

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:

402672658

Date Issued:

04/27/2021

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: 10759

Name of Operator: ORGANIC ENERGY COMPANY LLC

Address: 1318 SMEDE HWY (HWY 92)

City: BROUSSARD State: LA Zip: 70518

Contact Name and Telephone:

Name: BENJAMIN BIENVENU

Phone: (281) 300-5049 Fax: ( )

Email: ben@organicenergyco.com

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

API Number: 05-081-07399-00

Facility or Location ID:

Name: ALLEN

Number: 44-8 #1

QtrQtr: SESE

Sec: 8

Twp: 6N

Range: 91W

Meridian: 6

County: MOFFAT

### ALLEGED VIOLATION

Rule: 210.b

Rule Description: Signs & Markers- Wells & Batteries

Initial Discovery Date: 02/22/2021

Was this violation self-reported by the operator? No

Date of Violation: 12/23/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 210.b.(2) (effective through January 14, 2021), within sixty (60) days after the installation of a battery, a permanent sign shall be located at the battery. At the option of the operator, the sign may be placed at the intersection of the lease access road with a public, farm or ranch road if the referenced battery is readily apparent from such location. Such sign shall be no less than three (3) square feet and no more than six (6) square feet, shall provide: the name of the operator; a phone number at which the operator can be reached at all times; a phone number for local emergency services (911 where available); the lease name or well name(s) associated with the battery; the public road used to access the site; and the legal location, including the quarter quarter section.

Pursuant to Form 10 (document no. 1310428), Organic Energy Company, LLC ("Operator ") became the Operator for the Allen 44-8#1 well, effective October 24, 2020.

On February 22, 2021 (document no. 689805416), COGCC staff performed an inspection after witnessing an emergency situation at the well. Staff immediately attempted to call the emergency number listed on the provided sign and discovered the number was for the previous operator, Gulfport Energy. The sign at the entrance stated the operator as Puma Energy.

Operator failed to install a permanent sign that included the name of the operator and a phone number at which the operator can be reached at all times, violating Rule 210.b.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 05/27/2021

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

Operator shall install signage that provides current operator name and emergency contact information, including a phone number at which the Operator can be reached at all times and a phone number for local emergency services.

Rule: 605.e.

Rule Description: Tank Battery Signage

Initial Discovery Date: 02/22/2021

Was this violation self-reported by the operator? No

Date of Violation: 12/23/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 605.e. (effective January 15, 2021), within 60 days after the installation of a Tank battery, Organic Energy Company LLC ("Operator") shall install a permanent, conspicuous sign at the battery. The Tank battery sign shall provide, among other required information, the name of Operator, a phone number at which Operator can be reached at all times, and a phone number for local emergency services (911 where available).

On February 22, 2021 (document no. 689805416), COGCC staff performed an inspection after witnessing an emergency situation at the well. Staff immediately attempted to call the emergency number listed on the provided sign and discovered the number was for the previous operator, Gulfport Energy. The sign at the entrance listed a prior operator.

Operator failed to install a permanent sign that included the name of the operator and a phone number at which the operator can be reached at all times, violating Rule 605.e.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 05/27/2021

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

Operator shall install signage that provides current operator name and emergency contact information, including a phone number at which the Operator can be reached at all times and a phone number for local emergency services.

## 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. An answer will, at a minimum, discuss the allegations contained in the NOAV, responding to each; identify corrective actions taken in response to the NOAV, if any; and identify facts known to the operator at the time that are relevant to the operator's response to the alleged violations. 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: 04/27/2021

COGCC Representative Signature:

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: [trent.lindley@state.co.us](mailto:trent.lindley@state.co.us)

Phone Num: (303) 894-2100x5143

## CORRECTIVE ACTION COMPLETED

Rule: 210.b

Rule Description: Signs & Markers- Wells & Batteries

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

Rule: 605.e.

Rule Description: Tank Battery Signage

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>
402672702	NOAV ISSUED
402672704	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files