

State of Colorado
Oil and Gas Conservation Commission

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Document Number:
403104417
Date Issued:
07/13/2022
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: 10679
Name of Operator: LOGOS OPERATING LLC
Address: 2010 AFTON PLACE
City: FARMINGTON State: NM Zip: 87401
Contact Name and Telephone:
Name: Marie Florez
Phone: (505) 419-8420 Fax: (505) 326-6112
Email: mflorez@logosresourcesllc.com

Additional Operator Contacts	Email
Jennifer Hagstrom	jhagstrom@logosresourcesllc.com
Logos Regulatory	regulatory@logosresourcesllc.com
Tamra Sessions	tsessions@logosresourcesllc.com
Darren Rowley	drowley@logosresourcesllc.com

Well Location, or Facility Information (if applicable):

API Number: 05-067-05515-00 Facility or Location ID: _____
Name: BONDAD 33-9 Number: 5
QtrQtr: NWSW Sec: 3 Twp: 33N Range: 9W Meridian: N
County: LA PLATA

ALLEGED VIOLATION

Rule: 1002.f
Rule Description: Stormwater Management
Initial Discovery Date: 07/29/2021 Was this violation self-reported by the operator? No
Date of Violation: 07/29/2021 Approximate Time of Violation: _____
Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Logos Operating, LLC ("Operator") shall implement and maintain Best Management Practices ("BMPs") to control stormwater runoff in a manner that minimizes erosion, transport of sediment off site, 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.

COGCC staff conducted a reclamation and stormwater inspection of the Logos Operating, LLC ("Operator") Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities. COGCC staff required corrective actions for Operator to implement a plan to properly divert and protect the location from degradation during significant stormwater events on the well pad using good engineering practices and ensure stabilization with properly designed and constructed inlets and outlets, and submit the plan on a Form 4 and include Operator's Flood Shut-In Plan.

COGCC staff conducted follow-up reclamation and stormwater inspection on November 8, 2021 (document no. 693903863), and observed Operator's proposed stormwater controls were not fully implemented and stormwater controls were absent and/or deficient. COGCC staff required Operator to submit and implement a stormwater control plan and to submit Operator's Flood Shut-In Plan.

Operator failed to install and maintain erosion controls resulting in a failure to minimize erosion throughout the project area during a stormwater/flooding event, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 07/13/2022

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

Submit and implement a stormwater and erosion control plan. As described in the July 29, 2021 and November 8, 2021 corrective action Inspections (document nos. 693903484 and 693903863), the plan needs to demonstrate that stormwater flows will be properly diverted and that the location will be protected from degradation. The plan must describe how all inlets and outlets will be properly designed and constructed to ensure stabilization using good engineering practices. To demonstrate that stormwater controls will be implemented per good engineering practices, the stormwater plan must be stamped by a Colorado Professional Engineer in good standing.

Rule: 207.

Rule Description: Reports

Initial Discovery Date: 08/02/2021 Was this violation self-reported by the operator? No

Date of Violation: 08/02/2021 Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 207, any report required under the Commission's Rules or requested by the Director or the Commission will be timely filed, accurate, complete, and comply with the requirements set forth in the Commission's Rules or any requirement set by the Director or the Commission.

COGCC staff conducted a reclamation and stormwater inspection of the Logos Operating, LLC ("Operator") Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator submitted an Initial Form 19, Spill/Release Report on August 2, 2021 (document no. 402768226) and a Supplemental Form 19 on October 25, 2021 (document no. 402851477), referencing Rule 912.b.(1).B, reporting a spill or release in which 1 barrel or more of E&P Waste or production fluids was spilled or released outside of berms or other secondary containment. Conversely, Operator's description of the spill or release indicates less than 1 barrel of compressor oil and produced water was released into containment and less than 5 gallons were spilled or released outside of secondary containment. COGCC staff's conditions of approval in the Form 19, included requiring Operator to reconcile the discrepancy and provide an accurate estimate of the volume on a Supplemental Form 19.

Operator failed to accurately describe the volume of the release that occurred within a riparian area of the Florida River and a 100 year floodplain, violating Rule 207.

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 07/27/2022

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

Pursuant to the conditions of approval on the Initial Form 19 (document no. 402768226) and Supplemental Form 19 (document no.

402851477), submit an Initial Form 27 with appropriate and accurate information including the following:

Provide a statement on the form that acknowledges the following pursuant to 912.b.(1)A.- (A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.): That the spill impacted Waters of the State (it doesn't matter if the spill is below the reporting threshold because the partially buried vessel and secondary containment were inundated with floodwaters, commingled with E&P waste and non-E&P waste, and left secondary containment through over-topping and scouring beneath the containment ring).

Once notifications are completed Pursuant to Rules 912.b.(7)-(11), provide documentation of notifications and a list of agencies and other parties notified.

The Initial Form 27 should also provide a detailed explanation and analysis as to how spill volumes were initially calculated with supporting documentation.

The Initial Form 27 should also provide a detailed Site Investigation Plan for addressing impacts resulting from Spill ID 480358 and co-mingling with floodwaters and impacted debris material

Pursuant to 912.a. include the following:

Investigation, clean up, and documentation of impacts resulting from Spill ID 480358 and co-mingling with floodwaters and impacted debris material.

Documentation of cleanup efforts to Table 915-1.

Provide waste manifest for debris disposal.

Provide a topographic map showing the governmental section and location of the Spill or Release, or an aerial photograph showing the location of the specific Spill or Release site.

Provide all pertinent information about the Spill or Release known to the Operator that has not been reported previously, including photo documentation showing the source of the Spill or Release, the impacted area, and initial cleanup activity; and

Information relating to the initial mitigation, site investigation, and Remediation measures conducted by the Operator.

Global Positioning System data that meets the requirements of Rule 216 if latitude and longitude data provided pursuant to Rule 912.b.(2).A did not meet the requirements of Rule 216. The latitude and longitude should be that of the partially buried vessel and not the wellhead.

The due date for submission of the Supplemental Form 27 is 14 days from the issuance for this NOAV.

Rule: 207.

Rule Description: Reports

Initial Discovery Date: 08/02/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/02/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 207, any report required under the Commission's Rules or requested by the Director or the Commission will be timely filed, accurate, complete, and comply with the requirements set forth in the Commission's Rules or any requirement set by the Director or the Commission.

COGCC staff conducted a reclamation and stormwater inspection of the Logos Operating, LLC ("Operator") Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities. COGCC staff issued corrective actions requiring Operator to implement a plan to properly divert and protect the location from degradation during significant stormwater events on the well pad using good engineering practices and ensure stabilization with properly designed and constructed inlets and outlets, and submit the plan on a Form 4 and include Operator's Flood Shut-In Plan.

Operator submitted an Initial Form 19, Spill/Release Report on August 2, 2021 (document no. 402768226) and a Supplemental Form 19 on October 25, 2021 (document no. 402851477), referencing Rule 912.b.(1).B, reporting a spill or release in which 1 barrel or more of E&P Waste or production fluids was spilled or released outside of berms or other secondary containment.

COGCC staff conducted follow-up reclamation and stormwater inspection on November 8, 2021 (document no. 693903863), and observed Operator's stormwater controls for the well location were not fully implemented and stormwater controls were absent and/or deficient. COGCC staff required Operator to implement and submit a stormwater control plan on a Form 4, and include Operator's Flood Shut-In Plan.

Operator submitted a Form 4, Sundry Notice on November 28, 2021 (document no. 402880604), indicating Operator's intent to create a stormwater control plan. As of July 12, 2022, Operator has not submitted a stormwater control plan.

Operator failed to provide the requested Flood Shut-In Plan and submit a stormwater management plan, violating Rule 207.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/13/2022

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

Submit Operator's Flood Shut-In Plan as an attachment to a Form 4 for this location. The due date for submission of the Operator's Flood Shut-In Plan is the date of issuance for this NOAV (07/13/2022).

Submit and implement a stormwater and erosion control plan. As described in the July 29, 2021 and November 8, 2021 corrective action Inspections (document nos. 693903484 and 693903863), the plan needs to demonstrate that stormwater flows will be properly diverted and that the location will be protected from degradation. The plan must describe how all inlets and outlets will be properly designed and constructed to ensure stabilization using good engineering practices. To demonstrate that stormwater controls will be implemented per good engineering practices, the stormwater plan must be stamped by a Colorado Professional Engineer in good standing.

Rule: 421

Rule Description: Statewide Floodplain Requirements

Initial Discovery Date: 08/02/2021 Was this violation self-reported by the operator? No

Date of Violation: 08/02/2021 Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 421.b.(1), when operating within a defined Floodplain, the following requirements apply to all Wells, Tanks, separation equipment, containment berms, Production Pits, Special Purpose Pits, and Flowback Pits Logos Operating, LLC ("Operator") will maintain a current inventory of all existing Wells, Tanks, and separation equipment in a defined Floodplain. Operator will ensure that a list of all such Wells, Tanks, and separation equipment is filed with the Director. As part of this inventory, Operator will maintain a current and documented plan describing how Wells within a defined Floodplain will be timely shut-in. This plan will include what triggers will activate the plan and will be made available for inspection by the Director upon request

Pursuant to Rule 421.b.(3), when operating within a defined Floodplain, the following requirements apply to all Wells, Tanks, separation equipment, containment berms, Production Pits, Special Purpose Pits, and Flowback Pits Operator will construct containment berms around Tanks of steel rings or another engineered technology that provides equivalent protection from floodwaters and debris.

COGCC staff conducted a reclamation and stormwater inspection of the Logos Operating, LLC ("Operator") Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities. COGCC staff required corrective actions for Operator to implement a plan to properly divert and protect the location from degradation during significant stormwater events on the well pad using good engineering practices and ensure stabilization with properly designed and constructed inlets and outlets, and submit the plan on a Form 4 and include Operator's Flood Shut-In Plan.

COGCC staff conducted follow-up reclamation and stormwater inspection on November 8, 2021 (document no. 693903863), and observed Operator's proposed stormwater controls were not fully implemented and stormwater controls were absent and/or deficient. COGCC staff required Operator to submit and implement a stormwater control plan and to submit Operator's Flood Shut-In Plan.

Operator failed to make the requested Flood Shut-In Plan available for inspection and failed to meet secondary containment requirements that provide protection from floodwaters and debris, violating Rule 421.b.(1) & (3).

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 07/13/2022

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

Submit Operator's Flood Shut-In Plan as an attachment to a Form 4 for this location. The due date for submission of the Operator's Flood Shut-In Plan is the date of issuance for this NOAV (07/13/2022).

Submit as an attachment to a Form 4 for this location, documentation that provides the following:

- Secondary Containment: Assess all of partially buried vessels operated by Logos Operating, within the 100 year floodplain to ensure that all secondary containments are adequately engineered to provide protection from floodwaters and debris for compliance with Rule 421.b.(3). The assessment must include documentation of the locations reviewed/inspected, repairs required, and completed repair dates.

Rule: 608.f.

Rule Description: Buried or Partially Buried Tanks, Vessels, or Structures

Initial Discovery Date: 07/29/2021 Was this violation self-reported by the operator? No

Date of Violation: 07/29/2021 Approximate Time of Violation: _____

Description of Alleged Violation:

Pursuant to Rule 608.f., Logos Operating, LLC ("Operator") will design, construct, install, and operate buried or partially buried Tanks, vessels, or structures used for storage of produced Fluids and E&P Waste, in a manner to prevent leaks, contain materials safely, and according to manufacturer specifications, and buried or partially buried Tanks, vessels, or structures will be underlain by an impermeable synthetic or engineered liner that extends to the surface and ties into the secondary containment.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator failed to properly operate partially buried Tanks, vessels, or structures in a manner to prevent leaks and contain materials safely, and failed to underlain partially buried Tanks, vessels, or structures, with an impermeable synthetic or engineered liner that extends to the surface and ties into the secondary containment, violating Rule 608.f.(1) & (2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/13/2022**Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.**

Submit as an attachment to a Form 4 for this location, documentation that provides the following:

Leak Prevention and Containment: Operator must assess and submit information for all partially buried vessels operated by Logos Operating, within the 100 year floodplain that describes how partially buried vessels are properly designed, constructed, and operated in a manner to prevent leaks or contain materials safely. The assessment must include documentation of the locations reviewed/inspected, repairs required and completed repair dates. This includes documenting compliance with 608.f.(2). Note that COGCC does not recommend open-top partially buried vessels within the 100 year floodplain as they will easily become inundated with floodwater during a flood event as observed in this NOAV.

Secondary Containment: Assess all of partially buried vessels within the 100 year floodplain operated by Logos Operating, to ensure that all secondary containments are adequately engineered to provide protection from floodwaters and debris for compliance with Rule 421.b.(3). The assessment must include documentation of the locations reviewed/inspected, repairs required and completed repair dates.

Rule: 902.Rule Description: PollutionInitial Discovery Date: 07/29/2021Was this violation self-reported by the operator? NoDate of Violation: 07/29/2021

Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 902.a., Logos Operating, LLC ("Operator") will prevent Pollution.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator failed to prevent Pollution, violating Rule 902.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/13/2022**Proper and timely abatement does not preclude the assessment of penalties and an Order Finding Violation.**

Submit as an attachment to a Form 4 for this location, a plan that documents the following for all Logos locations mapped within the 100-year floodplain:

Solid Waste Handling Procedures: Assess, write, and/or revise, and implement solid waste handling procedures (such as for compressor oil) for compliance with Rules 906.a. and 906.c.

Rule: 905.a.

Rule Description: General Requirements for Management of E&P Waste

Initial Discovery Date: 07/29/2021

Was this violation self-reported by the operator? No

Date of Violation: 07/29/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 905.a.(2), Logos Operating, LLC ("Operator") will conduct E&P Waste management activities, and construct and operate all Oil and Gas Locations, to protect the Waters of the State from adverse environmental impacts caused by E&P Waste.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator failed to conduct E&P Waste management activities and operate their Oil and Gas Location to protect Waters of the State from adverse environmental impacts caused by E&P Waste released from an open-top partially buried vessel and outside secondary containment, violating Rule 905.a.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/13/2022

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

Submit as an attachment to a Form 4 for this location, a plan that documents the following for all Logos locations mapped within the 100-year floodplain:

Solid Waste Handling Procedures: Assess, write, and/or revise, and implement solid waste handling procedures (such as for compressor oil) for compliance with Rules 906.a. and 906.c.

Rule: 906.

Rule Description: Management of Non-E&P Waste

Initial Discovery Date: 07/29/2021

Was this violation self-reported by the operator? No

Date of Violation: 07/29/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rules 906.a. and c., certain wastes generated by Oil and Gas Operations that do not meet the 100 Series definition of E&P Waste are regulated as solid or hazardous wastes by CDPHE's Solid and Hazardous Waste Commission ("SHWC"). Logos Operating, LLC ("Operator") will properly identify and dispose of these wastes pursuant to applicable state and federal regulations. All non-hazardous/non-E&P Wastes are considered solid waste. Operator will comply with all storage, treatment, and disposal requirements in the SHWC's Solid Waste Regulations, as incorporated by reference in Rule 901.b.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator submitted an Initial Form 19, Spill/Release Report on August 2, 2021 (document no. 402768226) and a Supplemental Form 19 on October 25, 2021 (document no. 402851477), referencing Rule 912.b.(1).B, reporting a spill or release in which 1 barrel or more of E&P Waste or production fluids was spilled or released outside of berms or other secondary containment. Conversely, Operator's description of the spill or release indicates less than 1 barrel of compressor oil and produced water was released into containment and less than 5 gallons were spilled or released outside of secondary containment.

Operator failed to properly store and dispose of compressor oil, a solid waste, violating Rules 906.a. and c.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/13/2022

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

Submit as an attachment to a Form 4 for this location, a plan that documents the following for all Logos locations mapped within the 100-year floodplain:
Solid Waste Handling Procedures: Assess and reform solid waste handling procedures (such as for compressor oil) for compliance with Rules 906.a. and 906.c. Provide documentation of review and reforms made to ensure compliance.

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 08/02/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/02/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rules 912.b.(9), Logos Operating, LLC ("Operator") will submit an initial report ("24 Hour Notification") of a Spill or Release of E&P Waste, natural gas, or produced fluids that meet any of the criteria of Rule 912.b.(1)A-J, to the Director verbally, via electronic mail, or on a Form 19, Spill/Release Report - Initial within 24 hours of discovery. Operator will report a Spill or Release of any size that impacts or threatens to impact surface waters to the Director and to the Environmental Release/Incident Report Hotline (1-877-518-5608). Spills and Releases that impact or threaten a Public Water System intake, as described in Rules 411.a.(4) & 411.b.(5), will be verbally reported to the emergency contact for that facility concurrent with providing the 24 Hour Notification to the Director pursuant to Rule 912.b.(1); and

Pursuant to Rules 912.b.(10), at the same time the Operator submits a Form 19 – Initial, the Operator will provide verbal or written notification to CPW if the Spill or Release occurred within 300 feet of surface Waters of the State, or within High Priority Habitat.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator submitted an Initial Form 19, Spill/Release Report on August 2, 2021 (document no. 402768226) and a Supplemental Form 19 on October 25, 2021 (document no. 402851477), referencing Rule 912.b.(1).B, reporting a spill or release in which 1 barrel or more of E&P Waste or production fluids was spilled or released outside of berms or other secondary containment. Conversely, Operator's description of the spill or release indicates less than 1 barrel of compressor oil and produced water was released into containment and less than 5 gallons were spilled or released outside of secondary containment.

On Operator's Initial Form 19, Operator reported that notifying agencies and other parties pursuant to Rule 912.b.(7)-(11) was not required, indicating that such notifications had not occurred.

Operator failed to report a Spill or Release of any size that impacts or threatens to impact surface waters to the Environmental Release/Incident Report Hotline, a Spill or Release to CPW that occurred within 300 feet of surface Waters of the State, violating Rule 912.b.(9) and (10).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/27/2022

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

All parties requiring notification shall be contacted and informed of the event pursuant to Rule 912.b. These notifications will be documented on the revised Form 19 documentation.

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 08/02/2021

Was this violation self-reported by the operator? No

Date of Violation: 08/02/2021

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rules 912.b.(4), Logos Operating, LLC ("Operator") will submit an initial report ("24 Hour Notification") of a Spill or

Release of E&P Waste, natural gas, or produced fluids that meet any of the criteria of Rule 912.b.(1)A-J, to the Director verbally, via electronic mail, or on a Form 19, Spill/Release Report - Initial within 24 hours of discovery. In addition to the Form 19 – Initial, the Operator will file a Form 19 – Supplemental not more than 10 days after the Spill or Release is discovered;

Pursuant to Rules 912.b.(7), at the same time Operator makes the 24 Hour Notification, Operator will provide verbal or written notification to the entity with jurisdiction over emergency response within the local municipality if the Spill or Release occurred within a municipality, or the local county if the Spill or Release did not occur within a municipality. The notification will include, at a minimum, the information listed in Rule 912.b.(2); and

Pursuant to Rules 912.b.(8), Operator will provide verbal or written notification to the affected Surface Owner or the Surface Owner's appointed tenant concurrent with providing the 24 Hour Notification, and document the notification including the name of the person contacted, phone number or email of contact, date, and time on the Form 19 – Initial and update the information as necessary on the Form 19 - Supplemental.

COGCC staff conducted a reclamation and stormwater inspection of Operator's Bondad 33-9 5 well on July 29, 2021 (document no. 693903484), and observed the well location, located in a 100-year floodplain, experienced a recent precipitation event that resulted in flooding and stormwater transport over and through the well pad. Staff also observed an uncovered partially submerged vessel, full of liquid with an oily sheen and woody flood debris. Oily material was observed puddled on the ground around the vessel both within and outside of the metal ring intended for use as secondary containment. Staff observed multiple places where the secondary containment failed, allowing oily liquid material to flow beneath the compromised containment. Staff further observed the well pad surface was scoured to bare soil and large volumes of material that make up the well pad washed downslope from the well pad and into the adjacent Florida River, and large quantities of wood debris deposited on and around well facilities.

Operator submitted an Initial Form 19, Spill/Release Report on August 2, 2021 (document no. 402768226), 4 days late, and a Supplemental Form 19 on October 25, 2021 (document no. 402851477), 78 days late, referencing Rule 912.b.(1).B, reporting a spill or release in which 1 barrel or more of E&P Waste or production fluids was spilled or released outside of berms or other secondary containment.

On Operator's Initial Form 19, Operator reported that notifying agencies and other parties pursuant to Rule 912.b.(7)-(11) was not required, indicating that such notifications had not occurred.

Operator failed to submit the Form 19 - Initial within 24 hours of discovery and the Form 19 - Supplemental within 10 days after discovery of the Spill or Release and failed to notify local governments and the surface owner of the Spill or Release and document notifications on the Form 19 - Initial and Supplemental, violating Rule 912.b.(4), (7), and (8).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/27/2022

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

All parties requiring notification shall be contacted and informed of the event pursuant to Rule 912.b. These notifications will be documented on the revised Form 19 documentation.

Pursuant to the conditions of approval on the Initial Form 19 (document no. 402768226) and Supplemental Form 19 (document no. 402851477), submit an Initial Form 27 with appropriate and accurate information including the following:

Provide a statement on the form that acknowledges the following pursuant to 912.b.(1)A.- (A Spill or Release of any size that impacts or threatens to impact any Waters of the State, Public Water System, residence or occupied structure, livestock, wildlife, or publicly-maintained road.): That the spill impacted Waters of the State (it doesn't matter if the spill is below the reporting threshold because the partially buried vessel and secondary containment were inundated with floodwaters, commingled with E&P waste and non-E&P waste, and left secondary containment through over-topping and scouring beneath the containment ring).

Once notifications are completed Pursuant to Rules 912.b.(7)-(11), provide documentation of notifications and a list of agencies and other parties notified.

The Initial Form 27 should also provide a detailed explanation and analysis as to how spill volumes were initially calculated with supporting documentation.

The Initial Form 27 should also provide a detailed Site Investigation Plan for addressing impacts resulting from Spill ID 480358 and co-mingling with floodwaters and impacted debris material

Pursuant to 912.a. include the following:

Investigation, clean up, and documentation of impacts resulting from Spill ID 480358 and co-mingling with floodwaters and impacted debris material.

Documentation of cleanup efforts to Table 915-1.

Provide waste manifest for debris disposal.

Provide a topographic map showing the governmental section and location of the Spill or Release, or an aerial photograph showing the location of the specific Spill or Release site.

Provide all pertinent information about the Spill or Release known to the Operator that has not been reported previously, including photo documentation showing the source of the Spill or Release, the impacted area, and initial cleanup activity; and

Information relating to the initial mitigation, site investigation, and Remediation measures conducted by the Operator.

Global Positioning System data that meets the requirements of Rule 216 if latitude and longitude data provided pursuant to Rule 912.b.(2).A did not meet the requirements of Rule 216. The latitude and longitude should be that of the partially buried vessel and not the wellhead.

The due date for submission of the Supplemental Form 27 is 14 days from the issuance for this NOAV.

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: 07/13/2022

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

Rule: 207.

Rule Description: Reports

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: 207.

Rule Description: Reports

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: 421

Rule Description: Statewide Floodplain 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

Rule: 608.f. _____

Rule Description: Buried or Partially Buried Tanks, Vessels, or Structures

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: 902. _____

Rule Description: Pollution

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: 905.a. _____

Rule Description: General Requirements for Management of E&P Waste

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. _____

Rule Description: Management of Non-E&P Waste

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: 912.b. _____

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

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: 912.b. _____

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

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>
403104812	NOAV CERTIFIED MAIL RECEIPT
403104815	NOAV ISSUED

Total Attach: 2 Files