

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:
402236371
Date Issued:
11/12/2019
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: 44394

Name of Operator: JAVERNICK* LARRY

Address: 230 STEINMEIER AVE

City: CANON CITY State: CO Zip: 81212

Contact Name and Telephone:

Name: PAM JAVERNICK

Phone: (719) 429-1294 Fax: ()

Email: pamlarry1@msn.com

Additional Operator Contacts

Email

Lauren Javernick

lauren.javernick@gmail.com

Well Location, or Facility Information (if applicable):

API Number: 05-043-40080-00

Facility or Location ID: _____

Name: JAVERNICK (OWP)

Number: 1 DM

QtrQtr: NESW Sec: 35

Twp: 18S

Range: 70W

Meridian: 6

County: FREMONT

ALLEGED VIOLATION

Rule: 605.d

Rule Description: O&G Facilities - Mechanical Conditions

Initial Discovery Date: _____

Was this violation self-reported by the operator? No

Date of Violation: _____

Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? No

Description of Alleged Violation:

Pursuant to Rule 605.d., Operator shall keep all valves, pipes, and fittings securely fastened; inspected at regular intervals; and maintained in good mechanical condition.

On May 31, 2018, COGCC Staff inspected the Well, and observed venting of natural gas from a disconnected flowline next to the well. (Field Inspection Report No. 685200497).

Operator failed to maintain this equipment in good mechanical condition, violating Rule 605.d.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 12/12/2019

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

In its Rule 522.d.(2) Answer, due within 28 days of the Operator's receipt of the NOAV, Operator shall include documentation of implementation of an internal procedure to ensure all valves, pipes, and fittings are securely fastened, inspected at regular intervals,

and maintained in good mechanical condition.

Rule: 912.b

Rule Description: Venting or Flaring Natural Gas - Notice and Prior Approval Required

Initial Discovery Date: _____

Was this violation self-reported by the operator? No

Date of Violation: _____

Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? No

Description of Alleged Violation:

Pursuant to Rule 912.b., except for gas flared or vented during an upset condition, well maintenance, well stimulation flowback, purging operations, or a productivity test, Operator shall flare or vent gas from a well only after Operator has given notice to and obtained approval from COGCC on a Sundry Notice ("Form 4") stating the estimated volume and content of the gas.

On May 31, 2018, COGCC Staff inspected the Well, and observed venting of natural gas from a disconnected flowline next to the well. COGCC Staff also observed that none of the Rule 912.b. exception conditions were occurring at the time of the venting. (Field Inspection Report No. 685200497).

As of May 31, 2018, Operator had not submitted a Form 4 request to vent from the Well, and had not obtained COGCC approval for venting gas from the Well.

Without approval from COGCC, Operator vented gas from the Well during non-upset conditions, violating Rule 912.b.

Abatement or Corrective Action Required to be Performed by Operator: _____

Corrective Action Due Date: 12/12/2019

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

In its Rule 522.d.(2) Answer, due within 28 days of the Operator's receipt of the NOAV, Operator shall include documentation of implementation of an internal procedure to ensure COGCC approval is obtained prior to any venting or flaring at its locations, as required by Rule 912.b.

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: 11/12/2019

COGCC Representative Signature: _____

COGCC Representative: Kira Gillette

Title: NOAV Specialist

Email: kira.gillette@state.co.us

Phone Num: () _____

CORRECTIVE ACTION COMPLETED

Rule: 605.d

Rule Description: O&G Facilities - Mechanical Conditions

Corrective Action Start Date: _____

Corrective Action Complete Date: _____

Has corrective action for this violation been performed as required? No

Description of Actual Corrective Action Performed by Operator

Closed pursuant to Order 1v-768.

Rule: 912.b

Rule Description: Venting or Flaring Natural Gas - Notice and Prior Approval Required

Corrective Action Start Date: _____

Corrective Action Complete Date: _____

Has corrective action for this violation been performed as required? No

Description of Actual Corrective Action Performed by Operator

Closed pursuant to Order 1v-768.

FINAL RESOLUTION

Cause #: 1v Order #: 768 Docket #: 191200755

Enforcement Action: Order Finding Violation

Final Resolution Date: 01/06/2022

Final Resolution Comments:

Closed pursuant to Order 1v-768.

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>
402236400	NOAV COVER LETTER
402236401	NOAV CERTIFIED MAIL RECEIPT
402236424	NOAV ISSUED
402236441	NOAV IN PROCESS

Total Attach: 4 Files