

COGCC 2nd Quarter 2017 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	Bonanza Creek Energy Operating Company LLC	8960	2/17/2017	401212624	308A	\$20,000	\$10,000	8	\$2,500	None	None	N	N	AOC	Inability to Pay; Settlement Inducement	170500187	1V-627	5/1/2017
2	Chevron USA Inc.	16700	11/23/2017	401133244	605.d.; 907.a.; 1102	\$30,000	\$0	6	\$5,000	None	None	N	N	AOC	None	170500024	1V-635	6/12/2017
3	Delbert Koch	10603	N/A	N/A	N/A	N/A	N/A	N/A	N/A	None	None	N	N	Bond Call	Bond Call; Domestic Well	170600305	1V-634	6/12/2017
4	Energy Search Co.	27635	3/24/2017 (15)	401225877; 401225943; 401226120; 401226125; 401226187; 401226197; 401226217; 401226230; 401226257; 401226261; 401226266; 401226274; 401226283; 401226297; 401226306	326.b; 522.f	\$1,212,120	\$0	6067	\$200	4; 6; 7	None	Y	N	OFV	Commission Hearing	170600310	1V-636	6/12/2017
5	HRM Resources II, LLC	10548	10/27/2016 (2)	401081025; 401081037	311; 326.b. (2)	\$85,751	\$42,875	652	\$132	None	None	N	N	AOC	Settlement Inducement	170500003	1V-638	6/12/2017
6	Jackie Bruce	11065	N/A	N/A	N/A	N/A	N/A	N/A	N/A	None	None	N	N	Bond Call	Bond Call; Domestic Well	170600312	1V-628	6/12/2017

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7	Joseph J.C. Paine dba Paine Petroleum Co. LLC	10317	10/27/2016	401128719	309; 312	\$6,502	\$0	1047	\$6	None	None	N	N	AOC	Settlement Inducement	170500004	1V-630	5/1/2017
8	Kerr McGee Oil & Gas Onshore LP	47120	9/23/2016	401103776	308B; 309; 319.b.(1)	\$39,410	\$0	1063	\$37	None	2	N	N	AOC	Settlement Inducement	170500010	1V-631	5/1/2017
9	Lilis Energy Inc	10495	11/1/2016	401080843	309; 326.b.	\$49,986	\$24,986	828	\$60	None	None	N	N	AOC	Settlement Inducement; Compliance Plan	170300022	1V-632	5/1/2017
10	Noble Energy Inc	100322	9/23/2016; 3/3/2017	401103177; 401224666	308B; 309; 319.b	\$46,785	\$0	935	\$50	None	None	N	N	AOC	Duration Matrix; Settlement Inducement	170500011	1V-629	5/1/2017
11	Petro Mex Resources	10059	10/27/2016; 2/7/2017	401088370; 401193646	316C; 317.e.; 326.f.	\$50,000	\$30,000	982	\$51	None	None	N	N	AOC	Inability to Pay; Settlement Inducement	170500006	1V-633	5/1/2017

Total Penalties Assessed

\$1,540,554

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.