

State of Colorado  
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
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Document Number:  
403368220  
Date Issued:  
04/07/2023  
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: <u>7125</u>	Contact Name and Telephone:
Name of Operator: <u>BEE MAN OIL &amp; GAS INC</u>	Name: <u>JAMES PATE</u>
Address: <u>3401 QUEBEC ST SUITE 9105</u>	Phone: <u>(720) 377-3336</u> Fax: <u>( )</u>
City: <u>DENVER</u> State: <u>CO</u> Zip: <u>80207</u>	Email: <u>jspconcrete@yahoo.com</u>

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

API Number: 05-081-07679-00 Facility or Location ID: \_\_\_\_\_  
Name: Bret Granbouche Number: 24-02H  
QtrQtr: SESW Sec: 2 Twp: 6N Range: 92W Meridian: 6  
County: MOFFAT

### ALLEGED VIOLATION

Rule: 1002.f  
Rule Description: Stormwater Management  
Initial Discovery Date: 04/27/2022 Was this violation self-reported by the operator? No  
Date of Violation: 04/27/2022 Approximate Time of Violation: \_\_\_\_\_  
Was this a discrete violation of obvious duration? Unknown

#### Description of Alleged Violation:

Pursuant to Rule 1002.f.(2), Beeman Oil & Gas, 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 April 27, 2022 (document no.702800168), of the Bret Granbouche 24-02H ("Location") and observed that BMPs to minimize erosion and degradation were missing or insufficient on the Location. Specifically, Staff observed erosion degradation due to inadequate stabilization on the cut slopes. Staff directed Operator to install or repair required BMPs per Rule 1002.f.(2) by June 3, 2022.

COGCC staff conducted a follow-up inspection on November 16, 2022 (document no. 702800942), and observed corrective actions to install or repair required BMPs per Rule 1002.f.(2) were not taken by the Operator. BMPs remained missing or insufficient on the Location's cut slopes, resulting in persistent erosion degradation.

Operator failed to implement and maintain BMPs to control stormwater runoff in a manner that minimizes erosion and degradation on the Location's cut slopes, violating Rule 1002.f.(2).

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 05/07/2023

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

Operator shall comply with Rule 1002.f.(2) and implement and maintain BMPs in accordance with good engineering practices to stabilize the cut slopes, as well as to minimize erosion, degradation, and transport of sediment offsite.

Operator shall submit a Field Inspection Report Resolution ("FIRR"), detailing work completed to comply with the corrective action(s), including dated photographs in sufficiently high resolution so that details of completed work may be readily discerned.

Rule: 1003.f

Rule Description: Interim Reclamation - Weed Control

Initial Discovery Date: 04/27/2022 Was this violation self-reported by the operator? No

Date of Violation: 04/27/2022 Approximate Time of Violation: \_\_\_\_\_

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1003.f, Beeman Oil & Gas, Inc ("Operator") shall during drilling, production, and reclamation operations, keep all disturbed areas as free of all undesirable plant species designated to be noxious weeds as practicable.

COGCC staff conducted an inspection on April 27, 2022 (document no.702800168), of the Bret Granbouche 24-02H ("Location") and observed noxious weeds established on the Location, including weed debris from previous growing seasons and live plants from the present growing season. Staff directed Operator to comply with Rule 1003.f. and conduct weed management on the Location by June 3, 2022.

COGCC staff conducted a follow-up inspection on November 16, 2022 (document no. 702800942), and observed corrective actions to conduct weed management had not been taken. Noxious weeds and weed debris remained at the Location.

Operator failed to keep all disturbed areas as free of undesirable plant species designated to be noxious weeds as practicable, violating Rule 1003.f.

Abatement or Corrective Action Required to be Performed by Operator: \_\_\_\_\_ Corrective Action Due Date: 05/07/2023

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

Operator shall comply with Rule 1003.f. and keep all disturbed as free of all undesirable plant species as practicable and conduct weed management on the Location.

Weed control measures shall be conducted in compliance with the Colorado Noxious Weed Act, C.R.S. §35-5.5-115 and the current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act. It is recommended that the operator consult with the local weed control agency or other weed control authority when weed infestation occurs.

## 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: 04/07/2023

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

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

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

Rule: 1003.f

Rule Description: Interim Reclamation - Weed Control

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.

<b>Document Number</b>	<b>Description</b>
403368233	NOAV CERTIFIED MAIL RECEIPT
403368243	NOAV ISSUED

Total Attach: 2 Files