

COGCC 3rd Quarter 2014 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 Hearing	Other Rationale	Docket No.	Order No. (1V)	Final Order Date	
Bonanza Creek Energy Operating Company, LLC	8960	6/9/2014	400618618	324A.a; 602.a; 606A.h.; 606A.m; 606A.o	\$3,000		3	\$1,000	N/A	1, 2, 3, 5	N	N	AOC	Statutory Maximum (despite mitigating factors)	1407-OV-54	476	7/28/2014	
Carrizo Oil and Gas Inc.	10338	3/17/2014	2450974; 2450975	308A (2 wells); 308B (2 wells)	\$4,000		4	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1409-OV-60	475	9/15/2014	
CCI Paradox Upstream, LLC	10453	12/1/2013	200390383; 200390387; 200390386; 200390385; 200390384	326.B.(1) -2 Wells	\$18,000		20	\$900	N/A	N/A	N	N	AOC	10% discount from statutory maximum as settlement inducement	1403-OV-27	473	7/28/2014	
ConocoPhillips Company	19160	6/12/2014	400624186)	324A.a; 605.d	\$2,000		2	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1409-OV-65	479	9/15/2014	
Dejour Energy (USA) Corporation	10301	5/1/2014 (4 NOAV's); 5/27/2014 (4 NOAV's)	200403302; 200403300; 200403301; 200403283; 200403552; 200403594; 200403616; 200403619	(4) Permit Violations; (2) 316C; (4) 308B;(4) 205A	\$45,000		50	\$900	N/A	N/A	N	N	AOC	10% discount from statutory maximum as settlement inducement	1407-OV-51	471	7/28/2014	
Encana Oil & Gas (USA) Inc.	100185	5/1/2012	200348796	324A.a; 805.a.; 907.a.(1); 912.a	\$0		16	\$0	N/A	3,6	N	N	AOC	The costs incurred by the operator to resolve the violations resulted in greater public benefits than the monetary penalty that could have been imposed.	1211-OV-12	399	7/28/2014	
Enervest Operating LLC	10098	1/22/2014	200393587	326.b.1. (1 well)	\$1,000		1	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1404-OV-35	472	7/28/2014	
Julander Energy Company	44204	4/10/2014	200401389; 200401393	326.b.1 (2 wells)	\$15,000		20	\$750	N/A	2, 3, 7	N	N	AOC	25% discount from Statutory Maximum for mitigation credit and settlement inducement	1406-OV-47	480	9/15/2014	
M E III Corporation	52060	7/12/2013	200382926	309; 310	\$20,000	\$15,000	20	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum; with 75% suspended as incentive for ongoing compliance	1407-OV-56	482	9/15/2014	
Sundance Energy Inc.	10340	5/9/2014	200404234	324A.a; 606A.h; 606A.m; 606A.q	\$4,000		4	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1407-OV-52	477	7/28/2014	
Tekton Windsor LLC	10392	6/26/2014	200407964; 200407965	318A.e.(4)	\$2,000		2	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1409-OV-62	481	9/15/2014	
Texas Tea of Colorado LLC	87195	2/27/2014	200397470	210.b; 309-319.b.(3); 324A.a; 326.b.(1); 603.f; 912.a	\$70,000	\$70,000	70	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum with 100% suspended for incentive for ongoing compliance	1406-OV-43	485	9/15/2014	
Think Oil, Inc.	87815	1/23/2014	2540423; 2540424	706 (2 wells)	\$20,000		20	\$1,000	N/A	N/A	N	N	OFV	Statutory Maximum	1404-OV-32	458	9/15/2014	
Wiepking-Fullerton Energy LLC	96340	5/5/2014	200403658	324A.a	\$1,000		1	\$1,000	N/A	N/A	N	N	AOC	Statutory Maximum	1407-OV-58	474	7/28/2014	
Total Penalties Imposed								\$204,000										

Aggravating factors.

- (1) The violation was intentional or reckless.
- (2) The violation had a significant negative impact, or threat of significant negative impact, on the environment or on public health, safety, or welfare.
- (3) The violation resulted in significant waste of oil and gas resources.
- (4) The violation had a significant negative impact on correlative rights of other parties.
- (5) The violation resulted in or threatened to result in significant loss or damage to public or private property.
- (6) The violation involved recalcitrance or recidivism upon the part of the violator.
- (7) The violation involved intentional false reporting or recordkeeping.
- (8) The violation resulted in economic benefit to the violator, including the economic benefit associated with noncompliance with the applicable rule, in which case the amount of such benefit may be taken into consideration.
- (9) The violation results in significant, avoidable loss of wildlife or wildlife resources, including the ability of the land to produce vegetation supportive of wildlife.

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 violator cooperated with the Commission, or other agencies with respect to the violation.
- (4) The cause(s) of the violation was (were) outside of the violator's reasonable control and responsibility, or is (are) customarily considered to be force majeure.
- (5) The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation.
- (6) The cost of correcting the violation reduced or eliminated any economic benefit to the violator.
- (7) The violator has demonstrated a history of compliance with Commission rules, regulations and orders.