

Comment _____

Operator has reseeded the topsoil stockpile and there was some desirable germination; therefore, Staff is putting this corrective action In-Process for the topsoil stockpile on location.

Operator has not attempted to reseed the windrowed topsoil along an approximate 1.5 mile section of the access road. This 1.5 mile section predominately remains established with Russian thistle. Operator has failed to prevent the continued growth of Russian thistle along these areas and inconsistent herbicide applications.

Corrective Action _____

Comply with Rule 1002.c.

Date **02/10/2023**

Note- Operator did get an approved seed mix from the Surface Owner.

1002E. SURFACE DISTURBANCE MINIMIZATION _____ Fail _____

Comment _____

Operator has not conducted reclamation on areas disturbed due to access road expansion, and other adjacent areas disturbed due to improper road maintenance and vehicle traffic off the original access road boundary, and is still working to put together an approved Plan. See the Complaint section for more details.

Complaints have been submitted and the most recent being on 10/11/2023 due to contractors not staying on the lease road.

Surface disturbance minimization remains out of compliance, which includes vehicle traffic off the lease road.

Corrective Action _____

Comply with Rule 1002.e.

Date **02/10/2023**

It is the responsibility of the Operator to manage all contractors.

Operator shall implement more robust BMPs to ensure contractors stay on the lease roads.

1003a. Waste and Debris removed? _____

Comment _____

Corrective Action _____

Date _____

Unused or unneeded equipment onsite? _____

Comment _____

Corrective Action _____

Date _____

Pit, cellars, rat holes and other bores closed? _____

Comment _____

Corrective Action _____

Date _____

Guy line anchors marked? _____

Comment _____

Corrective Action _____

Date _____

1003b. Area no longer in use? _____

Production areas stabilized ? _____

1003c. Compacted areas have been cross ripped? _____

1003d. Drilling pit closed? _____

Subsidence over on drill pit? _____

Cuttings management: _____

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? _____

Production areas have been stabilized? _____

Segregated soils have been replaced? _____

RESTORATION AND REVEGETATIONCropland

Top soil replaced _____

Recontoured _____

Perennial forage re-established _____

Non-Cropland

Top soil replaced _____

Recontoured _____

80% Revegetation _____

1003e. INTERIM VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% _____

TRANSECT RESULTS OF REFERENCE AREA% _____

TOTAL % OF DESIRABLE VEGETATION COVER _____

VEGETATIVE COVER _____

1003 f. Weeds Noxious weeds? _____

Comment

Staff, Chris Binschus, and an Operator representative, Dustin Rollins, have had previous discussions about the MLVT area adjacent to the CCRP Salt Ranch location that was used during completion operations. Staff and Operator were not in agreement at the time regarding who was responsible for reclaiming the MLVT area.

Staff has conducted further investigation into the MLVT area and has confirmed the MLVT area is the responsibility of Upland. Upland's contractor, Standard Resources, reseeded the MLVT area last Fall and billed Upland for the work.

Some germination of desirable plant species was observed but much of the MLVT area consists of Russian thistle. Additional weed management and reseeded are required.

Corrective Action

Perform reclamation in accordance to Rule 1003. Establish vegetation with total perennial, non-invasive uniform plant cover of at least eighty (80) percent of reference area levels. Use a seed mixture requested by the surface owner. Continue to monitor and manage this site until the location meets Rule 1003 standards, including stormwater and weed management.

The corrective action date is the date the location was observed out of compliance.

Date **10/11/2023**

Overall Interim Reclamation

Fail

Final Reclamation/ Abandoned Location:

Date Final Reclamation Started: _____

Date Final Reclamation Completed: _____

Final Land Use: RANGELAND

Reminder: _____

Comment: _____

Well plugged _____

Pit mouse/rat holes, cellars backfilled _____

Debris removed _____	No disturbance /Location never built _____	
Access Roads _____	Regraded _____	Contoured _____
		Culverts removed _____
Gravel removed _____		
Location and associated production facilities reclaimed _____		Locations, facilities, roads, recontoured _____
Compaction alleviation _____	Dust and erosion control _____	
Non cropland: Revegetated 80% _____		Cropland: perennial forage _____
Weeds present _____	Subsidence _____	
1004.d. FINAL VEGETATION TRANSECT		
TRANSECT RESULTS OF DISTURBED AREA% _____		
TRANSECT RESULTS OF REFERENCE AREA% _____		
TOTAL % OF DESIRABLE VEGETATION COVER _____		
VEGETATIVE COVER _____		
Comment: <input style="width: 100%;" type="text"/>		
Corrective Action: <input style="width: 100%;" type="text"/>		Date _____
Overall Final Reclamation	Well Release on Active Location <input type="checkbox"/>	Multi-Well Location <input type="checkbox"/>

Storm Water:

Loc Erosion BMPs	BMP Maintenance	Lease Road Erosion BMPs	Lease BMP Maintenance	Chemical BMPs	Chemical BMP Maintenance	Comment
<p>Comment: Operator has made significant efforts to install stormwater BMPs and conduct stormwater repairs along the access road and location since the previous inspection; however, BMP's have not been installed per good engineering practices.</p> <p>There is a portion along the access road at ~2.4 miles where a BMP has not been properly installed and is not sufficient to control stormwater erosion off the lease road. Both Upland and CCRP will have to coordinate on the corrective action.</p> <p>Corrective Action: Comply with Rule 1002.f.</p> <p>Date: 05/11/2023</p>						
Pits: <input type="checkbox"/> NO SURFACE INDICATION OF PIT						

COGCC Comments

Comment	User	Date
Staff, Chris Binschus, conducted inspections on 8/28/2023 (portion of Salt Ranch Fee access road and both Little Lady locations) and 8/29/2023 (Salt Ranch Fee) with an Operator representative, Dustin Rollins. Staff did not submit inspections from these days but did spend a significant amount of time helping the Operator with on-going compliance issues.	binschusc	10/13/2023

Attached Documents

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
403561002	INSPECTION SUBMITTED	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284521
697504885	Inspection Photos	http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6284503