

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203
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Document Number:

403378232

Date Issued:

04/19/2023

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: 36980

Name of Operator: H & R WELL SERVICES, INC

Address: 17509 CR 14

City: FORT MORGAN State: CO Zip: 80701

Contact Name and Telephone:

Name: DAVID REBOL

Phone: (970) 867-9007 Fax: ()

Email: daverebol@hotmail.com

Well Location, or Facility Information (if applicable):

API Number: 05-075-07523-00

Facility or Location ID:

Name: STATE WARREN

Number: 1

QtrQtr: SESE Sec: 10

Twp: 10N Range: 53W

Meridian: 6

County: LOGAN

ALLEGED VIOLATION

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

Initial Discovery Date: 07/14/2016

Was this violation self-reported by the operator? No

Date of Violation: 07/14/2016

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1004.a, H&R Well Services, Inc. ("Operator") shall, upon the plugging and abandonment of a well, all pits, mouse and rat holes and cellars shall be backfilled. All debris, abandoned gathering line risers and flowline risers, and surface equipment shall be removed within three (3) months of plugging a well. All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and recontoured. Well locations, access roads and associated facilities shall be reclaimed. As applicable, compaction alleviation, restoration, and revegetation of well sites, associated production facilities, and access roads shall be performed to the same standards as established for interim reclamation under Rule 1003. All other equipment, supplies, weeds, rubbish, and other waste material shall be removed. All such reclamation work shall be completed within three (3) months on crop land and twelve (12) months on non-crop land after plugging a well or final closure of associated production facilities.

On October 13, 1995, the State Warren #1 well was plugged and abandoned.

COGCC staff conducted an inspection on July 14, 2016 (document no. 682500988) of the State Warren 1 ("Location"), and observed that the Location was bare and unvegetated, containing gravel and pipe debris remained. Staff also observed erosion degradation and impacts due to a produced water spill.

COGCC staff conducted follow-up inspections on April 24, 2017 (document no. 682501921) and August 25, 2017 (Doc #675103913), and observed corrective actions to remediate and reclaim the Location had been taken by Operator, however, large regions within the spill area lacked plant germination and additional reclamation and remediation was needed.

Operator dissolved in 2018.

COGCC staff conducted an inspection on July 26, 2022 (document no. 697504086) in response to a complaint, filed on December 10, 2021 (Form 18 document no. 402895865), and observed that the Location remained bare and unvegetated, and impacts due to a produced water spill remained.

Operator failed to complete remediation and final reclamation of the Location, violating Rule 1004.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 05/19/2023

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

Operator shall complete remediation and final reclamation activities on the Location and offsite disturbance areas in accordance with 1004 Rules. Operator shall remediate all impacted soils to meet Table 915-1 Cleanup Concentrations, or be removed and properly disposed at a permitted disposal Facility. All waste manifests to document any disposal will be required to be attached and submitted with a Form 4, Sundry Notice. Soils imported to replace the impacted materials and topsoil lost, as well as to achieve any necessary contouring to comport with Rule 1004 requirements, shall be comparative in quality, composition, and agronomic properties to that of the adjacent, undisturbed reference 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.

NOAV ISSUED

NOAV Issue Date: 04/19/2023

COGCC Representative Signature: 

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (303) 894-2100x5143

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>
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403378235	NOAV CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files