

## COGCC 1st Quarter 2015 HB 14-1356 Report

Operator	Operator #	NOAV Date	NOAV Nos.	Violations in Order	Penalty (Total)	Penalty (Suspended)	Penalty Days	Daily Penalty	Aggravating Factors	Mitigating Factors	Pattern of Violation (Y/N)	Gross Negligence or Knowing & Willful misconduct (Y/N)	AOC or OFV	Other Rationale	Docket No.	Order No. (1V)	Final Order Date	
1	Foundation Energy Management LLC	10112	7/14/2014 (3); 9/25/2014(2)	200408958; 200408959; 200408960; 200412868; 200412872	906.b. (4 violations); 906.c. (5 violations); 1101.e. (2 violations)	\$110,000	\$24,000	110	\$1,000	None	None	No	No	AOC	Statutory Maximum	1410-OV-67	491	1/26/2015
2	Halcyon Exploration Company, LLC	10147	7/24/2014 (2); 3/17/2014	400650567; 400650507; 2450978	1004 (2 violations); 308A	\$30,000		30	\$1,000	None	None	No	No	AOC	Statutory Maximum	1410-OV-71	492	1/26/2015
3	Unit Petroleum Company	10259	11/17/2014	200417241	326.b.(1)	\$8,000		10	\$800	None	None	No	No	AOC	Settlement Inducement	150300135	493	3/2/2015
4	WillSource Enterprise LLC	96790	11/13/2014; 11/14/2014	200417072; 200417060	326.b.(1) (2 violations)	\$20,000		20	\$1,000	None	None	No	No	OFV	Statutory Maximum	1501-OV-01; 150100174	495	3/3/2015

**Total Penalties Imposed** \$168,000

**A. Aggravating factors**

1. The violator acted with gross negligence or knowing and willful misconduct.
2. The violation resulted in significant waste of oil and gas resources.
3. The violation had a significant negative impact on correlative rights of other parties.
4. The violator was recalcitrant or uncooperative with the Commission or other agencies in correcting or responding to the violation.
5. The violator falsified reports or records.
6. The violator benefited economically from the violation, in which case the amount of such benefit shall be taken into consideration.
7. The violator has engaged in a pattern of violations.

**B. Mitigating factors**

1. The violator self-reported the violation.
2. The violator demonstrated prompt, effective and prudent response to the violation, including assistance to any impacted parties.
3. The cause of the violation was outside of the violator's reasonable control and responsibility, or is customarily considered to be force majeure.
4. The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation.
5. The cost of correcting the violation reduced or eliminated any economic benefit to the violator, excluding circumstances in which increased costs stemmed from non-compliance.
6. The violator has demonstrated a history of compliance with the Act, and Commission rules, orders, and permits.