

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:

402717726

Date Issued:

06/14/2021

Date Resolved:

## NOTICE OF ALLEGED VIOLATION - ISSUED

Per Rule 523, 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 525, 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: 900

Name of Operator: ALAMOSA DRILLING INC

Address: 8150 N. CENTRAL EXPY - STE 750

City: DALLAS State: TX Zip: 75205-1832

Contact Name and Telephone:

Name: TODD MOORE

Phone: (214) 368-6700 Fax: ( )

Email: kiowagas@sbcglobal.net

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

API Number: 05-007-06120-00

Facility or Location ID:

Name: CHAVEZ

Number: 1

QtrQtr: NWNW

Sec: 17

Twp: 32N

Range: 1E

Meridian: N

County: ARCHULETA

### ALLEGED VIOLATION

Rule: 34-60-121(1) C.R.S.

Rule Description: Statutory violation

Initial Discovery Date: 11/01/2018

Was this violation self-reported by the operator? No

Date of Violation: 11/01/2018

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Conditions of Approval ("COA") in Alamosa Drilling, Inc.'s ("Operator") initial Form 27 (document no. 401797782, "Form 27"), Operator was required to provide all sample data on a supplemental Form 27, with a location map or coordinates of sample sites by November 1, 2018.

As of June 14, 2021, Operator has not submitted a supplemental Form 27, violating the COA's and § 34-60-121.(1)(a), C.R.S.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately submit a supplemental Form 27 to comply with the COA's of the initial Form 27.

Rule: 906.a.

Rule Description: Spills and Releases - General

Initial Discovery Date: 06/08/2020

Was this violation self-reported by the operator? No

Date of Violation: 06/08/2020

Approximate Time of Violation: \_\_\_\_\_

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 906.a., Alamosa Drilling, Inc. ("Operator") shall, immediately upon discovery, control and contain all spills/releases of Exploration and Production ("E&P") waste or produced fluids to protect the environment, public health, safety, and welfare, and wildlife resources. Operator shall investigate, clean up, and document impacts resulting from spills/releases as soon as practicable.

During an inspection on June 8, 2020 (document no. 700300043), COGCC staff observed weeds overgrown around the wellhead covered in oil from an oil release at the wellhead. Staff required Operator to control the ongoing release and clean up impacted soil as corrective actions.

During subsequent inspections on September 2, 2020 (document no. 688800792) and April 9, 2021 (document no. 688800887), COGCC staff observed the corrective actions to control the ongoing release and clean up impacted soils were not complete.

Operator failed to, immediately upon discovery, control and contain all spills/releases of E&P waste to protect the environment, public health, safety, and welfare, and wildlife resources, violating Rule 906.a.

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

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately investigate, clean up, and document impacts resulting from the oil spilled or released at the wellhead.

Rule: 906.b

Rule Description: Spill Reporting

Initial Discovery Date: 04/17/2018

Was this violation self-reported by the operator? No

Date of Violation: 04/17/2018

Approximate Time of Violation: \_\_\_\_\_

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 906.b., Alamosa Drilling, Inc. ("Operator") shall report a spill, within twenty-four (24) hours of discovery, of any size that impacts or threatens to impact any waters of the state, a residence or occupied structure, livestock, or public byway.

During an inspection on April 17, 2018 (document no. 688800073), COGCC staff observed stained soil around the wellhead. Staff required corrective actions to control, contain, and clean up any spills or releases as corrective actions.

During subsequent inspections on May 29, 2018 (document no. 688800130), July 10, 2018 (document no. 688800214) and August 15, 2018 (document no. 688800247), COGCC staff observed Operator was in the process of excavating the impacted soil around the wellhead. During the August 15, 2018 inspection, staff observed Operator discovering a historical release while excavating the stained soil around the wellhead, and required Operator to submit a Form 19 to document the discovery of the release.

Operator submitted a Form 27, Initial Site Investigation and Remediation Workplan on October 16, 2018 (document no. 401797782), indicating a domestic water well within a quarter mile of the spill; surface water within a quarter mile of the spill, including the Navajo River; and groundwater less than 20 feet below the surface.

During further inspections on June 18, 2019 (document no. 688800570), June 8, 2020 (document no. 700300043), September 2, 2020 (document no. 688800792), and April 9, 2021 (document no. 688800887), COGCC staff reminded Operator of the requirement to submit the Form 19 to report and document the discovery of the release. As of May 19, 2021, Operator has not submitted a Form 19.

Operator failed to report a spill within twenty-four (24) hours of discovery that threatened to impact waters of the state and a residence, violating Rule 906.b.

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

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately submit a Form 19, to report the release.

Rule: 907.a

Rule Description: General E&P Waste management Requirements

Initial Discovery Date: 06/08/2020

Was this violation self-reported by the operator? No

Date of Violation: 06/08/2020

Approximate Time of Violation: \_\_\_\_\_

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 907.a., Alamosa Drilling, Inc. ("Operator") shall ensure that E&P waste is properly stored, handled, transported, treated, recycled, or disposed to prevent threatened or actual significant adverse environmental impacts to air, water, soil, or biological resources or to the extent necessary to ensure compliance with the concentration levels in Table 910-1, with consideration to WQCC groundwater standards and classifications.

During an inspection on June 8, 2020 (document no. 700300043), COGCC staff observed weeds overgrown around the wellhead covered in oil from an oil release at the wellhead. Staff required Operator to control the ongoing release and clean up impacted soil as corrective actions.

During subsequent inspections on September 2, 2020 (document no. 688800792) and April 9, 2021 (document no. 688800887), COGCC staff observed the corrective actions to control the ongoing release and clean up impacted soils were not complete.

Operator failed to ensure E&P waste was properly stored, handled, and disposed to prevent threatened or actual significant adverse environmental impacts to water, soil, or biological resources, violating Rule 907.a.

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

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately investigate, clean up, and document impacts resulting from the oil spilled or released at the wellhead.

**PENALTY**

Penalties for violations alleged in this NOAV will be calculated pursuant to Rule 525, with daily penalties accruing pursuant to Section 34-60-121(1), C.R.S.

**ANSWER**

Pursuant to Rule 523.c.(2), the operator must file an Answer to this NOAV within 28 days of its receipt, or a default judgment may be entered. Answers are filed by email to [dnr\\_cogccenforcement@state.co.us](mailto:dnr_cogccenforcement@state.co.us).

**NOAV ISSUED**

NOAV Issue Date: 06/14/2021

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

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100 x5143

**CORRECTIVE ACTION COMPLETED**

Rule: 34-60-121(1)  
C.R.S.

Rule Description: Statutory violation

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: 906.a. \_\_\_\_\_  
 Rule Description: Spills and Releases - General  
 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: 906.b \_\_\_\_\_  
 Rule Description: Spill Reporting  
 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: 907.a \_\_\_\_\_  
 Rule Description: General E&P Waste management Requirements  
 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>
402717772	NOAV ISSUED
402717774	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files