

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:

402790976

Date Issued:

08/25/2021

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: 10758

Name of Operator: OGRIS OPERATING LLC

Address: PO BOX 53467

City: MIDLAND State: TX Zip: 79710

Contact Name and Telephone:

Name: BONNIE ATWATER

Phone: (432) 967-8995 Fax: ()

Email: batwater@ogrisop.com

Well Location, or Facility Information (if applicable):

API Number: 05-071-06128-00

Facility or Location ID:

Name: APACHE CANYON

Number: 12-14

QtrQtr: SESW

Sec: 12

Twp: 34S

Range: 68W

Meridian: 6

County: LAS ANIMAS

ALLEGED VIOLATION

Rule: 1002.f

Rule Description: Stormwater Management

Initial Discovery Date: 08/27/2020

Was this violation self-reported by the operator? No

Date of Violation: 08/27/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Ogris Operating, LLC ("Operator") shall implement and maintain Best Management Practices ("BMPs") to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation. 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, Operator shall implement BMPs in accordance with good engineering practices including measures such as:

C. Erosion controls designed to minimize erosion from unpaved areas, including operational well pads, road surfaces and associated culverts, stream crossings, and cut/fill slopes.

F. Vehicle tracking control practices to control potential sediment discharges from operational roads, well pads, and other unpaved surfaces. Practices could include road and pad design and maintenance to minimize rutting and tracking, controlling site access, street sweeping or scraping, tracking pads, wash racks, education, or other sediment controls.

COGCC staff conducted an inspection on August 27, 2020 (document no. 696200600), of the Apache Canyon #12-14 ("Location") and observed that stormwater and erosion control measures to properly stabilize, minimize erosion, and manage runoff were missing or insufficient along the access road. Specifically, staff observed a sediment plugged culvert, which routed stormwater onto the access road, leading to erosion and degradation of the road and sediment accumulation at the bottom of the road. Staff required Operator to comply with Rule 1002.f.(2) by September 18, 2020.

COGCC staff conducted follow-up inspections on October 1, 2020 (document no. 690200709), November 19, 2020 (document no. 690200848), March 8, 2021 (document no. 690201265), May 17, 2021 (document no. 690201545), and July 7, 2021 (document no. 690201813) and observed corrective actions to comply with Rule 1002.f.(2) have not been corrected. Staff observed, throughout the follow-up inspections, Operator's attempts to regrade the access road and dredge the culvert did not follow BMPs, while erosion and degradation of the access road, and settlement accumulation persisted.

Operator failed to implement BMPs to control potential sediment discharges, minimize erosion, transport of sediment offsite, and site degradation from operational roads and other unpaved areas, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 08/28/2021

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

Operator shall implement and maintain required stormwater and erosion control BMPs in accordance with good engineering practices per Rule 1002.f.(2), to manage stormwater runoff and erosion degradation and control sediment discharges from operational roads, well pads, and other unpaved surfaces.

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.

NOAV ISSUED

NOAV Issue Date: 08/25/2021

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: 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>
402790979	NOAV CERTIFIED MAIL RECEIPT
402790993	NOAV ISSUED

Total Attach: 2 Files