

State of Colorado  
Energy & Carbon Management Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203  
Phone: (303) 894-2100 Fax: (303) 894-2109



Document Number:

403515551

Date Issued:

08/30/2023

## 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: 96850  
Name of Operator: TEP ROCKY MOUNTAIN LLC  
Address: 1058 COUNTY ROAD 215  
City: PARACHUTE State: CO Zip: 81635

Contact Name and Telephone:

Name: JEFFREY KIRTLAND

Phone: (970) 263-2736 Fax: ( )

Email: jkirtland@terraep.com

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

API Number: 05-045-14535-00

Facility or Location ID:

Name: CHEVRON

Number: TR 22-5-597

QtrQtr: SWNW

Sec: 5

Twp: 5S

Range: 97W

Meridian: 6

County: GARFIELD

### ALLEGED VIOLATION

Rule: 1004.a

Rule Description: Final Reclamation - Well Sites Reclamation

Initial Discovery Date: 09/07/2022

Was this violation self-reported by the operator? No

Date of Violation: 09/07/2022

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 1004.a, TEP Rocky Mountain, LLC ("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. All access roads to plugged and abandoned wells and associated production facilities shall be closed, graded and recontoured. Culverts and any other obstructions that were part of the access road(s) shall be removed. 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 twelve (12) months on non-crop land after plugging a well or final closure of associated production facilities. The Director may grant an extension where unusual circumstances are encountered, but every reasonable effort shall be made to complete reclamation before the next local growing season

On April 2, 2012, Operator submitted a Form 4 Sundry Notice (document no. 2332098) stating the Chevron TR 22-5-597 ("Location") well location was built and abandoned, but the well was not drilled.

CECMC staff conducted an inspection of the Location on September 23, 2015 (document no. 680100178), and observed that Final Reclamation requirements were not complete. The Location and access road had not been recontoured and reclaimed and equipment remained on site.

On November 30, 2015, Operator submitted a Form 42, Field Operations Notice ("Form 42"), stating all corrective actions required in

the September 23, 2015 field inspection report had been performed.

CECMC staff conducted an inspection on September 7, 2022 (document no. 696204061), and observed that Final Reclamation requirements had not been performed. The Location and access road had not been properly recontoured, regraded and reclaimed; fill slopes remain evident and bare; and a berm remained along the southeastern perimeter.. Staff required Operator to perform corrective actions to comply with 1004 Rules by November 15, 2022.

CECMC staff conducted a follow-up inspection on July 14, 2023 (document no. 696205096) and observed that corrective actions to complete Final Reclamation requirements had not been performed.

Operator failed to complete Final Reclamation requirements on the Location, violating Rule 1004.a.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 09/27/2023

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

Operator shall conduct final reclamation activities in accordance with Rule 1004.a on the Location.

## 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\\_ecmc\\_enforcement@state.co.us](mailto:dnr_ecmc_enforcement@state.co.us).

## NOAV ISSUED

NOAV Issue Date: 08/30/2023

COGCC Representative Signature: 

COGCC Representative: Trent Lindley

Title: NOAV Specialist

Email: [trent.lindley@state.co.us](mailto: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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403515643	NOAV CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files