

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 (303) 894-2100 Fax: (303) 894-2109



FOR OGCC USE ONLY

COMPLAINT REPORT

This form may be submitted by any party with a complaint regarding oil and gas extractive operations. The complainant is to complete this form and mail to: COGCC, 1120 Lincoln St., Ste. 801, Denver, CO 80203 or fax to (303) 894-2109. COGCC will investigate the complaint and determine what action, if any, should be taken.

Complaint taken by: _____
API Number: _____
Facility ID: _____

COMPLAINT TYPE

Environmental Damage Noise Payment Site Maintenance Other (describe): _____

COMPLAINANT INFORMATION

Name of Complainant:	Phone Numbers
Address:	No:
City: State: Zip:	Fax:
Date Complaint Taken by OGCC:	E-Mail:
Connection to Incident (Land Owner, Royalty Owner, etc.):	

DESCRIPTION OF COMPLAINT
(Please be as specific as possible)

Name of Operator:	OGCC Operator Number:
Date of Incident:	Facility Name:
Type of Facility (Well, Tank Battery, Flow Line, Pit):	QtrQtr: Section:
Well Name and Number:	Township: Range: Meridian:
County:	
Was the operator contacted? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, contact name:	
Provide a detailed description of the incident, problem and cause (equipment failure, human error, etc.):	

OTHER NOTIFICATIONS

List the parties and agencies notified (County, BLM, EPA, DOT, Local Emergency Planning Coordinator or other).

Date	Agency	Contact Person	Response

Complaint Tracking Number: _____

BEFORE THE OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

Attachment to Form 18
Complaint Seeking Order Finding Violation and Penalties

WildEarth Guardians, through Colorado attorney Katherine Merlin, hereby submits the following complaint against operator number 10310, Fram Operating LLC, for the following alleged violations.

1. Fram Operating LLC (“Fram”) owns and operates the temporarily abandoned wells identified below. These wells are identified by their name and facility identity. Each of these wells is subject to Rule 417.c.(1), requiring that a Mechanical Integrity Test be performed within 30 days and 417.c.(2) requiring that MITs be repeated every five years thereafter. WildEarth Guardians has reason to believe that the following wells either entirely lack MITs or were required to perform additional MITs by the passage of five years, and that such MITs were not performed.

Well Name	Facility ID	Status	Status Date	Last MIT date
1 FEDERAL #12-1A	260975	TA	12/13/2011	8/20/2015
2 MANSUR #33-4-C	294259	TA	8/1/2017	10/30/2012
3 Eberly #23-4-M	291118	TA	12/1/2018	3/4/2015
4 MANSUR #33-1-G	294257	SI	12/1/2018	3/26/2014
5 Mansur #33-1-L	294254	SI	12/1/2018	<i>No record</i>
6 FEDERAL #12-2	266466	SI	9/1/2018	<i>No record</i>
7 SIMINOE #32-2-J	291404	SI	12/1/2017	<i>No record</i>
8 Siminoe #32-2-L	291384	SI	8/1/2017	<i>No record</i>
9 Jensen #1-3-O	291121	SI	7/1/2015	8/28/2012
10 LOUGH #36-1	268397	SI	9/14/2012	8/20/2015
11 JENSEN #1-3	278767	SI	10/14/2011	11/29/2012
12 Kelley #23-2-B	293783	SI	5/24/2010	10/8/2013
13 JENSEN #1-2	276951	SI	1/11/2010	10/10/2013
14 JENSEN #12-1	276950	SI	1/11/2010	10/16/2013
15 WHITING #26-5	291561	SI	7/25/2009	10/8/2013
16 DOTY #1-1	277504	SI	4/24/2009	8/31/2012
17 EBERLY #23-4	277877	SI	4/24/2009	8/30/2012
18 FEDERAL #11-1	266497	SI	11/1/2007	8/20/2015
19 FEDERAL #13-11	262423	SI	11/1/2007	8/20/2015
20 HAMILTON #33-2	286535	SI	12/5/2006	10/23/2012
21 HAMILTON #32-4	286534	SI	10/31/2006	10/17/2012
22 HAMILTON #33-3	286533	SI	10/19/2006	10/19/2012

2. Fram filed notices of intent to abandon for the FEDERAL #12-1A, FEDERAL #12-2, FEDERAL #11-1, and FEDERAL #13-11 in April of 2021. Each of these wells is significantly overdue for Mechanical Integrity Testing. Although these notices were filed in April, more than 30 days ago, no Form 6 reports of subsequent abandonment were filed as required by Rule 435.b.(1).

3. Fram was issued a Notice of Alleged Violation on January 14, 2020 alleging that it had failed to conduct mechanical integrity testing at the following wells (approximately half of the wells in the table):

- a. MANSUR #33-4-C
- b. Eberly #23-4-M
- c. Jensen #1-3-O
- d. JENSEN #1-3
- e. JENSEN #1-2
- f. WHITING #26-5
- g. DOTY #1-1
- h. EBERLY #23-4
- i. HAMILTON #33-2
- j. HAMILTON #33-3

This NOAV contained a compliance deadline of February 14, 2020. To date there is no record of compliance in the files associated with these facilities. Upon information and belief therefore WildEarth Guardians alleges that Fram is in violation of Rule 523.

4. The Mansur #33-1-G well was the subject of a warning letter on June 10, 2019, requiring Fram to submit missing production information and perform Mechanical Integrity Testing with a compliance date of 9/30/2019. Upon information and believe Fram failed to perform one or more required corrective actions. Failure to perform required corrective action is an independent violation of Rule 523.f.

5. The Jensen #1-3-O well was the subject of a warning letter on July 11, 2018, requiring Fram to submit missing production information and perform Mechanical Integrity Testing with a compliance date of 10/31/2018. Upon information and believe Fram failed to perform one or more required corrective actions. Failure to perform required corrective action is an independent violation of Rule 523.f.

6. The Jensen #1-2 well was the subject of a warning letter on March 11, 2019, requiring Fram to submit missing production information and perform Mechanical Integrity Testing with a compliance date of 6/30/2019. Upon information and believe Fram failed to perform one or more required corrective actions. Failure to perform required corrective action is an independent violation of Rule 523.f.

7. The Jensen #12-1 well was the subject of a warning letter on March 11, 2019, requiring Fram to submit missing production information and perform Mechanical Integrity Testing with a compliance date of 6/30/2019. Upon information and believe Fram failed to perform one or more required corrective actions. Failure to perform required corrective action is an independent violation of Rule 523.f.

8. The Whiting 26-5 well was the subject of a warning letter on February 27, 2019, requiring Fram to submit missing production information and perform Mechanical Integrity Testing with a compliance date of 5/31/2019. Upon information and believe Fram failed to perform one or more required corrective actions. Failure to perform required corrective action is an independent violation of Rule 523.f.

9. The Colorado Oil and Gas Conservation Commission has \$345,000 in financial assurances from Fram Operating. According to the Commission's active operator list,

<https://drive.google.com/file/d/17GyEwZZ1KON6DCGBoRhrGL08fSUsofLJ/view>, Fram owns 25 wells, of which 2 are producing, and a gas compressor station.

10. Fram entered bankruptcy on April 19, 2019. Its bankruptcy was concluded on March 15, 2021. Three months later the COGCC has yet to take action to bring Fram's operations into compliance with Commission rules.

11. If Commission staff intends to move Fram's assets into the Orphan Well Program, this would bring an additional 26 wells into the program.

Fram Operating LLC has now been the subject of multiple warnings and NOAVs pertaining to its ongoing and widespread lack of MIT performance and its failures to report production. Fram has also received numerous environmental rule violations identified by inspections that did not apparently result in the required corrective actions. These previous actions have not resulted in compliance. WildEarth Guardians requests that the Commission (1) find that Fram is in violation of the rules cited above, (2) impose penalties for the aforementioned alleged violations pursuant to Rule 523, (3) increase financial assurance requirements, (4) order that the above-mentioned wells be plugged and abandoned, and (5) impose other necessary and appropriate relief as authorized by law.

/s/ Katherine Merlin

Katherine Merlin

WildEarth Guardians

Climate and Energy Program, Colorado Attorney

3798 Marshall St., Suite 8

Wheat Ridge, CO 80033

(720) 965-0854

kmerlin@wildearthguardians.org