

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF ALLEGED VIOLATIONS OF THE) CAUSE NO. 1V
RULES AND REGULATIONS OF THE COLORADO OIL)
AND GAS CONSERVATION COMMISSION BY **WESTERN**) DOCKET NO. 1403-OV-04
OPERATING COMPANY IN WASHINGTON COUNTY,)
COLORADO)

NOTICE OF HEARING

TO ALL INTERESTED PARTIES AND TO WHOM IT MAY CONCERN:

Pursuant to Rule 522.c., the Colorado Oil and Gas Conservation Commission ("Commission" or "COGCC") Staff will apply to the Commission at its March 17-18, 2014 hearing for an Order Finding Violation ("OFV") against **Western Operation Company** ("Western") (Operator No. 95620).

Western is the operator of record for the Forbes 1-14 well (API# 05-121-06758) (the "Well") in Washington County, Colorado. The Well was spud on March 8, 1957.

Aerial photographs from 2009 document the presence of a skim pit ("Pit") at the Well. In 2011, additional aerial photographs of the well show stockpiled soil and tanks located where the Pit was located in the 2009 photographs.

On November 20, 2013 COGCC performed an inspection of the Well (Doc. No. 0670600111) and observed that the Pit had been closed.

Western did not submit a Form 27, Investigation and Remediation Work Plan, and did not obtain prior approval from COGCC staff before closing the Pit.

Western has not provided COGCC with any documentation related to the Pit closure or the disposition of any E&P waste generated therefrom.

On December 13, 2013 COGCC issued Notice of Alleged Violation No. 200392590 ("NOAV") to Western citing violations of the following COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules"):

- a. 603.f (Statewide Equipment, Weeds, Waste, and Trash Requirements)
- b. 905.b (Closure of Pits, and Buried or Partially Buried Produced Water Vessels)
- c. 907.a (Management of E&P Waste, General Requirements)
- d. 909 (Site Investigation, Remediation, and Closure)

The NOAV required Western to correct or abate the alleged rule violations by performing corrective actions. Western has not completed these corrective actions.

COGCC staff requests that Western be found in violation of the Rules cited above and assessed a penalty pursuant to Rule 523.

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Commission under § 34-60-105 C.R.S.; 2) specific powers granted pursuant to § 34-60-106 C.R.S.; 3) the Colorado Administrative Procedures Act at § 24-4-105 C.R.S.; and 4) the Commission's Series 500 Rules at 2 CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Monday, March 17, 2014
Tuesday, March 18, 2014

Time: 9:00 a.m.

Place: COGCC Main Office
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

In accordance with the Americans with Disabilities Act, if any party requires special accommodations as a result of a disability for this hearing, please contact Margaret Humecki at (303) 894-2100 ext. 5139, prior to the hearing and arrangements will be made.

Pursuant to said hearing in the above-entitled matter at the time and place aforesaid, or at any adjourned meeting, the Commission will enter such orders as it deems appropriate to protect the health, safety and welfare of the public and to prevent the waste of oil and gas, either or both, in the operations of said field, and to carry out the purposes of the statute.

In accordance with Rule 509, any interested party desiring to protest the granting of the application or to intervene on the application must file with the Commission a written protest or intervention no later than March 3, 2014, briefly stating the basis of the protest or intervention. Any interested party must file an original and two copies with the Commission, along with an electronic version. Pursuant to Rule 503.g., if a party who has received notice under Rule 503.b. wishes to receive further pleadings in the above-referenced matter, that party must file a protest or intervention in accordance with these rules.

OIL AND GAS CONSERVATION COMMISSION OF THE
STATE OF COLORADO

By  _____
Robert J. Frick, Secretary

Dated: January 23, 2013
Colorado Oil and Gas Conservation Commission
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