

State of Colorado
Oil and Gas Conservation Commission

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Document Number:

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Date Issued:

11/02/2022

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: 200565

Name of Operator: SUMMIT MIDSTREAM PARTNERS LLC

Address: 910 LOUISIANA ST STE 4200

City: HOUSTON State: TX Zip: 77002

Contact Name and Telephone:

Name: Michael Zeilstra

Phone: (832) 930-7815 Fax: ()

Email: michael.zeilstra@summitmidstream.com

Additional Operator Contacts

Email

Harold Rhodes

harold.rhodes@summitmidstream.com

Well Location, or Facility Information (if applicable):

API Number: 05- -00

Facility or Location ID: 480397

Name: P6 Lateral near GR12 Well Pad

Number:

QtrQtr: SE SE Sec: 6

Twp: 7S

Range: 92W

Meridian: 6

County: GARFIELD

ALLEGED VIOLATION

Rule: 1102

Rule Description: Operations, Maintenance, and Repair

Initial Discovery Date: 08/12/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/12/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1102.i.(1), Summit Midstream Partners, LLC. ("Operator") must take reasonable actions to prevent failures and leakage, and minimize corrosion of flowlines and crude oil transfer lines.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

Operator failed to take reasonable actions to prevent failures and leakage, and minimize corrosion of flowlines and crude oil transfer

lines, violating Rule 1102.i.(1).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 34-60-121(1) C.R.S.

Rule Description: Statutory violation

Initial Discovery Date: 11/10/2021

Was this violation self-reported by the operator? No

Date of Violation: 11/10/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to COGCC Conditions of Approval ("COAs") in Summit Midstream Partners, LLC ("Operator")'s Initial Form 19, Spill/Release Report (document no. 402778246), Operator is required to delineate the horizontal and vertical extent of the impacted area using Table 915-1 and remediate impacts to Table 915-1 standards; provide documentation in either a Supplemental Form 19 if contamination is cleaned up immediately and/or an Initial Form 27, Site Investigation and Remediation Workplan, if additional site investigation and remediation is required, or if groundwater is encountered during cleanup operations, and documentation must include a figure showing spill area with sample locations and laboratory results; additional information required by Rule 912.b.(4) shall be included on a Supplemental Form 19 no later than 10 days after the discovery of the spill; and within 90 days of the discovery of the spill, Operator will comply with spill/release closure requirements outlined in Rule 912.b.(6).

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 COAs describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

On October 25, 2022, Staff conducted a follow-up inspection (document no. 698100267) of the reported Release location, based on latitude and longitude provided by the Operator and in response to the lack of supplemental reporting on this Release.

Operator failed to timely submit the Supplemental Form 19, and as of November 2, 2022, Operator has not submitted a Supplemental Form 19 requesting closure of the Release, or an Initial Form 27 to document ongoing site investigation and remediation requirements, violating Operator's Form 19 COA and § 34-60-121(1)(a), C.R.S.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 608.e.

Rule Description: Mechanical Conditions

Initial Discovery Date: 08/12/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/12/2021

Approximate Time of Violation:

Description of Alleged Violation:

Pursuant to Rule 608.e, all Production Facilities, valves, pipes, fittings, and vessels must be securely fastened or sealed, inspected at regular intervals, and maintained in good mechanical condition. All equipment must be engineered, operated, and maintained within the manufacturer's recommended specifications.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

Operator failed to take reasonable actions to ensure that pipes were maintained in good mechanical condition, violating Rule 608.e.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 902.

Rule Description: Pollution

Initial Discovery Date: 08/12/2021

Was this violation self-reported by the operator? Yes

Date of Violation: 08/12/2021

Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 902.a., Summit Midstream Partners, LLC. ("Operator") will prevent Pollution. Pursuant to Rule 902.b., Operator will prevent adverse environmental impacts on any air, water, soil, or biological resource resulting from Oil and Gas Operations and will protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources. Pursuant to Rule 902.c., Operator will prevent the unauthorized discharge or disposal of oil, condensate, gas, or E&P Waste.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

On October 25, 2022, Staff conducted a follow-up inspection (document no. 698100267) of the reported Release location, based on latitude and longitude provided by the Operator and in response to the lack of supplemental reporting on this Release. Staff observed no signs of potential hydrocarbon impacts in the area.

Operator failed to prevent adverse environmental impacts on air, water, soil, or biological resources resulting from Oil and Gas Operations and failed to protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources, and prevent the unauthorized discharge of oil, condensate, gas, or E&P Waste, violating Rule 902.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 912.a.

Rule Description: Spills and Releases - General

Initial Discovery Date: 11/10/2021

Was this violation self-reported by the operator? No

Date of Violation: 11/10/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.a.(1), 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, Summit Midstream Partners, LLC ("Operator") will control and contain the Spill or Release to protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources. Pursuant to Rule 912.a.(2), Operator will investigate, clean up, and document impacts resulting from Spills and Releases as soon as the impacts are discovered.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. However, to date, Operator has failed to submit verifiable proof of this claim. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

On October 25, 2022, Staff conducted a follow-up inspection (document no. 698100267) of the reported Release location, based on latitude and longitude provided by the Operator and in response to the lack of supplemental reporting on this Release. Staff observed no signs of potential hydrocarbon impacts in the area. Staff reported, Operator has not submitted either a Supplemental Form 19 requesting closure of the Release, or an Initial Form 27 to document ongoing site investigation and remediation requirements.

Operator failed to control and contain the Spill or Release to protect and minimize adverse impacts to public health, safety, welfare, the environment, and wildlife resources and failed to investigate, clean up, and document impacts from Spills and Releases as soon as the impacts are discovered, violating Rule 912.a.(1) & (2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 08/22/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/22/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.b.(4), no later than 10 days after a Spill or Release is discovered, Summit Midstream Partners, LLC ("Operator") will have submitted a Supplemental Form 19, Spill/Release Report that includes information required under Rule 912.b.(4).A-D.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

Operator failed to file a Supplemental Form 19, Spill/Release Report providing the required information within 10 days after the Spill was discovered, violating Rule 912.b.(4).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 11/10/2021

Was this violation self-reported by the operator? No

Date of Violation: 11/10/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.b.(6), no later than 90 days after a Spill or Release is discovered, Summit Midstream Partners, LLC. ("Operator") will have submitted, and obtained the Director's approval of either a Form 19 – Supplemental requesting closure pursuant to Rule 913.h and supported by adequate documentation to demonstrate that the Spill or Release has been fully cleaned up and complies with Table 915-1 or a Form 27 Site Investigation and Remediation Workplan. If Remediation will continue under an approved Form 27, the Operator will also submit a Form 19 – Supplemental which requests closure of the Spill or Release and includes the Remediation project number assigned by the Director.

On August 12, 2021, Summit Midstream Partners, LLC. ("Operator") submitted an Initial Form 19, Spill/Release Report (document no. 402778246) for a natural gas release from an 8" pipeline (Spill/Release Point ID 480397; "Release") discovered on August 12, 2021. This report was conditionally approved by the COGCC Environmental Protection Specialist ("Staff") with 6 Conditions of Approval ("COAs") describing Release investigation and cleanup requirements.

On August 30, 2021, 18 days after the Discovery Date for this Release, the Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 402787512) indicating the impacted surface area measured 31 feet by 22 feet by 17 feet. Under Operator Comments, Operator indicated that initial clean up operations had been completed pending the laboratory results for confirmation samples. This report was approved by Staff with a General Comment indicating that the Supplemental Report was not received within 10 days of the Discovery Date, as required by Rule 912.b.(4).

As of November 2, 2022, Operator has not submitted a Supplemental Form 19 requesting closure of the Release, or an Initial Form 27 to document ongoing site investigation and remediation requirements, violating Rule 912.b.(6).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 11/02/2022

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

Operator will submit a detailed, comprehensive project summary via a Supplemental Form 19 Spill/Release Report to provide documentation of all work that has been completed to date in response to Spill/Release ID #480397. The update shall include complete horizontal and vertical delineation of impacts to soil and complete documentation of any soil sampling events (field photos, sample location maps, analytical summary tables, and complete laboratory reports) to demonstrate compliance with Table 915-1 criteria. The update shall address potential pathways to surface and groundwater for determination of use of the Table 915-1 Residential Soil Screening Levels or the Protection of Groundwater Soil Screening Levels. If the project update does not provide quantitative documentation of compliance with Table 915-1 criteria, the Operator shall submit an Initial Form 27 Site Investigation and Remediation Workplan for additional work that is required to ensure compliance with Table 915-1.

PENALTY

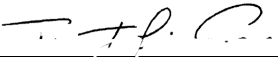
Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 525, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

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: 11/02/2022

COGCC Representative Signature: 

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100x5143

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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403217171	NOAV CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files