

State of Colorado  
Energy & Carbon Management Commission

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Document Number:

403572413

Date Received:

10/25/2023

## 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: 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: 697504886

Inspection Date: 10/04/2023

FIR Submit Date: 10/17/2023

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: 462919

Location Name: Little Lady 21 Number: South Well Pad County: \_\_\_\_\_

Qtrqr: SESE Sec: 21 Twp: 11N Range: 64W Meridian: 6

Latitude: 40.900550 Longitude: -104.542850

### FACILITY - API Number: 05-123-00 Facility ID: 462919

Facility Name: Little Lady 21 Number: South Well Pad

Qtrqr: SESE Sec: 21 Twp: 11N Range: 64W Meridian: 6

Latitude: 40.900550 Longitude: -104.542850

### CORRECTIVE ACTIONS:

1 ☒ CA# 185260

Corrective Action: Comply with Rule 606.c. to immediately control Cereal rye throughout the entire location.

Date: 08/03/2023

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

Response: CA COMPLETED

Date of Completion: 08/07/2023

Operator Comment: Cereal Rye is a non-native plant - it was not in the seed-mixture utilized by Upland. Cereal rye grasses have been mowed (utilizing a weed whacker) on 8/7, 8/24, 9/24 and 10/24.

The areas where cereal rye is present will continue to be addressed by cutting and will be spot sprayed with

herbicide.

COGCC Decision: Approved pending re-inspection

COGCC Representative: Cereal rye is not observed in reference areas; therefore, Cereal rye was likely imported during interim reclamation operations by the Operator.

ECMC staff will conduct a follow up inspection to document the Operator's control measures.

2  CA# 185261

Corrective Action: Operator shall submit the required Interim Reclamation Plan as detailed within FIR Doc.#697504724. In addition, the Interim Reclamation Plan shall detail how to also control and manage Cereal rye.

Date: 02/10/2023

Response: CA COMPLETED

Date of Completion: 10/25/2023

Operator Comment: Interim Reclamation Plan was submitted via Form 4 Document #403572448. The site has already commenced interim reclamation starting back in April under the approved Form 4 document # 403375889.

COGCC Decision: **Not Approved**

COGCC Representative: ECMC reviewed the Interim Reclamation Plan (Plan) via the Form 4 Doc.# 403572448. ECMC did not approve the Plan and is requiring the Operator to resubmit the Plan.

#### OPERATOR COMMENT AND SUBMITTAL

Comment: Interim Reclamation Plan was also submitted via Form 4 Sundry attn Chris Binschus

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 timely 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: 10/25/2023 12:41:17 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>
403572413	FIR RESOLUTION SUBMITTED
403572461	Interim Reclamation Plan _LLS

Total Attach: 2 Files