

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:  
402717758  
Date Issued:  
06/14/2021  
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>900</u>	Contact Name and Telephone:
Name of Operator: <u>ALAMOSA DRILLING INC</u>	Name: <u>TODD MOORE</u>
Address: <u>8150 N. CENTRAL EXPY - STE 750</u>	Phone: <u>(214) 368-6700</u> Fax: <u>( )</u>
City: <u>DALLAS</u> State: <u>TX</u> Zip: <u>75205-1832</u>	Email: <u>kiowagas@sbcglobal.net</u>

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

API Number: 05-007-06141-00 Facility or Location ID: \_\_\_\_\_  
Name: NIELSEN Number: 5  
QtrQtr: NENE Sec: 18 Twp: 32N Range: 1E Meridian: N  
County: ARCHULETA

**ALLEGED VIOLATION**

Rule: 605.a.(4)  
Rule Description: Oil & Gas Facilities- Berms  
Initial Discovery Date: 06/08/2020 Was this violation self-reported by the operator? No  
Date of Violation: 06/08/2020 Approximate Time of Violation: \_\_\_\_\_  
Was this a discrete violation of obvious duration? Unknown  
Description of Alleged Violation:  

Pursuant to Rule 605.a.(4), Alamosa Drilling, Inc. ("Operator") shall construct, inspect at regular intervals, and maintain in good condition: berms or other secondary containment devices around crude oil, condensate, and produced water tanks (collectively: "ASTs") to provide secondary containment for the largest single tank and sufficient freeboard to contain precipitation.

During an inspection on June 8, 2020 (document no. 700300042), COGCC staff observed Operator's AST secondary containment berm was not maintained and did not have sufficient capacity for the 300bbl AST. Staff required Operator to raise and maintain the berms as corrective actions.

During subsequent inspections on September 2, 2020 (document no. 688800800) and April 9, 2021 (document no. 688800883), COGCC staff observed the corrective actions to raise and maintain the berms for the secondary containment had not been completed.

Operator did not maintain or provide sufficient secondary containment for Operator's AST, violation Rule 605.a.(4).

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 07/14/2021

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

Operator shall maintain and provide sufficient secondary containment to meet the requirements of Rule 605.a.(4).

Rule: 906.a.

Rule Description: Spills and Releases - General

Initial Discovery Date: 06/08/2020

Was this violation self-reported by the operator? No

Date of Violation: 06/08/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 906.a., Alamosa Drilling, Inc. ("Operator") shall, immediately upon discovery, control and contain all spills/releases of Exploration and Production ("E&P") waste or produced fluids to protect the environment, public health, safety, and welfare, and wildlife resources. Operator shall investigate, clean up, and document impacts resulting from spills/releases as soon as practicable.

During an inspection on June 8, 2020 (document no. 700300042), COGCC staff observed free oil on the wellhead.

During a follow-up inspection on September 2, 2020 (document no. 688800800), COGCC staff observed the wellhead and surrounding soil were stained and wet with oil. Staff required Operator to control, contain, and clean up any spills or releases as corrective actions.

COGCC staff conducted a follow-up inspection on April 9, 2021 (document no. 688800883), and observed corrective actions to control, contain, and clean up any spills or releases were not completed. The wellhead and surrounding soil were stained and wet with oil and a puddle of oil was observed surrounding the wellhead.

Operator failed to, immediately upon discovery, control and contain all spills/releases of E&P waste to protect the environment, public health, safety, and welfare, and wildlife resources, violating Rule 906.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately investigate, clean up, and document impacts resulting from the oil spilled or released from wellhead.

Rule: 907.a

Rule Description: General E&P Waste management Requirements

Initial Discovery Date: 06/08/2020

Was this violation self-reported by the operator? No

Date of Violation: 06/08/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 907.a., Alamosa Drilling, Inc. ("Operator") shall ensure that E&P waste is properly stored, handled, transported, treated, recycled, or disposed to prevent threatened or actual significant adverse environmental impacts to air, water, soil, or biological resources or to the extent necessary to ensure compliance with the concentration levels in Table 910-1, with consideration to WQCC groundwater standards and classifications.

During an inspection on June 8, 2020 (document no. 700300042), COGCC staff observed free oil on the wellhead.

During a follow-up inspection on September 2, 2020 (document no. 688800800), COGCC staff observed the wellhead and surrounding soil were stained and wet with oil. Staff required Operator to control, contain, and clean up any spills or releases as corrective actions.

COGCC staff conducted a follow-up inspection on April 9, 2021 (document no. 688800883), and observed corrective actions to control, contain, and clean up any spills or releases were not completed. The wellhead and surrounding soil were stained and wet with oil and a puddle of oil was observed surrounding the wellhead.

Operator failed to ensure E&P waste was properly stored, handled, and disposed to prevent threatened or actual significant adverse environmental impacts to water, soil, or biological resources, violating Rule 907.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 07/14/2021

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

Operator shall immediately investigate, clean up, and document impacts resulting from the oil spilled at and around the wellhead.

## 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: 06/14/2021

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: 605.a.(4)

Rule Description: Oil & Gas Facilities- Berms

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 docket no. 210400028 and Order 1V-782.

Rule: 906.a.

Rule Description: Spills and Releases - General

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 docket no. 210400028 and Order 1V-782.

Rule: 907.a

Rule Description: General E&P Waste management Requirements

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 docket no. 210400028 and Order 1V-782.

## FINAL RESOLUTION

Cause #: 1V Order #: 782 Docket #: 210400028

Enforcement Action: Order Finding Violation

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

Final Resolution Comments:

NOAV resolved pursuant to docket no. 210400028 and Order 1V-782.

## 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>
402717789	NOAV ISSUED
402717791	NOAV CERTIFIED MAIL RECEIPT
402717792	NOAV IN PROCESS

Total Attach: 3 Files