

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
401201207  
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: 05-055-06202-00	Facility or Location ID:
Name: PASSOW	Number: 22-08
QtrQtr: SENE Sec: 22	Twp: 28S Range: 67W Meridian: 6
County: HUERFANO	

**ALLEGED VIOLATION**

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:	
<p>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 Passow 22-08 well, API 055-06202, (Well) February 9, 2016 (Document #673503141), COGCC staff observed List B noxious weeds present in disturbed areas at the location. Document #673503141 required Operator to submit a detailed weed control plan, attached to a Form 4, Sundry Notice, with a schedule of the planned work activities. The deadline for submission of the weed control plan was March 21, 2016 and required that weed control commence no later than spring of 2016. During inspections of the Well location on July 11, 2016 (Document #673503493); September 1, 2016 (Document #673503713); and December 1, 2016 (Document #673503921); COGCC staff observed that the required work to keep disturbed areas free of noxious weeds was not completed, and a weed control plan was never submitted. Document #673503493, Document #673503713, and Document #673503921 required removal and control of noxious weed growth. The operator was requested to submit a Form 4, Sundry Notice, including photographs and documentation to demonstrate completion of the required corrective actions, but no Form 4, Sundry Notice, documenting any work has been submitted to date. To date, Operator has not submitted a weed control plan or completed weed control at the Well location, violating Rule 1004.e.</p>	
Abatement or Corrective Action Required to be Performed by Operator:	Corrective Action Due Date: 03/21/2016
<b>Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.</b>	
Operator shall submit a weed control plan and complete 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., upon plugging and abandonment of a well, Petroglyph Operating Co Inc ADBA Petroglyph Energy (Operator) is required to close, grade, recontour, remove culverts, and reclaim all access roads to plugged and abandoned wells and associated production facilities. This work must be completed within twelve (12) months after plugging on non-crop lands. The Passow 22-08 well, API 055-06202, (Well) was plugged and abandoned on September 29, 2011 (Document #2507693) and the access road to this Well and associated production facilities should have been closed, regraded and recontoured, culverts removed, and reclaimed by September 29, 2012. During an inspection of the Well location on February 9, 2016 (Document #673503141), COGCC staff observed the access road to the Well is not reclaimed. Gravel/culverts remain and there is still an electrical box/panel along the access road and at the location. The location is not recontoured. Document #673503141 required Operator to submit a detailed reclamation plan, attached to a Form 4, Sundry Notice, with a schedule of the planned work activities. The deadline for submission of the reclamation plan was March 21, 2016. It was required that reclamation commence no later than spring of 2016. During inspections of the Well location on July 11, 2016 (Document #673503493); September 1, 2016 (Document #673503713); and December 1, 2016 (Document #673503921); COGCC staff observed that the required work to reclaim the access road was not commenced and the required reclamation plan was never submitted. Document #673503493, Document #673503713, and Document #673503921 required the removal of gravel, culverts, equipment, utilities, and to reclaim the access road and location as required. The operator was requested to submit a Form 4, Sundry Notice, including photographs and documentation to demonstrate completion of the required corrective actions, but no Form 4, Sundry Notice, documenting any work has been submitted to date. To date, Operator has not reclaimed the access road or the location, violating Rule 1004.

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_

Corrective Action Due Date: 03/21/2016

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

Operator shall close, grade, recontour, remove culverts, remove equipment, remove utilities, and reclaim the access road and location.

**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 Phone Num: (303) 894-2100x5110

**CORRECTIVE ACTION COMPLETED**

Rule: 1004

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

Corrective Action Start Date: \_\_\_\_\_

Corrective Action Complete Date: 04/21/2017

Has corrective action for this violation been performed as required? Yes

Description of Actual Corrective Action Performed by Operator

Reclamation plans submitted by Form 4, Sundry Notice, on April 21, 2017.

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

Corrective Action Start Date:

Corrective Action Complete Date: 04/21/2017

Has corrective action for this violation been performed as required? Yes

Description of Actual Corrective Action Performed by Operator

Reclamation plans submitted by Form 4, Sundry Notice, on April 21, 2017.

### FINAL RESOLUTION

Cause #: 1V

Order #: 638

Docket #: 170600183

Enforcement Action: Administrative Order of Consent

Final Resolution Date: 07/24/2017

Final Resolution Comments:

Resolved by Order 1V-638. Reclamation efforts are ongoing.

### 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>
401201237	NOAV COVER LETTER
401201238	NOAV CERTIFIED MAIL RECEIPT
401201392	NOAV ISSUED
401201393	NOAV IN PROCESS
401210228	NOAV CERTIFIED MAIL RETURN RECEIPT

Total Attach: 5 Files