

**FORM  
INSP**Rev  
X/20**State of Colorado  
Oil and Gas Conservation Commission**1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109

Inspection Date:

09/18/2023

Submitted Date:

09/20/2023

Document Number:

708200559

**FIELD INSPECTION FORM**Loc ID 312143 Inspector Name: Edwardson, Dylan On-Site Inspection ☐ 2A Doc Num: \_\_\_\_\_**Operator Information:**

OGCC Operator Number: 52530

Name of Operator: MAGPIE OPERATING INC

Address: 2707 SOUTH COUNTY RD 11

City: LOVELAND State: CO Zip: 80537

**Status Summary:**

- ☒ THIS IS A FOLLOW UP INSPECTION
- ☒ FOLLOW UP INSPECTION REQUIRED
- ☐ NO FOLLOW UP INSPECTION REQUIRED

**Findings:**

7 Number of Comments

4 Number of Corrective Actions

- ☒ Corrective Action Response Requested

**ANY CORRECTIVE ACTION(S) FROM  
PREVIOUS INSPECTIONS THAT HAVE NOT  
BEEN ADDRESSED ARE STILL APPLICABLE****Contact Information:**

Contact Name	Phone	Email	Comment
Hansen, Logan		logan.hansen@state.co.us	
Waggoner, Kyle		kyle.waggoner@state.co.us	
Heibel, Krystal		krystal.heibel@state.co.us	
		dnr_cogccenforcement@state.co.us	
WARNER, JAMES	970-669-6308	jwarner105@gmail.com	Principal Agent
Warner, Ryan	720-233-0875	magpieoil@yahoo.com	All Inspections

**General Comment:**

This is a follow-up Final Reclamation and Stormwater Inspection to Field Inspection Report (Doc #708200446 dated 08/03/2023; Doc #708200216 dated 05/03/2023; Doc #696105620 dated 11/22/2022; and Doc #696105548 dated 10/24/2022).

This inspection is in response to Operator submitted FIRR (Doc #403526856) stating that corrective actions from the previous field inspection (Doc #708200446) have been completed.

This inspection is also in response to a Reclamation Complaint (Doc #403201074) received on 10/18/2022.

The following compliance issues were observed during this inspection and it is clear that corrective actions were not completed since the previous inspections:  
-Reclamation

This inspection is also being entered for notification and documentation only and is not intended to provide the Operator the opportunity to resolve the alleged violations without the imposition of a penalty, pursuant to Rule 522.c. Operator is directed to perform corrective actions outlined on this inspection report immediately. Any corrective action(s) from previous inspections that have not been addressed are still applicable. This location is being referred to Enforcement.

A follow up inspection on this site will be conducted to ensure the compliance issues have been corrected to comply with COGCC rules.

**Location**Overall Good: ☐

Emergency Contact Number:

Comment: Corrective Action: Date: **Good Housekeeping:**

Type	OTHER		
Comment:	Operator submitted FIRR (doc #403526856) stating that all organic hydrocarbon contamination had been removed from the site and that the corrective action was completed on 01/12/2023. During this inspection, Staff observed that impacted material/stained soil remains on location since the previous inspection (Doc #708200446 conducted on 08/03/2023). Based on field observations, the corrective action does not appear to have been completed. Refer to attached inspection photos.		
Corrective Action:	Properly dispose of oily waste in accordance with 905.e. Corrective action date is being backdated to when the location was originally observed to be out of compliance.	Date:	08/03/2023
Type	DEBRIS		
Comment:	Debris (e.g. pipe fittings, plastic, roof shingle fragments) were observed around the former wellhead area. Refer to attached inspection photos.		
Corrective Action:	Comply with Rule 606 and remove all debris/trash. Location will remain out of compliance until the corrective action has been resolved.	Date:	09/18/2023

Overall Good: ☐

<b>Spills:</b>				
Type	Area	Volume		

In Containment: No

Comment: ☐ Multiple Spills and Releases?**Venting:**

Yes/No			
Comment:			
Corrective Action:		Date:	

**Flaring:**

Type		
Comment:		
Corrective Action:		Date:

**Environmental****Spill/Remediation:**

Comment: At the time of this inspection, Staff observed the excavation and loading of E&P waste from the former pit area for offsite disposal. Through conversations with the onsite Operator representative (Dick Noltube), Staff was informed that the E&P waste was being transported to the Washington County Landfill. Operator representative Jody Kost informed EPS Staff that the Operator had received prior approval to accept their E&P waste at the Washington County Landfill.

Corrective Action: Operator shall provide documentation of approval from Washington County Landfill and associated waste manifests (w/ total cubic yard count of impacted material) via Form 27 Supplemental, route to area EPS.

In accordance with Rule 913.e.(3), Operator shall continue quarterly reporting until the site investigation is complete and the implementation schedule can be updated. The most recent Form 27 Supplemental submission was received on May 11, 2023, and the following quarterly update was due August 9, 2023. ECMC has not received a quarterly update at this time, as of September 20, 2023.

Date: 09/28/2023

Emission Control Burner (ECB): \_\_\_\_\_

Comment: \_\_\_\_\_

Pilot: \_\_\_\_\_ Wildlife Protection Devices (fired vessels): \_\_\_\_\_

**Reclamation - Storm Water - Pit****Interim Reclamation:**

Date Interim Reclamation Started: \_\_\_\_\_ Date Interim Reclamation Completed: \_\_\_\_\_

Land Use: \_\_\_\_\_

Comment: \_\_\_\_\_

**1002 SITE PREPARATION AND STABILIZATION**

1002a. FENCING \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002b. SOIL REMOVAL AND SEGREGATION \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002c. PROTECTION OF SOILS \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1002E. SURFACE DISTURBANCE MINIMIZATION \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1003a. Waste and Debris removed? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

Unused or unneeded equipment onsite? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

Pit, cellars, rat holes and other bores closed? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

Guy line anchors marked? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_

Date \_\_\_\_\_

1003b. Area no longer in use? \_\_\_\_\_ Production areas stabilized ? \_\_\_\_\_

1003c. Compacted areas have been cross ripped? \_\_\_\_\_

1003d. Drilling pit closed? \_\_\_\_\_ Subsidence over on drill pit? \_\_\_\_\_

Cuttings management: \_\_\_\_\_

1003e. Areas no longer needed for drilling or subsequent operations for have been re-vegetated to 80% of pre-existing? \_\_\_\_\_

Production areas have been stabilized? \_\_\_\_\_ Segregated soils have been replaced? \_\_\_\_\_

**RESTORATION AND REVEGETATION**Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ Perennial forage re-established \_\_\_\_\_

Non-Cropland

Top soil replaced \_\_\_\_\_ Recontoured \_\_\_\_\_ 80% Revegetation \_\_\_\_\_

## 1003e. INTERIM VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% \_\_\_\_\_

TRANSECT RESULTS OF REFERENCE AREA% \_\_\_\_\_

TOTAL % OF DESIRABLE VEGETATION COVER \_\_\_\_\_

VEGETATIVE COVER \_\_\_\_\_

1003 f. Weeds Noxious weeds? \_\_\_\_\_

Comment \_\_\_\_\_

Corrective Action \_\_\_\_\_ Date \_\_\_\_\_

Overall Interim Reclamation

**Final Reclamation/ Abandoned Location:**

Date Final Reclamation Started: \_\_\_\_\_ Date Final Reclamation Completed: \_\_\_\_\_

Final Land Use: \_\_\_\_\_

Reminder: \_\_\_\_\_

Comment: \_\_\_\_\_

Well plugged \_\_\_\_\_ Pit mouse/rat holes, cellars backfilled \_\_\_\_\_

Debris removed **Fail** No disturbance /Location never built \_\_\_\_\_

Access Roads Regraded **Fail** Contoured **Fail** Culverts removed \_\_\_\_\_

Gravel removed \_\_\_\_\_

Location and associated production facilities reclaimed **Fail** Locations, facilities, roads, recontoured **Fail**

Compaction alleviation **Fail** Dust and erosion control \_\_\_\_\_

Non cropland: Revegetated 80% \_\_\_\_\_ Cropland: perennial forage \_\_\_\_\_

Weeds present **Fail** Subsidence \_\_\_\_\_

## 1004.d. FINAL VEGETATION TRANSECT

TRANSECT RESULTS OF DISTURBED AREA% \_\_\_\_\_

TRANSECT RESULTS OF REFERENCE AREA% \_\_\_\_\_

TOTAL % OF DESIRABLE VEGETATION COVER \_\_\_\_\_

VEGETATIVE COVER \_\_\_\_\_

Comment:

This location does not comply with Rule 1004. It does not appear any reclamation work has been performed at the location since the previous inspection (Doc #708200446) conducted on 08/03/2023. The Operator indicated on FIRR (doc #403526856) that the corrective action for Rule 1004 had been completed and final reclamation activities are ongoing. During this inspection, Staff observed that gravel and road base remains on the access road and former production areas which have not been decompacted, contoured, or graded to reflect reference areas. Areas not impacted by active remediation will need to be reclaimed ASAP, in accordance with 1004 Rules. Refer to attached inspection photos for documentation.

Corrective Action:

Comply with 1004 Rules immediately. Corrective action date is being back dated to when final reclamation activities should have been completed.

Date **07/22/2019**

Overall Final Reclamation

**Fail**Well Release on Active Location ☐Multi-Well Location ☐**Attached Documents**

You can go to COGCC Images (<https://cogcc.state.co.us/weblink/>) and search by document number:

Document Num	Description	URL
403536665	INSPECTION SUBMITTED	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6257771">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6257771</a>
708200561	Inspection Photos	<a href="http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6257770">http://ogccweblink.state.co.us/DownloadDocumentPDF.aspx?DocumentId=6257770</a>