

State of Colorado  
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
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Document Number:  
403315737  
Date Issued:  
02/08/2023  
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: 100465

Name of Operator: PRESCO INC

Address: 10200 GROGAN'S MILL RD

City: THE WOODLANDS State: TX Zip: 77380

Contact Name and Telephone:

Name: E JESSIE TRAVIS

Phone: (281) 292-7792 Fax: ( )

Email: jtravis@prescocorp.com

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

API Number: 05-071-07956-00

Facility or Location ID:

Name: MCBRIDE CREEK

Number: 31-5

QtrQtr: NWNE

Sec: 5

Twp: 35S

Range: 63W

Meridian: 6

County: LAS ANIMAS

### ALLEGED VIOLATION

Rule: 1002.f

Rule Description: Stormwater Management

Initial Discovery Date: 08/25/2020

Was this violation self-reported by the operator? No

Date of Violation: 08/25/2020

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Presco, Inc. ("Operator") shall implement and maintain Best Management Practices ("BMPs") to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, 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 an inspection on August 25, 2020 (document no. 690200590) and a follow-up inspection on August 15, 2022 (document no. 690203319) of the McBride Creek #31-5 well ("Location"), and observed that stormwater and erosion control measures to properly stabilize, minimize erosion, and manage runoff were missing or insufficient along the access road. Staff observed areas of erosion degradation and BMP's not maintained. The August 2022 inspection required Operator to install or repair required BMPs per Rule 1002.f.(2) by October 15, 2022.

As of February 7, 2023, Operator failed to implement BMPs to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation from operational roads and other unpaved areas, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 02/11/2023

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

Operator shall implement and maintain required stormwater and erosion control BMPs in accordance with good engineering practices per Rule 1002.f.(2), to control stormwater runoff in a manner that minimizes erosion, transport of sediment offsite, and site degradation, from operational roads and other unpaved areas.

### 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: 02/08/2023

COGCC Representative Signature:

COGCC Representative: Trent Lindley

Email: [trent.lindley@state.co.us](mailto:trent.lindley@state.co.us)

Title: NOAV Specialist

Phone Num: (303) 894-2100x5143

### 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

### 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.

Document Number	Description
403315747	NOAV CERTIFIED MAIL RECEIPT
403315766	NOAV ISSUED

Total Attach: 2 Files