

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
401343967  
Date Issued:  
07/17/2017  
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: 26400  
Name of Operator: WESTERN GAS RESOURCES, INC  
Address: P O Box 173779  
City: Denver State: CO Zip: 80217  
Contact Name and Telephone:  
Name: Cheryl Light  
Phone: (720) 929-6461 Fax: ( )  
Email: cheryl.light@anadarko.com

Well Location, or Facility Information (if applicable):

API Number: 05-067-06178-00 Facility or Location ID:  
Name: NORTH ALKALI GULCH Number: 14-22  
QtrQtr: SWSW Sec: 22 Twp: 34N Range: 12W Meridian: M  
County: LA PLATA

ALLEGED VIOLATION

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, upon the plugging and abandonment of a well, Western Gas Resources, Inc. (Operator) shall: 1) backfill all pits, mouse and rat holes, and cellars; 2) remove all debris and surface equipment within three (3) months; 3) reclaim well locations, access roads, culverts, and associated facilities; and 4) as applicable, perform restoration and revegetation work at well sites, associated production facilities, and access roads to the same standards established for interim reclamation under Rule 1003. All such reclamation work shall be completed within twelve (12) months on non-crop land after plugging a well or final closure of associated production facilities. All areas being reclaimed shall be kept as free as practicable of all undesirable plant species designated to be noxious weeds. Operator plugged and abandoned the North Alkali Gulch #14-22 well, API 05-067-06178, (Well) at Location #385549 on May 8, 2004 (Document #1162407). During an inspection of Location #385549 on July 17, 2012 (Document #668200030), COGCC staff observed that the location was not reclaimed and a pipeline riser and markers remained at the location. Document #668200030 required the Operator to remove the riser and obtain a Rule 502.b. variance to leave the lease road or remove and reclaim it by October 31, 2012. During an inspection of Location #385549 on September 19, 2012 (Document #668200154), COGCC staff met with Operator representatives to evaluate final reclamation requirements. Document #668200154 required Operator to remove the riser and remove the lease road or apply for a variance by December 31, 2012. During an inspection of Location #385549 on August 11, 2016 (Document #680600884), COGCC staff observed that corrective actions noted in the previous inspections have not been addressed. Approximately 2,000 spotted knapweed, 500 musk thistle, 100 leafy spurge, and 50 yellow toadflax were observed within the project area. Document #680600884 noted that the location has been out of compliance since 2005. This inspection required the Operator to reclaim the well pad, access road, and pit area and remove all oil and gas equipment. Document #680600884 also required the Operator to control weeds and stormwater erosion until the location is revegetated. Weeds were to be controlled by September 23, 2016. Final reclamation activities were required to be conducted by November 1, 2016. In September 2016, the Operator requested an extension to the Corrective Action Date to control weeds via a telephone call to COGCC staff. COGCC staff reviewed the request and approved an extension to the corrective action date to October 21, 2016. On November 4, 2016 (Document #401143540), the Operator submitted a Form 4, Sundry Notice, requesting an extension to conduct reclamation to May 31, 2017. This request was reviewed by COGCC staff and denied because the request was made four days after the corrective action date, the location has been out of compliance since 2005, and that corrective actions from

inspections conducted in 2012 were not addressed. During an inspection of Location #385549 on May 25, 2017 (Document #680601637), COGCC staff observed that reclamation was not conducted on the location. Spotted knapweed, musk thistle, and leafy spurge were growing on the location. It is not apparent whether weeds were treated in fall 2016. Document #680601637 required the Operator to reclaim the well pad, access road, and pit area and remove all oil and gas equipment. This inspection also required the Operator to control weeds and stormwater erosion until the location is revegetated. Document #680601637 restated the requirement for all of these Final Reclamation activities to begin immediately as of the date Document #680600884 was entered, November 1, 2016 for reclamation activities and the extended October 21, 2016 corrective action date for noxious weed control. To date Operator has not conducted final reclamation in the project area, removed riser, or controlled noxious weeds, violating Rule 1004.

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 11/01/2016

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

Operator shall reclaim the access road, well pad, and pit area. The riser shall be removed and the weeds shall be controlled.

### 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: 07/17/2017

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

COGCC Representative: Margaret Ash

Title: Field Inspection Unit Man

Email: margaret.ash@state.co.us

Phone Num: (303) 894-2100x5110

### CORRECTIVE ACTION COMPLETED

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>
401344391	NOAV CERTIFIED MAIL RECEIPT
401344406	NOAV COVER LETTER
401346936	NOAV ISSUED

Total Attach: 3 Files