

COGCC 4th Quarter 2018 HB 14-1356 Report

Operator	Operator #	NOAV Nos.	NOAV Date	Violations in Order	Penalty (Total)	Penalty Imposed on Defunct and/or Non-Responsive Operator (Y/N)	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
2RC OPERATING LLC	10681	401583821	3/28/2018	312	\$73,600	N	\$0	368	\$200	None	None	N	N	AOC	Consolidation of Violations; Statutory Maximum; Financial Assurance Foreclosure	180600394	675	10/29/2018
ENTEK GRB LLC	10323	401077780	7/15/2016	326.b.	\$61,330	Y	\$0	394	\$156	None	None	N	N	OFV	Commission Hearing; Duration Matrix; Financial Assurance Foreclosure	180900660	676	10/29/2018
PDC ENERGY INC	69175	401542544	2/14/2018	909; 1004.a.	\$189,300	N	\$37,860	412	\$459	None	2	N	N	AOC	Duration Matrix; Settlement Inducement; Suspended Penalty	180400298	678	10/29/2018
TOP OPERATING COMPANY	39560	401562368	3/5/2018	324A.b, 603.f., 905.b., 906.a., 1004.a.	\$621,110	N	\$71,100	1087	\$571	None	None	N	N	AOC	Settlement Inducement Suspended Penalty	180600376	679	10/29/2018
WESTERN GAS RESOURCES, INC	26400	401343967	7/19/2017	1004	\$15,110	N	\$0	483	\$31	None	None	N	N	AOC	Duration Matrix; Remediation Costs	171200650	677	10/29/2018
ALTA MESA SERVICES LP	10630	401406173	10/20/2017	303.b; 316C; 603.f; 1002.f; 1003.b	\$261,282	N	\$130,641	1724	\$76	None	None	N	N	AOC	Duration Matrix; Settlement Inducement; Suspended Penalty	180900016	680	12/17/2018
CUB CREEK ENERGY	10542	401584525; 401584528; 401607590	03/23/2018 (2); 04/13/2018	603.f; 606A.p; 912; 912.e; 1002.e; 1002.f; 1003.b	\$308,095	N	N	1289	\$239	None	None	N	N	AOC	Duration Matrix; Settlement Inducement; Public Project	180900501	685	12/17/2018
GUNNISON ENERGY LLC	10515	401562370; 401840466	03/05/2018; 11/15/2018	324A; 605.d	\$349,125	N	N	136	\$2,567	None	2	N	N	AOC	Duration Matrix; Settlement Inducement	181200375	684	12/17/2018
LORENTZ OIL & GAS LLC	10117	401639996; 401639998; 401639999; 401640001	05/15/2018 (4)	210.b; 210.d; 326.b; 522.f; 603.f; 605.a; 907A	\$653,688	N	\$503,688	9,543	\$69	None	None	N	N	AOC	Duration Matrix, Settlement Inducement, Suspended Penalty	181000657	686	12/17/2018
MUSTANG RESOURCES LLC	10550	401578935	3/20/2018	210.b.; 210.d.; and 605.d.	\$71,730	N	\$30,000	416	\$172	None	None	N	N	AOC	Duration Matrix; Settlement Inducement; Suspended Penalty	181200504	683	12/17/2018

Total Penalties Assessed \$2,604,370

A. Aggravating Factors

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

B. Mitigating Factors

- The violator self-reported the violation.
- The violator demonstrated prompt, effective and prudent response to the violation, including assistance to any impacted parties.
- The cause of the violation was outside of the violator's reasonable control and responsibility, or is customarily considered to be force majeure
- The violator made a good faith effort to comply with applicable requirements prior to the Commission learning of the violation
- 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.
- The violator has demonstrated a history of compliance with the Act, and Commission rules, orders, and permits