

State of Colorado
Energy & Carbon Management Commission



1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109

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
<u>Dustin Rollins</u>	<u>405-361-9224</u>	<u>dustin@uplandexploration.com</u>

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

Date: 08/03/2023

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