

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:

401201230

Date Issued:

02/03/2017

**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

Name of Operator: PETROGLYPH OPERATING CO INC ADBA PETROGLYPH ENERGY

Address: 960 BROADWAY AVE SUITE 500

City: BOISE State: ID Zip: 83706

Contact Name and Telephone:

Name: Paul Powell

Phone: (208) 685-7665 Fax: ( )

Email: ppowell@pgei.com

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

API Number: 05-055-06221-00

Facility or Location ID:

Name: STATE

Number: 9W

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:

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 9W well, API 055-06221, (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 #673503723), COGCC staff observed erosion occurring along the access road and at the southeast and south side of the location. Document #673503723 required corrective action to install or repair stormwater BMPs by October 14, 2016. During an inspection of the Well location on December 1, 2016 (Document #673503911), COGCC staff observed that the signs of erosion were still present and BMPs were not installed or repaired. Operator failed to install or repair BMPs to bring the Well location to compliance, violating Rule 1002.f.(2).

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 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 9W well, API 055-06221, (Well) September 1, 2016 (Document #673503723), COGCC staff observed noxious weeds present along the access road at the location. Document #673503723 required Operator to remove and control noxious weed growth by November 30, 2016. During an inspection of the Well location on December 1, 2016 (Document #673503911) 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: 11/30/2016

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

Operator shall remove and control noxious weed growth.

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 remove all debris and revegetate impacted areas at well locations in preparation for completing Final Reclamation. During an inspection of the State 9W well, API 055-06221, (Well) September 1, 2016 (Document #673503723), COGCC staff observed vegetation has not been established and there were piles of straw debris at the west side of the location and plastic debris along the southeast side. Document #673503723 required Operator to remove plastic debris and piles of straw debris and 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 #673503911) 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 remove plastic debris and piles of straw debris and 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: 02/03/2017

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

**ATTACHMENT LIST**

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

Document Number	Description
401201247	NOAV COVER LETTER
401201248	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files