

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:
402695671
Date Issued:
05/20/2021
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: 96850

Name of Operator: TEP ROCKY MOUNTAIN LLC

Address: PO BOX 370

City: PARACHUTE State: CO Zip: 81635

Contact Name and Telephone:

Name: JEFFREY KIRTLAND

Phone: (970) 263-2736 Fax: ()

Email: jkirtland@terraep.com

Well Location, or Facility Information (if applicable):

API Number: 05-045-15797-00

Facility or Location ID:

Name: FEDERAL

Number: 29-06D

QtrQtr: NESW Sec: 29 Twp: 6S Range: 93W Meridian: 6

County: GARFIELD

ALLEGED VIOLATION

Rule: 1002.f

Rule Description: Stormwater Management

Initial Discovery Date: 03/18/2021

Was this violation self-reported by the operator? No

Date of Violation: 03/18/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2)F, TEP Rocky Mountain LLC ("Operator") shall implement and maintain Best Management Practices ("BMPs") at all oil and gas locations to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation; and shall maintain BMPs until the facility is abandoned and final reclamation is achieved pursuant to Rule 1004. Operator shall employ BMPs, as necessary to comply with this rule, at all oil and gas locations, including, but not limited to, well pads, soil stockpiles, access roads, tank batteries, compressor stations, and pipeline rights of way. BMPs shall be selected based on site-specific conditions, such as slope, vegetation cover, and proximity to water bodies, and may include maintaining in-place some or all of the BMPs installed during the construction phase of the facility. Where applicable based on site-specific conditions, operators shall implement BMPs in accordance with good engineering practices, including measures such as vehicle tracking control practices to control potential sediment discharges from operational roads, well pads, and other unpaved surfaces.

On March 18, 2021 (document no. 700702450), COGCC Staff conducted a routine inspection and observed vehicle tracking control practices were not implemented, causing site degradation and transport of sediment offsite. Staff required Operator to maintain vehicle tracking BMPs and control potential sediment discharges from operational roads, well pads, and other unpaved surfaces to comply with Rule 1002.f.(2)F as a corrective action.

On April 20, 2021 (document no. 700702604), COGCC Staff conducted a follow-up inspection and observed corrective actions to maintain vehicle tracking BMPs and control potential sediment discharges were not complete.

Operator failed to maintain vehicle tracking BMPs and control potential sediment discharges, violating Rule 1002.f.(2)F.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 06/19/2021

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

Operator shall install and maintain stormwater BMPs to stabilize the location and prevent sediment discharge from unpaved surfaces.

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.

NOAV ISSUED

NOAV Issue Date: 05/20/2021

COGCC Representative Signature: _____

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100x5143

CORRECTIVE ACTION COMPLETED

Rule: 1002.f

Rule Description: Stormwater Management

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>
402695674	NOAV ISSUED
402695676	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files