

State of Colorado  
Energy & Carbon Management Commission

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



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## 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

ECMC Operator Number: 96730  
Name of Operator: WILLIFORD ENERGY COMPANY  
Address: 6060 AMERICAN PLAZA SUITE 760  
City: TULSA State: OK Zip: 74135

Contact Name and Telephone:

Name: LARRY GROWNS  
Phone: (918) 495-2730 Fax: ( )  
Email: lgrowns@willifordenergy.com

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

API Number: 05-017-06622-00 Facility or Location ID:  
Name: RHOADES UNIT Number: 5-4  
QtrQtr: NENE Sec: 32 Twp: 13S Range: 48W Meridian: 6  
County: CHEYENNE

### ALLEGED VIOLATION

Rule: 1002.e

Rule Description: Surface Disturbance Minimization

Initial Discovery Date: 03/26/2024

Was this violation self-reported by the operator? No

Date of Violation: 03/26/2024

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.e.(1), in order to reasonably minimize land disturbances and facilitate future reclamation, Williford Energy Company ("Operator") shall locate, adequately size, construct, and maintain, well sites, production facilities, gathering pipelines, and access roads, so as to reasonably control dust and minimize erosion, alteration of natural features, removal of surface materials, and degradation due to contamination. Pursuant to Rule 1002.e.(4), to the greatest extent practicable, all vehicles used by Operator, contractors, and other parties associated with the well, shall not travel outside of the original access road boundary. Repeated or flagrant instance(s) of failure to restrict lease access to lease roads which result in unreasonable land damage or crop losses shall be subject to a penalty under Rule 523.

ECMC Staff conducted an inspection on March 26, 2024 (document no. 713600861), of the Rhoades Unit 5-4 (API# 05-017-06622, "Location") and observed vehicles had been driving outside of the access road boundary causing unnecessary land damage.

ECMC Staff conducted a follow-up inspection on May 30, 2024 (document no. 713601089), and observed that vehicles continued driving outside of the access road boundary to avoid driving through stormwater pooling in the middle of the access road.

ECMC Staff conducted a follow-up inspection on August 19, 2024 (document no. 713601331), and observed pooling water in the access road in multiple locations, leading to vehicles driving outside of the access road boundary to avoid driving through where the unmaintained access road held stormwater.

Operator failed to maintain the access road leading to unnecessary damage to the land outside the access road boundary, violating

Rule 1002.e.(1)&(4).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 02/03/2025

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

Operator will perform maintenance on the access road, including the cattle guard, so those traveling to the well do not travel outside of the original access road boundary. Operator will also reclaim all impacted disturbances outside of the access road boundary.

Rule: 1002.f

Rule Description: Stormwater Management

Initial Discovery Date: 03/26/2024

Was this violation self-reported by the operator? No

Date of Violation: 03/26/2024

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Williford Energy 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. 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: B. Materials handling and spill prevention procedures and practices implemented for material handling and spill prevention of materials used, stored, or disposed of that could result in discharges causing pollution of surface waters. 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.

ECMC Staff conducted an inspection on March 26, 2024 (document no. 713600861), of the Rhoades Unit 5-4 (API# 05-017-06622, "Location") and observed vehicles had been driving outside of the access road boundary causing unnecessary land damage. Staff also observed chemical barrels improperly stored with no secondary containment.

ECMC Staff conducted a follow-up inspection on May 30, 2024 (document no. 713601089), and observed that vehicles continued driving outside of the access road boundary to avoid driving through stormwater pooling in the middle of the access road. Staff also observed improperly stored chemical barrels with no secondary containment.

ECMC Staff conducted a follow-up inspection on August 19, 2024 (document no. 713601331), and observed pooling water in the access road in multiple locations, leading to vehicles driving outside of the access road boundary to avoid driving through where the unmaintained access road held stormwater. Staff also observed improperly stored chemical barrels with no secondary containment.

Operator failed to implement and maintain BMPs, in accordance with good engineering practices, to implement material handling and spill prevention of materials used, stored, or disposed of that could result in discharges causing pollution of surface waters, and to control potential sediment discharges, minimize erosion, transport of sediment offsite, and site degradation from operational roads and other unpaved areas, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 02/03/2025

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

Operator will comply with Rule 1002.f.(2) and implement and maintain stormwater control measures in accordance with good engineering practices, in order to implement material handling and spill prevention of materials used, stored, or disposed of that could result in discharges causing pollution of surface waters, and to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and degradation at the Location and access road.

Rule: 912.a.

Rule Description: Spills and Releases - General

Initial Discovery Date: 03/26/2024

Was this violation self-reported by the operator? No

Date of Violation: 03/26/2024

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.a.(2), Williford Energy Company ("Operator") will investigate, clean up, and document impacts resulting from Spills and Releases as soon as the impacts are discovered.

ECMC Staff conducted an inspection on March 26, 2024 (document no. 713600861), of the Rhoades Unit 5-4 (API# 05-017-06622, "Location") and observed a large area of stained soils from a spill that covered an area west and south of the well. Staff contacted the emergency number, which went to voicemail, and left a message notifying Operator of the spill. Staff required Operator to

immediately investigate, clean up, and document impacts resulting from Spills or Releases, in accordance with the requirements of Rule 912.

ECMC Staff conducted follow-up inspections on May 30, 2024 (document no. 713601089) and August 19, 2024 (document no. 713601331) and each time observed that corrective actions to investigate, clean up, and document impacts resulting from the spill were inadequate. Specifically, Staff observed Operator had spread sand over the stained soils rather than perform effective remediation.

Operator failed to investigate, clean up, and document impacts resulting from Spills and Releases as soon as the impacts are discovered, violating Rule 912.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 03/03/2025

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

Operator will clean or remove impacts on the Location, per Rule 912.a to Table 915-1 cleanup concentrations, pursuant to an approved Form 27, Site Investigation and Remediation Workplan which must be submitted by March 3, 2025.

Rule: 912.b.

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

Initial Discovery Date: 03/26/2024

Was this violation self-reported by the operator? No

Date of Violation: 03/26/2024

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.b.(1), Williford Energy Company ("Operator") will submit an initial report ("24 Hour Notification") of a Spill or Release of E&P Waste, natural gas, or produced Fluids that meet any of the following criteria to the Director verbally, via electronic mail, or on a Form 19, Spill/Release Report – Initial within 24 hours of discovery, unless otherwise specified below. A. A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly maintained road; B. A Spill or Release in which 1 Barrel or more of E&P Waste or produced Fluids is spilled or released outside of berms or other secondary containment; C. A Spill or Release of 5 Barrels or more of E&P Waste or Produced Fluids regardless of whether the Spill or Release is completely contained within berms or other secondary containment; E. The discovery of 10 cubic yards or more of impacted material resulting from a current or historic Spill or Release. Discovery and reporting will not be contingent upon confirmation samples demonstrating exceedance of Table 915-1 standards; G. A suspected or actual Spill or Release of any volume where the volume cannot be immediately determined, including a Spill or Release of any volume that daylight from the subsurface. Pursuant to Rule 912.b.(3), if Operator did not submit the 24 Hour Notification through a Form 19 – Initial, Operator will submit a Form 19 – Initial no less than 72 hours after discovery of the Spill or Release unless the Director extends the timeframe in writing. Pursuant to Rule 912.b.(6), no later than 90 days after a Spill or Release is discovered, Operator will have submitted and obtained approval of either: A. 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 B. A Form 27 if any of the criteria in Rules 912.b.(6)B.i-iii. Apply. If Remediation will continue under an approved Form 27, 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.

ECMC Staff conducted an inspection on March 26, 2024 (document no. 713600861), of the Rhoades Unit 5-4 (API# 05-017-06622, "Location") and observed a large area of stained soils from a spill that covered an area west and south of the well. Staff contacted the emergency number, which went to voicemail, and left a message notifying Operator of the spill. Staff required Operator to immediately investigate, clean up, and document impacts resulting from Spills or Releases, in accordance with the requirements of Rule 912.

On April 15, 2024, Operator submitted an Initial, Form 19, Spill/Release Report (403742551), stating the "Rhoades Unit 5-4 wellhead leak of less than 0.5 bbl total has been cleaned." ECMC Staff provided Conditions of Approval requiring Operator to submit a Form 19, Supplemental Spill/Release Report for the spill within 90 days of the spill date 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 if any of the criteria listed in Rules 912.b.(6)B.i-iii apply. Staff also stated that if Remediation will continue under an approved Form 27, Operator will also submit a Supplemental, Form 19, requesting closure of the Spill or Release and include the Remediation projection number assigned by the Director.

ECMC Staff conducted follow-up inspections on May 30, 2024 (document no. 713601089) and August 19, 2024 (document no. 713601331) and each time observed that corrective actions to investigate, clean up, and document impacts resulting from the spill were inadequate. Specifically, Staff observed Operator had spread sand over the stained soils rather than perform effective remediation.

On November 21, 2024, Operator submitted a Subsequent, Form 19, Spill/Release Report (403977613) stating, "a compromised seal on the wellhead resulted in fluid to leak to the ground surface. The contaminated soil has been excavated. It was taken to bio-remediation at Williford's gas plant yard and placed in a lined containment where the contaminated soil was fertilized and stirred until it was clean." ECMC Staff provided Conditions of Approval requiring Operator to immediately submit an Initial, Form 27, Site Investigation and Remediation Workplan for ongoing Remediation Activities associated with Spill ID: 486488.

As of January 22, 2025, Operator has not submitted adequate documentation to demonstrate the Spill or Release has been cleaned up and complies with Table 915-1 and has not submitted an Initial, Form 27, Site Investigation and Remediation Workplan for ongoing Remediation Activities associated with Spill ID 486488.

Operator failed to submit an Initial, Form 19, Spill/Release Report after the discovery of a reportable spill or release, and failed to submit a Supplemental, Form 19, Spill/Release Report for the spill within 90 days of the spill date 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 if any of the criteria listed in Rules 912.b.(6).B.i-iii apply, also submitted with a Supplemental Form 19, requesting closure under a Form 27 and Remediation Project number, violating Rule 912.b(1), (3) & (6).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 03/03/2025

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

Operator will clean or remove impacts on the Location, per Rule 912.a to Table 915-1 cleanup concentrations, pursuant to an approved Form 27, Site Investigation and Remediation Workplan which must be submitted by March 3, 2025.

## 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\\_ecmc\\_enforcement@state.co.us](mailto:dnr_ecmc_enforcement@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 02/03/2025

ECMC Representative Signature: \_\_\_\_\_

ECMC Representative: Trent Lindley

Title: NOAV Specialist

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

Phone Num: (720) 765-0031

## CORRECTIVE ACTION COMPLETED

Rule: 1002.e

Rule Description: Surface Disturbance Minimization

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: 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: 912.a.

Rule Description: Spills and Releases - General

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: 912.b.

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

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 ECMC website (<http://ecmcweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
404079143	NOAV CERTIFIED MAIL RECEIPT
404079147	NOAV ISSUED

Total Attach: 2 Files