

State of Colorado
Oil and Gas Conservation Commission

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Document Number:
402839608
Date Issued:
10/12/2021
Date Resolved:

NOTICE OF ALLEGED VIOLATION - ISSUED

Per Rule 523, 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 525, 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: 2500

Name of Operator: AMOCO PRODUCTION COMPANY

Address: P O BOX 3092 ROOM 2.554

City: HOUSTON State: TX Zip: 77253-309

Contact Name and Telephone:

Name: Shauna Demattee

Phone: (720) 409-0842 Fax: ()

Email: shauna.demattee@bpx.com

Well Location, or Facility Information (if applicable):

API Number: 05-071-06094-00

Facility or Location ID:

Name: MGP ENTERPRISES A

Number: 4

QtrQtr: NWNE

Sec: 9

Twp: 34S

Range: 66W

Meridian: 6

County: LAS ANIMAS

ALLEGED VIOLATION

Rule: 1002.f

Rule Description: Stormwater Management

Initial Discovery Date: 07/22/2021

Was this violation self-reported by the operator? No

Date of Violation: 07/30/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Amoco Production Company, ("Operator") shall implement and maintain Best Management Practices ("BMPs") to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation. BMPs shall be maintained until the facility is abandoned and final reclamation is achieved pursuant to Rule 1004. Operator shall employ BMPs, as necessary to comply with this rule, at all oil and gas locations, including, but not limited to, well pads, soil stockpiles, access roads, tank batteries, compressor stations, and pipeline rights of way. BMPs shall be selected based on site specific conditions, such as slope, vegetation cover, and proximity to water bodies, and may include maintaining in-place some or all of the BMPs installed during the construction phase of the facility. Where applicable based on site specific conditions, Operator shall implement BMPs in accordance with good engineering practices including measures such as: C. Erosion controls designed to minimize erosion from unpaved areas, including operational well pads, road surfaces and associated culverts, stream crossings, and cut/fill slopes.

COGCC staff conducted an inspection on July 22, 2021 (document no. 690201856), of the MGP Enterprises #4 ("Location") and observed BMPs to control stormwater runoff in a manner that minimizes erosion, transport of sediment, and site degradation were inadequate. Specifically, the two rows of wattles implemented on the approximate 250 foot fill slope were not installed or maintained in accordance with good engineering practices, and were insufficient for the site's conditions. Staff required Operator to install or repair BMPs to comply with Rule 1002.f.(2) by July 30, 2021.

COGCC staff conducted a follow-up inspection on August 27, 2021 (document no. 690202007) and observed corrective actions to comply with Rule 1002.f.(2) have not been corrected.

Operator failed to maintain and implement BMP's in accordance with good engineering practices, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 10/15/2021

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

Operator shall immediately implement and maintain temporary erosion control BMPs in accordance with good engineering practices at the Location and access road pursuant to Rule 1002.f, until Final Reclamation activities are completed.
Upon completion of final reclamation activities, Operator shall implement long-term BMPs and maintain the BMPs in proper functioning condition per good engineering practices until Location receives a passing final reclamation inspection.

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

Initial Discovery Date: 07/22/2021

Was this violation self-reported by the operator? No

Date of Violation: 07/30/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1004.a, AMOCO PRODUCTION COMPANY ("Operator") shall, upon the plugging and abandonment of a well,...All debris, abandoned gathering line risers and flowline risers, and surface equipment shall be removed within three (3) months of plugging a well. All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and recontoured. Culverts and any other obstructions that were part of the access road(s) shall be removed. Well locations, access roads and associated facilities shall be reclaimed. As applicable, compaction alleviation, restoration, and revegetation of well sites, associated production facilities, and access roads shall be performed to the same standards as established for interim reclamation under Rule 1003. All other equipment, supplies, weeds, rubbish, and other waste material shall be removed. All such reclamation work shall be completed within twelve (12) months on non-crop land after plugging a well or final closure of associated production facilities.

On April 14, 2021, Operator submitted a Final Reclamation Plan (document no. 1517142) for the MGP Enterprises A #4 ("Location").

COGCC staff conducted an inspection on July 22, 2021 (document no. 690201856), of the Location, and observed final reclamation activities were not performed in accordance with 1004 Rules, or the Operator's Final Reclamation Plan. Specifically, staff observed that the Location and access road were not contoured to their original relative position, and culverts and rip-rap material remain along the access road. Staff required Operator to comply with 1004 Rules for final reclamation requirements.

COGCC staff conducted a follow-up inspection on August 27, 2021 (document no. 690202007), and observed corrective actions to comply with 1004 Rules for final reclamation have not been corrected.

Operator failed to perform final reclamation on the Location and access road, violating Rule 1004.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/11/2021

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

Conduct final reclamation in accordance with Operator's Final Reclamation Plan and Rule 1004.a on the Location and access road.

PENALTY

Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 525, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

ANSWER

Pursuant to Rule 523.c.(2), the operator must file an Answer to this NOAV within 28 days of its receipt, or a default judgment may be entered. Answers are filed by email to dnr_cogccenforcement@state.co.us.

NOAV ISSUED

NOAV Issue Date: 10/12/2021

COGCC Representative Signature: _____

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100 x5143

CORRECTIVE ACTION COMPLETED

Rule: 1002.f

Rule Description: Stormwater Management

Corrective Action Start Date: _____

Corrective Action Complete Date: _____

Has corrective action for this violation been performed as required? _____

Description of Actual Corrective Action Performed by Operator

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

Corrective Action Start Date: _____

Corrective Action Complete Date: _____

Has corrective action for this violation been performed as required? _____

Description of Actual Corrective Action Performed by Operator

FINAL RESOLUTION

Cause #: _____ Order #: _____ Docket #: _____

Enforcement Action: _____

Final Resolution Date: _____

Final Resolution Comments:

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>
402839649	NOAV ISSUED
402839652	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files