

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:  
401238912  
Date Issued:  
03/21/2017  
Date Resolved:  
10/26/2017

## NOTICE OF ALLEGED VIOLATION - RESOLVED

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: 33825  
Name of Operator: GEOTECH PRODUCTION INC  
Address: 7844 S ESPANA WAY  
City: AURORA State: CO Zip: 80016-1918

Contact Name and Telephone:

Name: Ralph Henderson  
Phone: (303) 888-7373 Fax: ( )  
Email: hap7844@aol.com

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

API Number: 05- -00 Facility or Location ID: 403644  
Name: STATE-62N54W Number: 16SENW  
QtrQtr: SENW Sec: 16 Twp: 2N Range: 54W Meridian: 6  
County: WASHINGTON

### 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:

Pursuant to Rule 1004, upon the plugging and abandonment of a well, Geotech Production 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, 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. Operator plugged and abandoned the State #1X-16 well, API 121-09694, (Well) at Location #403644 on June 1, 2007 (Document #1917446). During an inspection of Location #403644 on July 28, 2010 (Document #200264573), COGCC staff observed that three pits remained open, fencing remained around the pits in disrepair, and trash remained on the location in the pasture. Document #200264573 required Operator to secure COGCC approval, through a Form 27, Site Investigation and Remediation Workplan, and close the pits by October 1, 2010. During an inspection of Location #403644 on July 5, 2012 (Document #668700036), COGCC staff observed that the pits and fencing were still present on the location. Document #668700036 required Operator to secure COGCC approval, through a Form 27, Site Investigation and Remediation Workplan, and close the pits by July 26, 2012. During an inspections of the Location #403644 on March 16, 2016 (Document #682500508), COGCC staff observed that the site has inadequate vegetative cover; fence, pipe, and other debris remained on location; and the pit has not been reclaimed. Document #682500508 noted the passed due corrective action deadline of October 1, 2010, and required Operator to secure COGCC approval, through a Form 27, Site Investigation and Remediation Workplan, and close the pit as required by Rule 909. Document #682500508 also required Operator to remove debris and remaining equipment; establish vegetation with total perennial non-invasive plant cover of at least 80% of pre-disturbance or reference area levels using a seed mixture matching adjacent pastureland or a seed mixture requested by the landowner; and ensure erosion controls are implemented and maintained until Final Reclamation has been passed. All of these Final Reclamation activities were required to begin immediately as of the date Document #682500508 was entered, March 18, 2016. During an inspection of Location #403644 on August 31, 2016 (Document #682501283), COGCC staff observed the fence around the pit and the pipe within the pit was removed but debris, gravel, and stained soil remain on location, and no other reclamation work appeared to have been conducted. Document #682501283 required Operator to secure COGCC approval, through a Form 27, Site Investigation and Remediation Workplan, and close the pit as required by Rule 909.

Document #682501283 also required Operator to remove debris and remaining equipment; establish vegetation with total perennial non-invasive plant cover of at least 80% of pre-disturbance or reference area levels using a seed mixture matching adjacent pastureland or a seed mixture requested by the landowner; and ensure erosion controls are implemented and maintained until Final Reclamation has been passed. Document #682501283 restated the requirement for all of these Final Reclamation activities to begin immediately as of the date Document #682500508 was entered, March 18, 2016. During an inspection of Location #403644 on February 17, 2017 (Document #682501671), COGCC staff observed debris, gravel, and stained soil remain on location, and no other reclamation work appeared to have been conducted. Document #682501671 required Operator to secure COGCC approval, through a Form 27, Site Investigation and Remediation Workplan, and close the pit as required by Rule 909. Document #682501671 also required Operator to remove debris and remaining equipment; establish vegetation with total perennial non-invasive plant cover of at least 80% of pre-disturbance or reference area levels using a seed mixture matching adjacent pastureland or a seed mixture requested by the landowner; and ensure erosion controls are implemented and maintained until Final Reclamation has been passed. Document #682501671 restated the requirement for all of these Final Reclamation activities to begin immediately as of the date Document #682500508 was entered, March 18, 2016. To date Operator has not submitted a Form 27, Site Investigation and Remediation Workplan, or completed the other Final Reclamation corrective actions noted in multiple inspections, including Document #682501671, violating Rule 1004 and Rule 909.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 03/18/2016

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

Operator shall submit a Form 27, Site Investigation and Remediation Workplan, for COGCC approval prior to closing the pit (Facility ID #119830) as required by Rule 909. The remediation plan shall also address the removal and proper treatment or disposal of any other remaining E&P waste on location. Operator shall remove debris and remaining equipment; establish vegetation with total perennial non-invasive plant cover of at least 80% of pre-disturbance or reference area levels using a seed mixture matching adjacent pastureland or a seed mixture requested by the landowner; and ensure erosion controls are implemented and maintained until Final Reclamation has been passed.

### 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: 03/21/2017

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: 1004

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

Corrective Action Start Date:

Corrective Action Complete Date: 04/13/2017

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

Description of Actual Corrective Action Performed by Operator

On April 13, 2017, Geotech submitted a Form 27, Site Investigation and Remediation Workplan, for the Location noting that Geotech had removed remaining debris and equipment from the location and taken initial sampling of the Pit facility (Doc.No. 401257846; Remediation Project No. 10134)

### FINAL RESOLUTION

Cause #: 1V

Order #: 640

Docket #: 170600304

Enforcement Action: Administrative Order of Consent

Final Resolution Date: 07/24/2017

Final Resolution Comments:

Resolved by Order 1V-640. Reclamation efforts ongoing.

## ATTACHMENT LIST

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

| <b><u>Document Number</u></b> | <b><u>Description</u></b>          |
|-------------------------------|------------------------------------|
| 401238912                     | NOAV APPROVED                      |
| 401238970                     | NOAV COVER LETTER                  |
| 401238971                     | NOAV CERTIFIED MAIL RECEIPT        |
| 401239018                     | NOAV ISSUED                        |
| 401239020                     | NOAV IN PROCESS                    |
| 401259237                     | NOAV OPERATOR ANSWER               |
| 401272250                     | NOAV CERTIFIED MAIL RETURN RECEIPT |

Total Attach: 7 Files