

State of Colorado  
Oil and Gas Conservation Commission

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Document Number:  
402528799  
Date Issued:  
11/09/2020  
Date Resolved:  
01/24/2023

## NOTICE OF ALLEGED VIOLATION - RESOLVED

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: 200502

Name of Operator: 31 OPERATING

Address: 3021 RIDGE RD #156

City: ROCKWALL State: TX Zip: 75032

Contact Name and Telephone:

Name: KRIS FREEMAN

Phone: (254) 717-0435 Fax: ( )

Email: kfreeman@31operating.com

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

API Number: 05-103-10898-00

Facility or Location ID: \_\_\_\_\_

Name: LOVE FEDERAL

Number: 17-42

QtrQtr: SESW

Sec: 17

Twp: 2N

Range: 96W

Meridian: 6

County: RIO BLANCO

### ALLEGED VIOLATION

Rule: 906.d

Rule Description: Spill/release prevention

Initial Discovery Date: 07/15/2020

Was this violation self-reported by the operator? No

Date of Violation: 07/15/2020

Approximate Time of Violation: \_\_\_\_\_

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 906.d.1., 31 Operating ("Operator") shall install secondary containment around all tanks containing oil, condensate, or produced water with greater than 3,500 milligrams per liter (mg/l) total dissolved solids (TDS) and shall be sufficient to contain the contents of the largest single tank and sufficient freeboard to contain precipitation. Such secondary containment structures shall be sufficiently impervious to contain discharged material.

During a routine inspection on July 15, 2020 (document # 700402436), COGCC Staff observed the secondary containment liner for the well's tanks was not sufficiently impervious to contain discharge material. The secondary containment liner for the well's tanks contained multiple holes and tears. Corrective action to repair or install berms or other secondary containment devices was provided through August 16, 2020.

During follow up inspections on August 17, 2020 (document # 700402932) and October 6, 2020 (document # 700403767), COGCC Staff observed the corrective actions to repair or install berms or other secondary containment to rectify the multiple holes and tears in the secondary containment liner was not complete.

Operator failed to ensure sufficiently impervious secondary containment, violating rule 906.d.1.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date:

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

Operator shall install and maintain secondary containment to contain the contents of the largest single tank and sufficient freeboard to contain precipitation.

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

### NOAV ISSUED

NOAV Issue Date: 11/09/2020

COGCC Representative Signature: \_\_\_\_\_

COGCC Representative: Trent Lindley

Email: trent.lindley@state.co.us

Title: NOAV Specialist

Phone Num: (303) 894-2100x5143

### CORRECTIVE ACTION COMPLETED

Rule: 906.d

Rule Description: Spill/release prevention

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

NOAV resolved pursuant to Order 1V-786.

### FINAL RESOLUTION

Cause #: 1V Order #: 786 Docket #: 210900152

Enforcement Action: Order Finding Violation

Final Resolution Date: \_\_\_\_\_

Final Resolution Comments:

NOAV resolved pursuant to Order 1V-786.

### 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>
402528799	NOAV APPROVED
402528814	NOAV ISSUED
402528815	NOAV CERTIFIED MAIL RECEIPT

Total Attach: 4 Files