

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
402827050  
Date Issued:  
09/29/2021  
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: <u>10758</u>	Contact Name and Telephone:
Name of Operator: <u>OGRIS OPERATING LLC</u>	Name: <u>BONNIE ATWATER</u>
Address: <u>PO BOX 53467</u>	Phone: <u>(432) 967-8995</u> Fax: <u>( )</u>
City: <u>MIDLAND</u> State: <u>TX</u> Zip: <u>79710</u>	Email: <u>batwater@ogrisop.com</u>

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

API Number: 05-071-07560-00 Facility or Location ID: \_\_\_\_\_  
Name: APACHE CANYON Number: 10-16V  
QtrQtr: SESE Sec: 10 Twp: 34S Range: 68W Meridian: 6  
County: LAS ANIMAS

### ALLEGED VIOLATION

Rule: 1002.f  
Rule Description: Stormwater Management  
Initial Discovery Date: 10/01/2020 Was this violation self-reported by the operator? No  
Date of Violation: 10/01/2020 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 October 1, 2020 (document no. 690200711), of the Apache Canyon #10-16V ("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 inadequate stormwater runoff and stabilization control measures, resulting in vehicle rutting, erosion degradation, and ponding of stormwater along the access road. Staff required the Operator to comply with Rule 1002.f.(2).

COGCC staff conducted follow-up inspections on April 30, 2021 (document no. 690201491) and September 3, 2021 (document no. 690202042), and observed corrective actions to comply with Rule 1002.f.(2) have not been corrected. Staff observed, throughout the follow-up inspections, that BMPs have not been implemented along the access road, while erosion degradation, vehicle rutting, and stormwater ponding persisted.

Operator failed to implement BMPs to control potential sediment discharges, minimize erosion, 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: 10/02/2021

**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](mailto:dnr_cogccenforcement@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 09/29/2021

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.

<b>Document Number</b>	<b>Description</b>
402827061	NOAV ISSUED
402827062	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 2 Files