

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:  
403123726

Date Issued:  
08/02/2022

## 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: 10783

Name of Operator: ENVEX-BACA LLC

Address: 4515 PERSHING BLVD SUITE F

City: CHEYENNE State: WY Zip: 82001

Contact Name and Telephone:

Name: GEORGE KELLY

Phone: (888) 858-7886 Fax: ( )

Email: envexbaca@aol.com

### Well Location, or Facility Information (if applicable):

API Number: 05-009-06236-00

Facility or Location ID:

Name: PACKARD

Number: 1-X

QtrQtr: NWSE Sec: 15

Twp: 31S Range: 43W

Meridian: 6

County: BACA

### ALLEGED VIOLATION

Rule: 605.g.

Rule Description: General Sign Requirements

Initial Discovery Date: 01/31/2022

Was this violation self-reported by the operator? No

Date of Violation: 01/31/2022

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 605.g.(2), ENVEX-Baca, LLC ("Operator") will ensure that signs are well maintained and legible, and will replace damaged or vandalized signs within 30 days of discovery that the sign is no longer legible or is damaged.

COGCC staff conducted an inspection on January 31, 2022 (document no. 690202538) and a follow-up inspection on May 6, 2022 (document no. 690202874), of the PACKARD #1-X ("Location"), and observed the wellhead sign laying on the ground and information on the sign was illegible. Staff required Operator to install a sign that complies with the requirements of Rule 605.d.

Operator failed to ensure the sign at the wellhead was maintained and legible and failed to replace the sign within 30 days after COGCC staff notified Operator the sign was no longer legible, violating Rule 605.g.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 08/10/2022

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

Operator shall install a sign at the wellhead that meets the requirements of Rule 605.d.

Rule: 606

Equipment, Weeds, Waste, and Trash Requirements

Rule Description:

Initial Discovery Date: 01/31/2022

Was this violation self-reported by the operator? No

Date of Violation: 01/31/2022

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 606.a. and c., ENVEX-Baca, LLC ("Operator") shall keep the Packard #1-X ("Location") free from the storage, placement, or maintenance of equipment, vehicles, trailers, commercial products, Chemicals, drums, totes, Containers, materials, and all other supplies not necessary for use on an Oil and Gas Location; and c. keep the Location free from all Undesirable Plant Species.

COGCC staff conducted an inspection on January 31, 2022 (document no. 690202538) of the Location and observed a decimated polyethylene tank that was no longer usable and Undesirable Plant Species around the Location. Staff required Operator to remove the decimated tank and Undesirable Plant Species from the Location.

COGCC Staff conducted a follow-up inspection on May 6, 2022 (document no. 690202874), and observed the decimated tank and Undesirable Plant Species remained at the Location.

Operator failed to keep the Location free of supplies and equipment no longer necessary for use on an Oil and Gas Location and remove Undesirable Plant Species, violating Rule 606.a. and c.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 08/02/2022

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

Operator shall remove equipment and supplies not necessary for use and all Undesirable Plant Species from the Location.

Rule: 912.a.

Rule Description: Spills and Releases - General

Initial Discovery Date: 01/31/2022

Was this violation self-reported by the operator? No

Date of Violation: 01/31/2022

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.a.(1), ENVEX-Baca, LLC ("Operator") shall Immediately upon discovering any Spills or Releases of E&P Waste, produced Fluids, or unauthorized Releases of natural gas that meet the criteria of Rules 912.b.(1).H, I, or J, regardless of size or volume, Operators will control and contain the Spill or Release to protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources; and (2) Operator will investigate, clean up, and document impacts resulting from Spills and Releases as soon as the impacts are discovered.

COGCC staff conducted an inspection on January 31, 2022 (document no. 690202538) of the PACKARD #1-X ("Location") and observed a decimated polyethylene tank with a semi liquid substance at the tank bottom and stained soils around the tank. Staff required Operator to remove the stained soils and the decimated tank.

COGCC Staff conducted a follow-up inspection on May 6, 2022 (document no. 690202874), and observed the stained soils and decimated tank remained at the Location.

Operator failed to control and contain the Spill or Release and investigate, clean up, and document impacts resulting from Spills and Releases as soon as the impacts were discovered, violating Rule 912.a.(1) and (2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 08/02/2022

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

Operator shall remove the decimated polyethylene tank.

Operator shall investigate and clean up the stained soils on location and document impacts resulting from the Spill/Release.

## 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](mailto:dnr_cogccenforcement@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 08/02/2022

COGCC Representative Signature: 

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: [trent.lindley@state.co.us](mailto:trent.lindley@state.co.us)

Phone Num: (303) 894-2100 x5143

## 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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403123745	NOAV CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files