

State of Colorado
Energy & Carbon Management Commission



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Document Number:
403572538

Date Received:
11/07/2023

FIR RESOLUTION FORM

Overall Status:

CA Summary:

8 of 8 CAs from the FIR responded to on this Form

8 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

Dustin Rollins

405-361-9224

dustin@uplandexploration.com

COGCC INSPECTION SUMMARY:

FIR Document Number: 697504884

Inspection Date: 10/04/2023

FIR Submit Date: 10/13/2023

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# 185040

Corrective Action: Operator shall resubmit the Weed management plan and address the following COAs:
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.
2) Provide the mixing order conducted for each herbicide.
3) Provide the surfactant type used with fluroxypyr and the surfactant rate.
4) Provide justification for using fluroxypyr to control Russian thistle.

Date: 08/25/2023

Response: CA COMPLETED

Date of Completion: 11/07/2023

Additional information is being requested - the weed plan has been resubmitted Form 4 Document # 403572563 with all details requested from Uplands weed contractors.

Operator Comment: The application methods and rates are included; the mixing order is not applicable as these are premixed herbicides; Fluroxypyr (Surfactant - Dicamba) is what is being applied to treat broad leaf grasses such as Russian Thistle as it does not harm other pasture grasses.

COGCC Decision: _____

COGCC Representative: _____

2 CA# 185041

Corrective Action: Comply with Rule 427.b.

Date: 02/28/2023

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

Operator shall implement more robust BMPs to ensure speed restrictions are being followed.

Response: CA COMPLETED

Date of Completion: 10/19/2023

Operator Comment: The contractor represented in the complaint filed October 11, 2023 document # 403557225 works for CCRP & Upland. Upland contacted CCRP and Standard Resources regarding the complaint filed against Upland and had then spoke to their contractors that utilize the shared lease road to access their location and remind them to comply with all posted and communicated rules of the road re. speed, trash and traveling on accurate access points.

COGCC Decision: _____

COGCC Representative: _____

3 CA# 185042

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: 10/11/2023

Operator Comment: Updated plan is attached address all areas of the road as identified in an onsite meeting with Denise Arthur and Chris Binschs on October 11th. Improvements to the Stormwater controls are identified in attached photos. This work has been on-going and Stormwater has been being managed and corrective action will continue to be manage as needed throughout the life of the well pad and access road use.

COGCC Decision: _____

COGCC Representative: _____

4 CA# 185043

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

Response: CA COMPLETED

Date of Completion: 11/04/2023

Operator Comment: Updated Topsoil Importation plan has been submitted via Form 4 Document # 403572539 addressing the location and access road gong beyond the initial 1.9 miles - based on field meeting with Chris Binschus and Denise Arthur on October 11th identifying the "all other areas" they wanted addressed along the access road.

COGCC Decision: _____

COGCC Representative: _____

5 CA# 185044

Corrective Action:

Date: 02/10/2023

Comply with Rule 1002.c.

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

Response: CA COMPLETED

Date of Completion: 03/24/2023

Operator Comment: This information was previously submitted and consultation with the landowner prior to seeding SRF or along access road has occurred prior to all seeding occurring.

COGCC Decision:

COGCC Representative:

6 CA# 185045

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.

Response: CA COMPLETED

Date of Completion: 10/19/2023

Operator Comment: The complaint document #403473588 is unrelated to an Upland - the contractor represented in the photos attached to the complaint works for CCRP and does not conduct work for Upland. Upland contacted CCRP and let them know of the complaint filed by the landowner against Upland and to make sure their contractors follow all required rules. Upland has a gate guard, reduced speed limits and has communicated with all contractors regarding requirements to control speed, dust and management of waste at all times upon entry by gate guard to all contractors.

COGCC Decision:

COGCC Representative:

7 CA# 185046

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.

Date: 10/11/2023

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

Response: CA COMPLETED

Date of Completion: 10/11/2023

Operator Comment: Upland met with ECMC personnel on this day and revegetation is progressing on reclaimed areas. Stormwater controls are addressed as corrective actions are needed and weed management has been on-going with the use of two contractors. Upland will continue to monitor and manage this site until the location meets Rule 1003 standards, including stormwater controls and weed management.

COGCC Decision:

COGCC Representative:

8 CA# 185047

Corrective Action: Comply with Rule 1002.f.

Date: 05/11/2023

Response: CA COMPLETED

Date of Completion: 05/11/2023

Operator Comment: Upland is maintaining its SW BMPs at the location to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation. Ongoing maintenance of SW controls has been being maintained and sediment controls, rock checks and/or waddles have been routinely replaced. Stormwater controls will be managed and maintain until the location is fully reclaimed.

COGCC Decision: _____

COGCC
Representative:

OPERATOR COMMENT AND SUBMITTAL

Comment: Upland is working through the issues identified in the NOAV of 3/16/2023 (Doc. # 403347572) through the ECMC's ongoing enforcement process and continues to dispute that any of those issues remain out of compliance. Upland has continued to be cooperative and to respond to each inspection finding both before and after issuance of the NOAV. Upland has attempted to fully and expediently remedy each alleged violation or other finding. Most, if not all, of the allegations related to the NOAV surround the sufficiency of the actions Upland has taken and not the alleged "failure" to take action. Thus, as a general matter, Upland disputes the characterization of "ongoing" violations noted in the NOAV and in this inspection form and intends to raise these and other defenses during the enforcement process.

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: Operations Manager

Date: 11/7/2023 5:10:31 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>
403588263	SWMP
403588341	SW Control Photos

Total Attach: 2 Files