

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) DOCKET NO. 1503-OV-02
BENCHMARK ENERGY LLC, LOGAN COUNTY,)
COLORADO)

NOTICE AND APPLICATION FOR 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 2-3, 2015 hearing for an Order Finding Violation ("OFV") against Benchmark Energy LLC ("Benchmark") (Operator No. 10380).

Benchmark is the operator of the Sec 1 8N54W Tank Battery Facility ("Facility") (Facility No. 437485) in Logan County. On June 4, 2014, an oil spill greater than 5 barrels, which was both inside and outside of secondary containment, was discovered by Benchmark at the Facility. This spill was not reported to the COGCC, local government, or surface owner, and was improperly documented by a late Spill/Release Report, Form 19.

On June 6, 2014, COGCC staff discovered the spill, which now extended across the lease road into an adjacent pasture. Staff was unable to reach Benchmark through the emergency contact number. On June 18, 2014, COGCC staff observed that E&P waste had been transported from the site without prior transportation and disposal information submitted to the COGCC.

On August 1, 2014, COGCC Staff issued Notice of Alleged Violation ("NOAV") No. 200409785 to Benchmark citing violations of the following COGCC Rules of Practice and Procedure, 2 CCR 404-1 ("Rule" or "Rules"):

- a. Rule 906.a. (Spills and Releases, General)
- b. Rule 906.b. (Spill/Release Reporting)
- c. Rule 907.b. (Waste Transportation)

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

NOTICE IS HEREBY GIVEN, pursuant to: 1) the general jurisdiction granted to the Oil and Gas Conservation Commission of the State of Colorado (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 2CCR 404-1, that the Commission has scheduled the above-entitled matter for hearing on:

Date: Monday, March 2, 2015
Tuesday, March 3, 2015

Time: 9:00 a.m.

Place: Colorado Oil and Gas Conservation Commission
1120 Lincoln St. Suite 801
Denver, CO 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 should file with the Commission a written protest or intervention no later than February 13, 2015, briefly stating the basis of the protest or intervention. One electronic, one original and two copies shall be filed with the Commission. Anyone who files a protest or intervention must be able to participate in a prehearing conference during the week of February 13, 2015. 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: November 18, 2014

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203
Website: <http://cogcc.state.co.us>
Phone: (303) 894-2100
Fax: (303) 894-2109