

COGCC 1st Quarter 2016 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	Benchmark Energy LLC	10380	8/31/2015; 12/11/2015; 8/19/2015; 8/31/2015	200437036; 400939440; 200436808; 200437037	§34-60-121(1), C.R.S.; 906.a.(7); 906.b.(6); 309; 326; 1003.a; 523.d.(3)	\$1,267,555	N/A	5009	\$253	None	None	Yes	No	OFV	Commission Hearing	160100074	564	1/26/2016
2	Bonanza Creek Energy Operating Comp. LLC.	08960	11/16/2015	200437972	318.A.f	\$1,875	N/A	1	\$1,875	None	None	No	No	AOC	Settlement Inducement	160100007	559	1/26/2016
3	BP America Production	10000	9/24/2015; 9/14/2015	200437370; 200437191	316C; 1102	\$12,500	N/A	2	\$6,250	None	None	No	No	AOC	Policy Table Values	160100075	557	1/26/2016
4	Cascade Petroleum LLC.	10414	9/25/2015	1897993	912.b	\$20,000	N/A	200	\$100	None	6	No	No	AOC	Policy Table Values; Duration Matrix; Rule Reclassification; Settlement Inducement	160100077	560	1/26/2016
5	CM Production LLC	10352	11/21/2014 (1); 6/18/2015 (5); 8/27/2015 (1)	200417500; 2618140, 2618141, 2618142; 2618143; 2618144, 5229352	§34-60-121(1), C.R.S.; 326; 707.a.	\$392,140	\$64,510	3572	\$110	None	None	No	No	OFV	\$150,000 from Director's Demand for Payment under prior Orders instead of imposing new penalty for Docket No. 151000676	151000676; 160100078; 160100079	569	3/7/2016
6	DCP Midstream LP.	04680	7/23/2015	200436084	906; 907	\$32,500	\$8,125	13	\$2,500	None	None	No	No	AOC	Policy Table Values; Duration Matrix; Suspension	151200560	561	1/26/2016
7	Diversified Energy, LLC	10428	10/16/2015	200437756	605.a.(4); 906	\$65,700	\$55,700	96	\$684	None	None	No	No	AOC	Policy Table Value with Duration Matrix	160100002	567	3/7/2016
8	Great Western Operating Company LLC	10110	8/24/2015	200436875	308A; 308B; 309.a	74,941	N/A	359	\$209	None	None	No	No	AOC	Policy Table Value; Settlement Inducement	151200658	563	1/26/2016
9	Grynberg, Jack DBA Grynberg Petroleum Co.	36200	8/24/2015	200436876	607	\$3,500	N/A	369	\$9.49	None	None	No	No	AOC	Consolidation; Rule Reclassification; Settlement Inducement	160300091	565	3/7/2016
10	Grynberg, Jack DBA Grynberg Petroleum Co.	36200	9/18/2015	200437259	318A.f.	\$1,875	N/A	1	\$1,875	None	None	No	No	AOC	Settlement Inducement	160300161	566	3/7/2016
11	Monument Global Resources Inc.	10430	5/1/2013; 6/23/2015	200379257; 200379270; 200434664	906.a.(4 violations); 906.c.(1)/909.e.(2) (3 violations); 906.b. (2 violations); 906.c. (1 violation); 906.d. (1 violation); 1102.a.(1) (2 violations)	\$100,950	\$54,925	313	\$323	None	None	No	No	AOC	Statutory Maximum; Inability to Pay; Settlement inducement	150900160	541	3/7/2016
12	Piceance Energy	10433	9/29/2015 (2)	200437586; 200437631	316C.a (2)	\$7,800	N/A	16	\$488	None	None	No	No	AOC	Policy Table Value	160100082	562	1/26/2016
13	Rancho Tres	73372	9/16/2015	2559405	None	None	N/A	None	None	None	None	No	No	Foreclosure Order	Domestic Well (Orphaned)	160300095	570	3/7/2016
14	Renegade Oil & Gas Company LLC	74165	7/23/2015	200436071	205.f., 907.a.(1)	\$22,446	\$11,223	139	\$161	None	None	No	No	AOC	Policy Table Value; Settlement Inducement; Suspension	160300096	568	3/7/2016
15	Santa Fe Natural Resources	10525	6/11/2015	2618136	309; 326	\$36,150	\$18,075	632	\$57	None	None	No	No	AOC	Policy Table Values; Duration Matrix; Settlement Inducement; Ability to Pay; Suspension	151000473	558	1/26/2016
16	Synergy Resources Corporation	10311	6/23/2015	1772582	308A; 309; 316C	\$79,275	N/A	264	\$300	None	6	No	No	AOC	Policy Table Values; Duration Matrix; Settlement Inducement	151000487	571	3/7/2016

Total Penalties assessed \$2,119,207

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.