

State of Colorado
Energy & Carbon Management Commission



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Document Number:
403450746

Date Received:
06/30/2023

FIR RESOLUTION FORM

Overall Status: FRQ

CA Summary:

3 of 3 CAs from the FIR responded to on this Form

0 CA Completed
3 Factual Review Request

OPERATOR INFORMATION

ECMC Operator Number: 96850
Name of Operator: TEP ROCKY MOUNTAIN LLC
Address: 1058 COUNTY ROAD 215
City: PARACHUTE State: CO Zip: 81635

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

Additional Operator Contact:

Contact Name	Phone	Email
<u>Dekam, Eric</u>		<u>edekam@terraep.com</u>
<u>.TEP</u>		<u>COGCCInspectionReports@terraep.com</u>

ECMC INSPECTION SUMMARY:

FIR Document Number: 696205065
Inspection Date: 06/28/2023 FIR Submit Date: 06/29/2023 FIR Status: _____

Inspected Operator Information:

Company Name: TEP ROCKY MOUNTAIN LLC Company Number: 96850
Address: 1058 COUNTY ROAD 215
City: PARACHUTE State: CO Zip: 81635

LOCATION - Location ID: 420224

Location Name: T & T Assoc. LTD Number: PA 21-7 County: _____
Qtrqtr: Lot 2 Sec: 7 Twp: 7S Range: 95W Meridian: 6
Latitude: 39.456476 Longitude: -108.043846

FACILITY - API Number: 05-045-00 Facility ID: 420224

Facility Name: T & T Assoc. LTD Number: PA 21-7
Qtrqtr: Lot 2 Sec: 7 Twp: 7S Range: 95W Meridian: 6
Latitude: 39.456476 Longitude: -108.043846

CORRECTIVE ACTIONS:

1 CA# 174206

Corrective Action: Comply with Rule 606. The "date of discovery" is being provided as the corrective actions date; Location will remain out of compliance until correctivea ction is resolved. Date: 06/28/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: TEP is proceeding with completing the corrective actions identified in this field inspection report; however, the CA due dates are not attainable. COGCC staff performed the inspection on 6/28/23 and sent the report to TEP on 6/29/23. The CA due date assigned by COGCC staff for this CA is 6/28/23 (i.e., the "date of discovery").

Therefore, "...the 'date of discovery' being provided as the corrective action date..." is not even possible since the report was sent out after the "date of discovery" had already passed.

TEP will submit a FIRR once the CAs have been completed.

ECMC Decision: **Not Approved**

ECMC Representative: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

ECMC Supervisor: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

2  CA# 174207

Corrective Action: Comply with Rule 605.e. The "date of discovery" is being provided as the corrective actions date; Location will remain out of compliance until corrective action is resolved.

Date: 06/28/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: TEP is proceeding with completing the corrective actions identified in this field inspection report; however, the CA due dates are not attainable. COGCC staff performed the inspection on 6/28/23 and sent the report to TEP on 6/29/23. The CA due date assigned by COGCC staff for this CA is 6/28/23 (i.e., the "date of discovery"). Therefore, "...the 'date of discovery' being provided as the corrective action date..." is not even possible since the report was sent out after the "date of discovery" had already passed.

TEP will submit a FIRR once the CAs have been completed.

ECMC Decision: **Not Approved**

ECMC Representative: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

ECMC Supervisor: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

3  CA# 174208

Corrective Action: Comply with Rule 1002.f and instal or repair required stormwater and erosion control BMPs. The "date of discovery" is being provided as the corrective actions date; Location will remain out of compliance until corrective action is resolved.

Date: 06/28/2023

Response: FACTUAL REVIEW REQUEST

Basis for Review: Corrective action dates are not attainable

Operator Comment: TEP is proceeding with completing the corrective actions identified in this field inspection report; however, the CA due dates are not attainable. COGCC staff performed the inspection on 6/28/23 and sent the report to TEP on 6/29/23. The CA due date assigned by COGCC staff for this CA is 6/28/23 (i.e., the "date of discovery"). Therefore, "...the 'date of discovery' being provided as the corrective action date..." is not even possible since the report was sent out after the "date of discovery" had already passed.

TEP will submit a FIRR once the CAs have been completed.

ECMC Decision: **Not Approved**

ECMC Representative: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

ECMC Supervisor: The date of discovery is given for all new corrective action dates. It is ECMC's expectation that Operators are in compliance with ECMC rules at all times. Therefore, the date the location was observed out of compliance is given as the corrective action date. Location will remain out of compliance until corrective actions are addressed.

OPERATOR COMMENT AND SUBMITTAL

Comment:

TEP is proceeding with completing the corrective actions identified in this field inspection report; however, the CA due dates are not attainable. COGCC staff performed the inspection on 6/28/23 and sent the report to TEP on 6/29/23. The CA due date assigned by COGCC staff for this CA is 6/28/23 (i.e., the "date of discovery"). Therefore, "...the 'date of discovery' being provided as the corrective action date..." is not even possible since the report was sent out after the "date of discovery" had already passed.

TEP will submit a FIRR once the CAs have been completed.

I hereby certify that the statements made in this form are, to the best of my knowledge, true, correct, and complete.

Print Name: Michael Gardner

Signed: _____

Title: TEP Environmental Lead

Date: 6/30/2023 5:40:07 PM

ATTACHMENT LIST

View Attachments in Imaged Documents on ECMC website (<http://ecmcweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
403450746	FIR RESOLUTION SUBMITTED

Total Attach: 1 Files