

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:  
403704306  
Date Issued:  
02/29/2024  
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: 46290  
Name of Operator: KP KAUFFMAN COMPANY INC  
Address: 1700 LINCOLN ST STE 4550  
City: DENVER State: CO Zip: 80203

Contact Name and Telephone:

Name: ROSS WATZMAN  
Phone: (303) 825-4822 Fax: ( )  
Email: rwatzman@kpk.com

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

API Number: 05- -00 Facility or Location ID: 484274  
Name: David Howard Flowline Release Number:  
QtrQtr: SESE Sec: 28 Twp: 1N Range: 67W Meridian: 6  
County: WELD

### ALLEGED VIOLATION

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 04/15/2023 Was this violation self-reported by the operator? No  
Date of Violation: 04/15/2023 Approximate Time of Violation:  
Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.b.(6), no later than 90 days after a Spill or Release is discovered, KP Kauffman Company, Inc. ("Operator") will have submitted, and obtained the Director's approval of either: A. A Form 19 – Supplemental requesting closure pursuant to Rule 913.h and supported by adequate documentation to demonstrate that the Spill or Release has been fully cleaned up and complies with Table 915-1; or B. A Form 27 if any of the criteria listed in Rules 912.b.(6).B.i-iii apply. If Remediation will continue under an approved Form 27, the Operator will also submit a Form 19 – Supplemental which requests closure of the Spill or Release and includes the Remediation project number assigned by the Director.

On April 15, 2023 Operator submitted an Initial Form 19, Spill/Release Report (document no. 403374685) for the David Howard Flowline Release (Spill/Release Point ID: 484274) of produced water and oil from the Facility 7 Consolidation Flowline (Facility ID: 479610). On this Form 19 Operator Reports the date of spill discovery as April 13, 2023.

As of February 26, 2024, Operator has not submitted a Supplemental Form 19 Spill/Release Report requesting closure of the release.

Operator failed to submit a Form 19 - Supplemental Spill/Release Report requesting closure no later than 90 days after the discovery of a Spill or Release, violating Rule 912.b.(6).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date:

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

Operator will submit an approvable Form 19 Supplemental Spill/Release Report requesting closure of Spill/Release Point ID: 484274.

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

Initial Discovery Date: 04/15/2023

Was this violation self-reported by the operator? No

Date of Violation: 04/15/2023

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Unknown

Description of Alleged Violation:

Pursuant to Rule 912.b.(4), KP Kauffman Company, Inc. ("Operator") will file a Form 19 – Supplemental not more than 10 days after the Spill or Release is discovered.

On April 15, 2023 Operator submitted an Initial Form 19, Spill/Release Report (document no. 403374685) for the David Howard Flowline Release (Spill/Release Point ID: 484274) of produced water and oil from the Facility 7 Consolidation Flowline (Facility ID: 479610). On this Form 19 Operator Reports the date of spill discovery as April 13, 2023.

On April 24, 2023, Operator submitted a Supplemental Form 19, Spill/Release Report (document no. 403381685) for the Spill. This Supplemental Form 19 was submitted 11 days after the spill discovery date.

Operator failed to submit a Form 19 – Supplemental within 10 days after the discovery of a Spill or Release, violating Rule 912.b.(4).

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 02/29/2024

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

Given the nature of this violation, corrective action is inadequate at this time.

## 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: 02/29/2024

COGCC Representative Signature:

COGCC Representative: Trent Lindley

Title: NOAV Specialist

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

Phone Num: (720) 765-0031

## CORRECTIVE ACTION COMPLETED

Rule: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

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: 912.b.

Rule Description: Reporting Spills or Releases of E&P Waste, Gas, or Produced Fluids

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
403704322	NOAV CERTIFIED MAIL RECEIPT
403704333	NOAV ISSUED

Total Attach: 2 Files