

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:
403138872

Date Issued:
08/17/2022

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>47120</u>	Contact Name and Telephone:
Name of Operator: <u>KERR MCGEE OIL & GAS ONSHORE LP</u>	Name: <u>TONI NEWVILLE</u>
Address: <u>P O BOX 173779</u>	Phone: <u>(720) 929-6987</u> Fax: <u>()</u>
City: <u>DENVER</u> State: <u>CO</u> Zip: <u>80217-3779</u>	Email: <u>toni_newville@oxy.com</u>

Well Location, or Facility Information (if applicable):

API Number: 05-123-31736-00 Facility or Location ID: _____
Name: BRYANT FEDERAL Number: 37-30
QtrQtr: SESE Sec: 30 Twp: 2N Range: 68W Meridian: 6
County: WELD

ALLEGED VIOLATION

Rule: 1202.

Rule Description: Operating Requirements

Initial Discovery Date: 07/19/2022 Was this violation self-reported by the operator? No

Date of Violation: 07/19/2022 Approximate Time of Violation: _____

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1202.c.(2)B, Kerr McGee Oil & Gas Onshore, LP ("Operator") will not conduct any new ground disturbance and Well work, including access road and pad construction, drilling and completion activities, and Flowline/utility corridor clearing and installation activities in the High Priority Habitats listed in Rule 1202.c.(1). This Rule 1202.c. does not apply to non-emergency workovers, including uphole recompletions, plugging operations, and site investigation and Remediation at existing Oil and Gas Locations, if: Operator has obtained prior approval from the Director; Operator has consulted with CPW; and Operator Minimizes Adverse Impacts to the species for which the High Priority Habitat exists.

Operator submitted a Form 6, Notice of Intent to Abandon the Bryant Federal 37-30 well on June 7, 2022 (document no. 403070646).

COGCC staff conducted an inspection of the Bryant Federal 37-30 well on July 19, 2022 (document no. 702400730) and observed active plugging operations.

COGCC contacted CPW and determined that Operator failed to consult with CPW, and minimize adverse impacts to the species for which the High Priority Habitat exists, before commencing plugging operations, violating Rule 1202.b.(2)B.

Abatement or Corrective Action Required to be Performed by Operator: _____ Corrective Action Due Date: 10/16/2022

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

Operator shall develop and implement a Standard Operating Procedure ("SOP") to ensure appropriate consultation occurs prior to future workover and plugging operations within Rule 1202.c.(2) and other High Priority Habitat areas. Operator will provide the SOP and a list of persons currently responsible for its implementation on a Form 4 Sundry Notice submitted for Location ID # 417708.

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

Rule Description: Statutory violation

Initial Discovery Date: 07/19/2022

Was this violation self-reported by the operator? No

Date of Violation: 07/19/2022

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Colorado Revised Statutes ("C.R.S.") § 34-60-121(1)(a), Kerr McGee Oil & Gas Onshore, LP ("Operator") shall not violate this article, any rule or order of the commission, or any permit.

Operator submitted a Form 6, Notice of Intent to Abandon the Bryant Federal 37-30 well on June 7, 2022 (document no. 403070646). COGCC staff added the following Conditions of Approval ("COAs") to the Form 6: This oil and gas location is within 0.25-miles of a Rule 1202.c. Colorado Parks and Wildlife ("CPW") -mapped bald eagle nest area High Priority Habitat. PA should not occur from December 1 to July 31 or when the nest is no longer occupied. If site conditions warrant that PA activities must be performed from December 1 to July 31 or when the nest is occupied, Operator will consult with the regional CPW Energy Liaison to develop site specific measures to avoid, minimize, or mitigate impacts to wildlife.

COGCC staff conducted an inspection of the Bryant Federal 37-30 well on July 19, 2022 (document no. 702400730) and observed active plugging operations.

COGCC contacted CPW and determined that Operator failed to comply with the COAs of the Form 6 and consult with the regional CPW Energy Liaison to develop site specific measures to avoid, minimize, or mitigate impacts to wildlife, violating § 34-60-121.(1)(a), C.R.S.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 10/16/2022

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

Operator shall develop and implement a Standard Operating Procedure ("SOP") to ensure appropriate consultation occurs prior to future workover and plugging operations within Rule 1202.c.(2) and other High Priority Habitat areas. Operator will provide the SOP and a list of persons currently responsible for its implementation on a Form 4 Sundry Notice submitted for Location ID # 417708.

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: 08/17/2022

COGCC Representative Signature:



COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100 x5143

ATTACHMENT LIST

View Attachments in Imaged Documents on COGCC website (<http://ogccweblink.state.co.us/>) - Search by Document Number.

Document Number	Description
403138878	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 1 Files