

State of Colorado  
Oil and Gas Conservation Commission

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



Document Number:

401404380

Date Received:

09/15/2017

FIR RESOLUTION FORM

Overall Status: CAC

CA Summary:

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

1 CA Completed  
0 Factual Review Request

OPERATOR INFORMATION

OGCC Operator Number: 200077

Name of Operator: CHARLES P DUNNING LLC

Address: PO BOX 1365

City: FORT MORGAN State: CO Zip: 80701

Contact Name and Telephone:

Name: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Additional Operator Contact:

Contact Name

Phone

Email

Chuck Dunning

303-408-2575

chuck.dunning@me.com

dnr\_cogccenforcement@state.co.us

Axelson, John

john.axelson@state.co.us

COGCC INSPECTION SUMMARY:

FIR Document Number: 681700831

Inspection Date: 08/30/2017

FIR Submit Date: 09/05/2017

FIR Status: \_\_\_\_\_

Inspected Operator Information:

Company Name: CHARLES P DUNNING LLC

Company Number: 200077

Address: PO BOX 1365

City: FORT MORGAN State: CO Zip: 80701

LOCATION - Location ID: 319643

Location Name: JOLLY-PLATTS-63S58W Number: 34SWSW County: ADAMS

Qtrqr: SWS Sec: 34 Twp: 3S Range: 58W Meridian: 6

W

Latitude: 39.741250 Longitude: -103.866560

FACILITY - API Number: 05-001- -00 Facility ID: 200628

Facility Name: JOLLY-PLATTS Number: 1

Qtrqr: SWS Sec: 34 Twp: 3S Range: 58W Meridian: 6

W

Latitude: 39.741250 Longitude: -103.866560

CORRECTIVE ACTIONS:

1 CA# 97754

Corrective Action: Operator shall ensure unrestricted access to this site for COGCC inspectors/staff at all reasonable times pursuant to Rule 204.

Date: 08/30/2017

Response: CA COMPLETED

Date of Completion: 09/15/2017

Please refer to Operator Comment And Submittal page. Thanks

Operator  
Comment:

COGCC Decision:

COGCC  
Representative:

#### OPERATOR COMMENT AND SUBMITTAL

Comment: On the morning of 8-30-17, I was contacted via my wife's cell phone #303-990-2422. Mr. John Axelson told me that his field inspector was at the Jolly Platt #1 lease road gate and demanded that I give him the gate combination. I told him that the landowner instructed me to install the combination lock and further instructed me not to give the combination out and that I was to let no one in unless I was there. We have had vandals and theft at this location and he decided to try to control it with a locked gate. I offered to be at the gate in two hours, as I was in Fort Morgan and was 80 miles away and had no prior notice that he was going to be there. He said that would not work and I offered to be there later in the day or tomorrow. He said that would not work. He said that I was denying him access, at which time I again offered to be there as soon as I could drive the 80 miles. He asked for the landowner's phone number which I did not know from memory and could not give it to him at the time. A few days later I e-mailed Mr. Kalcevic's phone number to Mr. Axelson. I also stated that in the future, if the field inspectors would give me a reasonable time notice, I would be more than happy to meet them at the gate. I understand that Rule 204 authorizes the field inspector to inspect locations "at all reasonable times." I believe that under these circumstances without any prior notice of the field inspector's visit and the direction from the landowner, my efforts to meet the inspector at the location in two hours to open the gate, was entirely reasonable. One of the COGCC field inspectors told me that it is not uncommon for landowners that are close to the main highway to gate their access roads and there are numerous locked gates in the vicinity. He stated that he must give the pumpers ample notice to arrange to meet them at the gate and that this procedure has worked well in the past. It was never my intention to deny access to my location and I have never tried to interfere with an inspection in the past. I was only trying to accommodate my landowner's wishes as I must coexist with him. In the future, if the field inspectors call and establish a time frame, as they have requested from me when I have asked to meet them at a particular site, I will be there. One of my requests for an inspector to meet me at my location produced a reply of, "yes, give me 48 hours notice." I would respectfully request the same consideration. I believe we can solve this problem with simple communication between the operators and the field inspectors.

Respectfully,

Charles Dunning

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

Print Name: Chuck Dunning

Signed:

Title: Owner

Date: 9/15/2017 1:37:49 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>
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Total Attach: 0 Files