

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:

404100102

Date Received:

02/19/2025

## FIR RESOLUTION FORM

**Overall Status:**

**CA Summary:**

1 of 1 CAs from the FIR responded to on this Form

1 CA Completed  
0 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

Toews, Wesley

wtoews@blm.gov

\*

COGCCInspectionReports@terraep.com

Smelser, Wayne

wayne.smelser@state.co.us

Arthur, Denise

denise.arthur@state.co.us

**ECMC INSPECTION SUMMARY:**

FIR Document Number: 696206138

Inspection Date: 08/16/2024

FIR Submit Date: 08/19/2024

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: 311663**

Location Name: FEDERAL-66S94W Number: 9SWSW County: \_\_\_\_\_

Qtrqtr: SWS Sec: 9 Twp: 6S Range: 94W Meridian: 6  
W

Latitude: 39.534158 Longitude: -107.898646

**FACILITY - API Number: 05-045- -00 Facility ID: 311663**

Facility Name: FEDERAL-66S94W Number: 9SWSW

Qtrqtr: SWS Sec: 9 Twp: 6S Range: 94W Meridian: 6  
W

Latitude: 39.534158 Longitude: -107.898646

**CORRECTIVE ACTIONS:**

1 CA# 197793

Corrective Action: Corrective action per inspection #696205661:

Comply with 1002 Rules.

Date: \_\_\_\_\_

Operator  
Comment:

The following is supplemental information being provided to FIRR doc #404087049:

The stream crossing is outside of the permitted oil and gas location and is not regulated by ECMC. This ephemeral drainage is only active during seasonal snow melt and occasional rainstorms. This ephemeral draining does not support wildlife or fish passage and is not identified as a perennial stream. Material and sediment carried across the roadways is not discharged from TEP's oil and gas operations. In recent correspondence with the U.S. Army Corps of Engineers (ACOE), the Corps has clarified that maintenance actions being performed in these types of crossing are allowed per the U.S. ACOE Nationwide Permit #3 regulations. The ACOE has confirmed that the maintenance TEP performs on these types of drainage crossings does not pose an impact on water ways. See attached response from the ACOE. This corrective action is complete.

Regarding the comments about BMPs at the RWF 324-9 location: All BMP deficiencies noted in doc #696205661 were worked on through the summer and fall months of 2024. This portion of the corrective action was completed as site conditions allowed. See attached photographs.

ECMC Decision: \_\_\_\_\_

ECMC  
Representative:**OPERATOR COMMENT AND SUBMITTAL**

Comment:

The following is supplemental information being provided to FIRR doc #404087049:

The stream crossing is outside of the permitted oil and gas location and is not regulated by ECMC. This ephemeral drainage is only active during seasonal snow melt and occasional rainstorms. This ephemeral draining does not support wildlife or fish passage and is not identified as a perennial stream. Material and sediment carried across the roadways is not discharged from TEP's oil and gas operations. In recent correspondence with the U.S. Army Corps of Engineers (ACOE), the Corps has clarified that maintenance actions being performed in these types of crossing are allowed per the U.S. ACOE Nationwide Permit #3 regulations. The ACOE has confirmed that the maintenance TEP performs on these types of drainage crossings does not pose an impact on water ways. See attached response from the ACOE. This corrective action is complete.

Regarding the comments about BMPs at the RWF 324-9 location: All BMP deficiencies noted in doc #696205661 were worked on through the summer and fall months of 2024. This portion of the corrective action was completed as site conditions allowed. See attached photographs.

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: 2/19/2025 10:04:13 PM

**ATTACHMENT LIST**

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

<b><u>Document Number</u></b>	<b><u>Description</u></b>
404100102	FIR RESOLUTION SUBMITTED
404100217	Drainage Crossing / BMP Photos
404100220	ACOE Correspondence

Total Attach: 3 Files