

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
401201222  
Date Issued:  
02/02/2017  
Date Resolved:

## 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: 8667	Contact Name and Telephone:
Name of Operator: PETROGLYPH OPERATING CO INC ADBA PETROGLYPH ENERGY	Name: Paul Powell
Address: 960 BROADWAY AVE SUITE 500	Phone: (208) 685-7665 Fax: ( )
City: BOISE State: ID Zip: 83706	Email: ppowell@pgei.com

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

API Number: 05-055-06219-00	Facility or Location ID:
Name: STATE	Number: 7W
QtrQtr: SWNE Sec: 36	Twp: 28S Range: 67W Meridian: 6
County: HUERFANO	

### ALLEGED VIOLATION

Rule: 1002.f	
Rule Description: Stormwater Management	
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:	
<p>Pursuant to Rule 1002.f.(2), Petroglyph Operating Co Inc ADBA Petroglyph Energy (Operator) is required to implement and maintain Best Management Practices (BMPs) at the State 7W well, API 055-06219, (Well) to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation until Final Reclamation has been achieved. During an inspection of the Well location on September 1, 2016 (Document #673503721), COGCC staff observed erosion occurring off the northwest side of the location. Document #673503721 required corrective action to install stormwater BMPs to return the location to compliance by October 14, 2016. During an inspection of the Well location on December 1, 2016 (Document #673503909), COGCC staff observed that the signs of erosion at the northwest side of the location and BMPs were not installed. Operator failed to install required BMPs to return the Well location to compliance, violating Rule 1002.f.(2).</p>	
Abatement or Corrective Action Required to be Performed by Operator: Corrective Action Due Date: 10/14/2016	
<b>Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.</b>	
Operator shall immediately install or repair required BMPs in a manner that minimizes erosion, transport of sediment offsite, and site degradation to return the Well location to compliance.	
Rule: 1004	
Rule Description: Final Reclamation of Well Sites and Associated Production Facilities	
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 1004.e., Petroglyph Operating Co Inc ADBA Petroglyph Energy (Operator) is required to keep areas being reclaimed as free of all undesirable plant species designated to be noxious weeds as practicable. It is the responsibility of the operator to monitor affected and reclaimed lands for noxious weed infestations. COGCC may require a weed control plan. During an inspection of the State 7W well, API 055-06219, (Well) September 1, 2016 (Document #673503721), COGCC staff observed noxious weeds present at the location. Document #673503721 required Operator to remove and control noxious weed growth by October 14, 2016. During an inspection of the Well location on December 1, 2016 (Document #673503909) COGCC staff observed that the required work to remove and control noxious weeds was not completed, violating Rule 1004.e.

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 10/14/2016

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

Operator shall submit a weed control plan and completed weed control at the Well location.

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

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 1004.a., Petroglyph Operating Co Inc ADBA Petroglyph Energy (Operator) is required to revegetate impacted areas at well locations in preparation for completing Final Reclamation. During an inspection of the State 7W well, API 055-06219, (Well) September 1, 2016 (Document #673503721), COGCC staff observed vegetation has not been established. Document #673503721 required Operator to reseed and stabilize areas of the Well location to facilitate vegetation establishment by November 30, 2016. During an inspection of the Well location on December 1, 2016 (Document #673503909) COGCC staff observed that the required Corrective Actions were not completed, violating Rule 1004.a.

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 11/30/2016

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

Operator shall reseed and stabilize areas of the Well location to facilitate vegetation establishment.

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

**NOAV ISSUED**

NOAV Issue Date: 02/02/2017

COGCC Representative Signature: \_\_\_\_\_

COGCC Representative: Margaret Ash Title: Field Inspection Unit Man

Email: [margaret.ash@state.co.us](mailto:margaret.ash@state.co.us) Phone Num: (303) 894-2100x5110

**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

Rule Description: Final Reclamation of Well Sites and Associated Production Facilities

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>
401201239	NOAV COVER LETTER
401201240	NOAV CERTIFIED MAIL RECEIPT
401201395	NOAV ISSUED

Total Attach: 3 Files