

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

IN THE MATTER OF THE NOTICE)
OF VIOLATION, PERMIT)
AUTHORIZATION TERMINATION)
NOTICE(S), AND ORDER TO RECLAIM)
)
Mr. Mark Hettinger)
High Plains Gas, Inc.)
PO Box 1564)
Gillette, WY 82717)

DOCKET NUMBER 5394-14

NOTICE OF VIOLATION, PERMIT AUTHORIZATION TERMINATION NOTICE(S), AND
ORDER TO RECLAIM

NOTICE IS HEREBY GIVEN THAT:

1. **High Plains Gas, Inc.**, hereby referred to as “**High Plains**”, has thirty-five (35) active Underground Injection Control (UIC) 5C5-1 and 5C5-3 General Permit Authorizations for injection of Coal Bed Methane Produced Water, as listed in ATTACHMENT “A”.
2. The Wyoming Department of Environmental Quality (DEQ) Water Quality Division (WQD), pursuant to W.S. 16-3-113(c) and Chapter 27, Section 7 (d)(xiii) of the Wyoming Water Quality Rules & Regulations, hereby notifies **High Plains** that the DEQ/WQD is terminating **High Plains’** Underground Injection Control (UIC) authorizations for the general permit authorizations listed in ATTACHMENT “A” to this Notice for the permit violations cited in 3., 4., and 5. below and is issuing an Order requiring **High Plains** to proceed with plugging, abandonment, and reclamation of the permitted facilities in accordance with the terms and schedule to be set forth in the Order. On December 8, 2016, the DEQ provided **High Plains** with a written notice of the DEQ’s intent to terminate the permit authorizations listed in ATTACHMENT “A”, and provided **High Plains** a thirty-five (35) day period (ending on January 13, 2017) in which to attain permit compliance with the violations listed below. **High Plains** has not made any attempt to attain permit compliance.
3. **High Plains** is in violation of UIC General Permits 5C5-1 and 5C5-3, Part IV, Section (B.)(1.), which require all operators covered by these permits to record the volume of water injected into each well covered by General Permits 5C5-1 and 5C5-3 on a monthly basis and report these

volumes to the UIC Program on a quarterly basis. **High Plains** has not submitted any injection volume data to the UIC Program since July, 2012.

4. **High Plains** is in violation of UIC General Permits 5C5-1 and 5C5-3, Part IV, Section (B.)(2.), which requires all operators covered by these permits to monitor the quality of the injected fluid by collecting samples for various parameters, submitting the samples collected for laboratory analysis, and submitting the results of these analyses to the UIC Program on a quarterly basis. **High Plains** has not submitted any injectate analyses to the UIC Program since July, 2012.
5. **High Plains** is in violation of UIC General Permits 5C5-1 and 5C5-3, Part IV, Section (B.)(3.), which requires all operators covered by these permits to perform periodic tests (once every five (5) years) to determine whether mechanical integrity is being maintained at the injection wells and to submit the results to the UIC Program. Various injection wells (denoted with a "*" on ATTACHMENT "A") are in violation of mechanical integrity reporting.

This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the Director of DEQ shall cause a written notice to be issued and served on the person alleged to be responsible.

THIS SECTION LEFT INTENTIONALLY BLANK

ORDER

WHEREFORE IT IS HEREBY ORDERED THAT:

1. Within ninety (90) days of receipt of this Order, High Plains shall:
 - a. Plug and abandon the wells authorized for injection listed in ATTACHMENT "A"). High Plains shall utilize plugging and abandonment procedures that are at least as stringent as those required by the Wyoming Oil and Gas Conservation Commission for the abandonment of producing oil wells. High Plains shall follow all plugging and abandonment requirements established in UIC General Permits 5C5-1 and 5C5-3, Section I, and shall submit plugging and abandonment reports for all plugged and abandoned wells to the UIC Program as evidence that the well has been plugged and abandoned.

OR

- b. Injection wells listed in ATTACHMENT "A") may be converted to water wells in the event the surface owners want an injection well to be converted to a water well. Such converted wells shall be covered by approved Wyoming Oil and Gas Conservation Commission (WOGCC) and Wyoming State Engineer's Office (WSEO) permits prior to conversion, and a copy of the completed WOGCC and WSEO permits shall be submitted to the UIC Program as evidence that the well has been converted.

This ORDER is final unless, not later than ten (10) days after the date of this notice is received, it is appealed by filing a written petition for a hearing before the Environmental Quality Council. If a hearing is requested, the petition shall be mailed to: Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming, 82002. The second petition shall be mailed to: Director, Wyoming Department of Environmental Quality, 200 West 17th Street, 4th Floor, Cheyenne, Wyoming 82002. Both petitions must be sent via certified mail, return receipt requested.

NOTHING IN THIS ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this ORDER be interpreted as being a condition precedent to any other enforcement action.

Signed this 30th day of June, 2017.



Todd Parfitt
Director
Department of Environmental Quality



Kevin Frederick
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kathy Shreve, UIC Program Principal, Wyoming DEQ/WQD, 200 West 17th Street, 2nd Floor, Cheyenne, Wyoming 82002. Telephone 307-777-6682, E-mail kathy.shreve@wyo.gov.

Attachments: Attachment A

TP/KF/KS/sg/17-0400

cc: Wendy Cheung, EPA Region 8 (PDF file only, with attachment)
Tiffany Cantor, EPA Region 8 (PDF file only)
Lily Lee, WDEQ (paper copy only, with attachment)
Kathy Shreve, WDEQ (PDF file only, with attachment)
Connie Osborne, WDEQ (paper copy only, with attachment)
Kelly Shaw, AG (PDF file only, with attachment)
NOV Docket **5394-14**
Environmental Quality Council (PDF file only, with attachment)

ATTACHMENT A

Injection Well Name	General Permit	Facility Number	Location
*Barlow State 1-16-48-75BG	5C5-1	WYS-005-00476	NENE, Section 16, T48N R75W
*Barlow State 3-16-48-75BG	5C5-1	WYS-005-00478	NENW, Section 16, T48N R75W
*Barlow State 6-16-48-75BG	5C5-1	WYS-005-00479	SENE, Section 16, T48N R75W
*Barlow State 7-16-48-75BG	5C5-1	WYS-005-00480	SWNE, Section 16, T48N R75W
*Barlow State 8-16-48-75BG	5C5-1	WYS-005-00481	SENE, Section 16, T48N R75W
*Barlow State 10-16-48-75BG	5C5-1	WYS-005-00482	NWSE, Section 16, T48N R75W
*Innes 15-22-46-75 BG	5C5-1	WYS-005-00543	SWSE Section 22 T46N R75W
*Innes 5-34-46-75 BG	5C5-1	WYS-005-00545	SWNW Section 34 T46N R75W
Kingsbury Land 9-20-50-74i	5C5-1	WYS-005-00550	NESE, Section 20, T50N R74W
West 5-23i	5C5-1	WYS-005-130	SWNW Section 23 T56N R76W
*West #6-28 i-1	5C5-1	WYS-005-153	SENE Section 28 T56N R75W
*West #5-28i-1	5C5-1	WYS-005-164	SWNW, Section 28, T56N, R75W
*West #12-28i-1	5C5-1	WYS-005-165	SWNW Section 28 T56N R75W
*West #8-29i-1	5C5-1	WYS-005-166	SENE, Section 29, T56N, R75W
Laramore 15-6 WP	5C5-1	WYS-005-253	SWSE Section 6 T52N R75W
Floyd 3-7-52-75-WP	5C5-1	WYS-005-256	NENW Section 7 T52N R75W
*BLM Fed 14-8-54-75A	5C5-1	WYS-005-262	SESE Section 8 T54N R75W
Dube Fed 10-17-54-75A	5C5-1	WYS-005-264	SWSE Section 17 T54N R75W
*Barlow Fed 15-17-48-75i	5C5-1	WYS-005-270	SWSE Section 17 T48N R75W
*Barlow Fed 9-21-48-75i	5C5-1	WYS-005-272	NESE, Section 21, T48N R75W
Barlow Fed 12-9-48-75i	5C5-1	WYS-005-273	NWSW Section 9 T48N R75W
Kuhn Ranch 18-27-53-77 A	5C5-3	WYS-019-163	SWSE Section 27 T53N R77W
GGM 14-8-52-77SR	5C5-3	WYS-019-164	SESE Section 8 T52N R77W
Kuhn Ranch 3-14-53-77i	5C5-3	WYS-019-165	SENE Section 14 T53N R77W
Hollcroft Fed 6-2-52-77SR	5C5-3	WYS-019-167	SWNE, Section 2, T52N R77W
Kuhn Ranch 16-26-53-77SR	5C5-3	WYS-019-168	SESE Section 26 T53N R77W
*Creswell 3-7 CO	5C5-3	WYS-033-00234	NENW, Section 7, T56N R76W
*Creswell 5-7 CO	5C5-3	WYS-033-00235	SWNW, Section 7 T56N R76W
*Creswell 7-7 CO	5C5-3	WYS-033-00236	SWNE, Section 7, T56N R76W
*Creswell 11-7 CO	5C5-3	WYS-033-00237	NESW Section 7 T56N R76W
Well SR-1	5C5-3	WYS-033-089	NWNE Section 25 T56N R77W
*Tietjen 7-33-54-77	5C5-3	WYS-033-103	SWNE Section 33 T54N R77W
*Ivy Creek Injection Well SR-3	5C5-3	WYS-033-112	SESE Section 25 56N R77W033-
*Ivy Creek Injection Well SR-4	5C5-3	WYS-033-123	NESW Section 18 T56N R76W
Kuhn Ranch 12-24-53-77SR	5C5-3	WYS-033-162	NWSW Section 24 T53N R77W

“*” Denotes facilities/wells with overdue mechanical integrity tests.