



COLORADO

Oil & Gas Conservation  
Commission

Department of Natural Resources

1120 Lincoln Street, Suite 801  
Denver, CO 80203

## WARNING LETTER # 401142388

03/07/2017

ENERGY SEARCH CO ADBA ENERGY SEARCH CO INC (#  
27635)

Jack McCartney  
jack@mccartneyengineering.com

4251 Kipling Street, Suite 575  
Wheat Ridge, CO 80033

Brett Robuck (rpllc@msn.com)

SPILL/RELEASE POINT (Facility ID # 447959)  
SENW, 20, 1S, 67W, ADAMS

**This Warning Letter is to inform you that ENERGY SEARCH CO ADBA ENERGY SEARCH CO INC (“Operator”) may be in violation of the rules and regulations of the Colorado Oil and Gas Conservation Commission (“COGCC”) and corrective action is required.**

The COGCC has reasonable cause to believe that the Operator has committed one or more violations of the Oil and Gas Conservation Act, or of a rule, regulation, or order of the Commission, or of a permit issued by the Commission. The Operator is required to comply with this Warning Letter by the **Corrective Action Deadline Date(s)** to resolve the alleged violation(s). Failure to do so will result in the issuance of a Notice of Alleged Violation and initiation of enforcement proceedings in which COGCC will seek monetary penalties for the alleged violations pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1.

### Alleged Violation(s) and Required Corrective Action(s):

#### 906.b Spill Reporting

Description of Alleged Violation: Pursuant to Rule 906.b., Energy Search Company (Operator) is required to 1) notify the COGCC no more than 24 hours after discovery of a reportable spill/release, 2) notify the designated local government agent not more than 24 hours after discovery of a reportable spill/release, 3) submit a Form 19, Initial Spill/Release Report, not more than 72 hours after discovery of a Spill/Release, and 4) submit a Form 19, Supplemental Spill/Release Report, not more than 10 calendar days after discovery of a reportable spill/release. On September 15, 2016, Operator discovered a reportable release at SENW Sec 20, T1S, R67W in Adams County, Colorado (Spill/Release #447959). Spill/Release #44959 was not reported to COGCC staff until September 20, 2016 and was not reported to the local government until September 23, 2016. The Form 19, Initial Spill/Release Report, (Document #401117475) was not submitted until September 26, 2016 and a Form 19, Supplemental Spill/Release Report, has not been received by COGCC to date. Operator failed to timely notify the COGCC and designated local government agent and failed to timely submit Form 19 spill reporting, violating Rule

P 303.894.2100 F 303.894.2109 [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc)

Commissioners: Andrew L. Spielman - Chairman, Ashley L. Ager, John H. Benton,  
James W. Hawkins, Tommy Holton, Kent Jolley, W. Perry Pearce, Robert W. Randall, Dr. Larry Wolk  
John W. Hickenlooper, Governor | Robert W. Randall, Executive Director, DNR | Matthew J. Lepore, Director





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906.b.

**Required Corrective Action:** Operator submitted well API number 05-001-07298 in the Form 19, Initial Spill/Release Report, (Document #401117475) when API number 05-001-07287 should have been entered on the form. Operator is required to submit a Supplemental Spill/Release Report for Spill ID #447959 within 10-days of receipt of this letter with an update on the status of the remediation. Provide a soil sample location diagram, summary table of sample results compared to Table 910-1 standards, copy of the lab report and disposal documentation for E&P waste disposed off site. If remediation is ongoing, provide a description of the work completed to date and a schedule and description of the work planned to complete the remediation. Provide this information in the Supplemental Spill/Release Report required within 10-days. Once the remediation work is completed for Spill/Release #447959, then Operator must submit another Form 19, Supplemental Spill/Release Report, requesting closure of the spill report with all required sampling and disposal documentation. The form submissions must use the correct API number, 05-001-07287.

**Corrective Action Deadline Date:** 03/17/2017

### **How to Comply with Warning Letter:**

Operator shall complete the Required Corrective Action(s) above within the deadline(s) provided. Upon completion of the Corrective Action(s), Operator shall provide notice and evidence of completion to the COGCC staff identified below by the Corrective Action Deadline Date(s):

COGCC Enforcement: Steven Mah  
Email: [Steven.Mah@state.co.us](mailto:Steven.Mah@state.co.us)

Title: NOAV Specialist  
Phone Num: (303) 894-2100 x5172

COGCC Representative: Chris Canfield  
Email: [chris.canfield@state.co.us](mailto:chris.canfield@state.co.us)

Title: Environmental Protection  
Phone Num: (303) 894-2100x5183

If you have any procedural questions about this Warning Letter, please contact Steven Mah.  
If you have any technical questions about this Warning Letter, please contact the COGCC Representative identified above.

### **Failure to Comply with Warning Letter:**

If the Operator fails to perform Required Corrective Action(s) on or before the Corrective Action Deadline Date(s) stated above the COGCC will issue a Notice of Alleged Violation and seek penalties pursuant to § 34-60-121, C.R.S. and Rule 523, COGCC Rules of Practice and Procedure, 2 CCR 404-1.

All well data, rules and forms are available on our website at [www.colorado.gov/cogcc](http://www.colorado.gov/cogcc).







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1120 Lincoln Street, Suite 801  
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Sincerely,

*Steven Mah for Chris Canfield*

Chris Canfield  
Environmental Protection  
(303)894-2100x5183  
chris.canfield@state.co.us

**Attachments**

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

**Document Number    Description**

401226842	WARNING LETTER CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files

