

State of Colorado
Energy & Carbon Management Commission

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



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Date Issued:
12/12/2024

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

ECMC Operator Number: 10841

Name of Operator: AMERICAN HELIUM OPERATING LLC

Address: 600 TRAVIS STREET SUITE 5050

City: HOUSTON State: TX Zip: 77002

Contact Name and Telephone:

Name: JOSEPH FROST

Phone: (713) 742-3624 Fax: ()

Email: jfrost@americanhelium.us

Well Location, or Facility Information (if applicable):

API Number: 05- -00

Facility or Location ID:

Name:

Number:

QtrQtr: Sec:

Twp: Range:

Meridian:

County:

ALLEGED VIOLATION

Rule: 702

Rule Description: Financial Assurance for Plugging, Abandonment, and Reclamation

Initial Discovery Date: 12/11/2024

Was this violation self-reported by the operator? No

Date of Violation: 12/11/2024

Approximate Time of Violation:

Was this a discrete violation of obvious duration? Yes

Description of Alleged Violation:

Pursuant to Rule 702.d., American Helium Operating, LLC ("Operator") was required to provide Financial Assurance to the Commission no later than 90 days from the Commission's approval of its Financial Assurance Plan. The relevant Financial Assurance Plan was approved on September 11, 2024.

As of December 11, 2024, ECMC Records indicate that Operator has not filed a Form 3A, Financial Assurance, which is necessary to provide Financial Assurance to the Commission, violating Rule 702.d.

Abatement or Corrective Action Required to be Performed by Operator:

Corrective Action Due Date: 01/12/2025

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

Operator must file a Form 3A, Financial Assurance, and provide all required Financial Assurance by the Corrective Action Due Date.

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.

NOAV ISSUED

NOAV Issue Date: 12/12/2024

ECMC Representative Signature: 

ECMC Representative: Trent Lindley

Title: NOAV Specialist

Email: trent.lindley@state.co.us

Phone Num: (720) 765-0031

ATTACHMENT LIST

View Attachments in Imaged Documents on ECMC website (<http://ecmcweblink.state.co.us/>) - Search by Document Number.

<u>Document Number</u>	<u>Description</u>
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404026022	NOAV CERTIFIED MAIL RECEIPT
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Total Attach: 1 Files