

State of Colorado
Oil and Gas Conservation Commission

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NOTICE OF ALLEGED VIOLATION - ISSUED

Per Rule 522, the Director has reasonable cause to believe that a violation of the Act, or of any Commission rule, order, or permit has occurred, the Director will require the operator to remedy the violation and may commence an enforcement action seeking penalties by issuing a Notice of Alleged Violation (NOAV). Per Rule 523, an operator who violates the Act, or a Commission rule, order, or permit may be subject to a penalty imposed by Commission order.

OPERATOR INFORMATION

OGCC Operator Number: 52060

Name of Operator: M E III CORPORATION

Address: 2670 PIERCE ST

City: WHEAT RIDGE State: CO Zip: 80214

Contact Name and Telephone:

Name: SCOTT ERNEST

Phone: (303) 233-2489 Fax: ()

Email: sernest1@hotmail.com

Well Location, or Facility Information (if applicable):

API Number: 05- - -00

Facility or Location ID: 241634

Name: PERRY

Number: 1

QtrQtr: NENE Sec: 25

Twp: 1N Range: 67W

Meridian: 6

County: WELD

ALLEGED VIOLATION

Rule: 603.f

Rule Description: Statewide Equipment, Weeds, Waste, and Trash Requirements

Initial Discovery Date:

Was this violation self-reported by the operator? No

Date of Violation:

Approximate Time of Violation:

Was this a discrete violation of obvious duration? No

Description of Alleged Violation:

Pursuant to Rule 603.f., all locations, including wells and surface production facilities, shall be kept free of the following: equipment, vehicles, and supplies not necessary for use on that lease.

On 09/18/2017 COGCC Staff performed an inspection of M E III Corporation's Perry #1 lease and noted unused equipment, including an unused, unmarked flowline riser in doc#684904387.

On 10/30/2018 COGCC Staff performed a followup inspection of M E III Corporation's Perry #1 lease and noted unused equipment, including an unused, unmarked flowline riser doc#691401305.

Operator failed to keep the location free of equipment, vehicles, and supplies not necessary for use on the lease, violating Rule 603.f.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 10/18/2017

Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.

Operator shall keep all locations free of the following: equipment, vehicles, and supplies not necessary for use on that lease.

Rule: 603.h

Rule Description: State Floodplain Requirements

Initial Discovery Date: _____ Was this violation self-reported by the operator? No
Date of Violation: _____ Approximate Time of Violation: _____
Was this a discrete violation of obvious duration? No

Description of Alleged Violation:

Pursuant to Rule 603.h.(2).B., effective June 1, 2015 for new and April 1, 2016 for existing, tanks, including partially buried tanks, and separation equipment must be anchored to the ground. Anchors must be engineered to support the Tank and separation equipment and to resist flotation, collapse, lateral movement, or subsidence.

On 09/18/2017 COGCC Staff performed an inspection of M E III Corporation's Perry #1 lease and noted separation equipment, water vault, and oil tank was not properly anchored in doc#684904387.

On 10/30/2018 COGCC Staff performed a followup inspection of M E III Corporation's Perry #1 lease and noted separation equipment, water vault, and oil tank was not properly anchored in doc#691401305.

Operator's separation equipment, water vault, and oil tank has no anchors, allowing for flotation, collapse, lateral movement, or subsidence.

Operator failed to anchor tank and separation equipment in a floodplain, violating Rule 603.h.(2).B.

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 10/18/2017

Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.

Operator shall install anchoring for separation equipment, water vault, and oil tank that is engineered to support the separation equipment, water vault, and oil tank and resist flotation, collapse, lateral movement, or subsidence.

Rule: 603.h

Rule Description: State Floodplain Requirements

Initial Discovery Date: _____ Was this violation self-reported by the operator? No
Date of Violation: _____ Approximate Time of Violation: _____
Was this a discrete violation of obvious duration? No

Description of Alleged Violation:

Pursuant to Rule 603.h.(2).C., effective June 1, 2015 for new and April 1, 2016 for existing, containment berms around all Tanks must be constructed of steel rings or another engineered technology that provides equivalent protection from floodwaters and debris.

On 09/18/2017 COGCC Staff performed an inspection of M E III Corporation's Perry #1 lease and noted earthen tank berms within a floodplain in doc#684904387.

On 10/30/2018 COGCC Staff performed a followup inspection of M E III Corporation's Perry #1 lease and noted earthen tank berms within a floodplain in doc#691401305.

Operator's use of earthen berm secondary containment within a floodplain does not provide a steel ring or engineered equivalent's protection from floodwaters and debris.

Operator failed to provide a steel ring or engineered equivalent's protection from floodwaters and debris, violating Rule 603.h.(2).C.

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 10/18/2017

Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.

Operator shall install steel containment rings or an engineered equivalent for secondary containment berms within the floodplain.

PENALTY

Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 523, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

ANSWER

Pursuant to Rule 522.d.(2), the operator must file an Answer to this NOAV within 28 days of its receipt, or a default judgement may be entered. Hard copy answers are filed with the Commission Secretary at the Commission's Denver office and should also be emailed to dnr_cogccenforcement@state.co.us.

NOAV ISSUED

NOAV Issue Date: 01/16/2020

COGCC Representative Signature:

Kira Gillette for
Conor Pesicka

COGCC Representative: Conor Pesicka

Title: Quality Assurance Profess

Email: conor.pesicka@state.co.us

Phone Num: (303) 894-2100x5164

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>
402288029	NOAV CERTIFIED MAIL RECEIPT
402288030	NOAV COVER LETTER

Total Attach: 2 Files