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2011 OCT 28 AM 11:39
U.S. EPA REGION VIII
HEARING CLERK

October 27, 2011

Ms. Tina Artemis
Regional Hearing Clerk (8RC)
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202

By personal delivery & U.S. Mail

Re: Docket No. SDWA-08-2011-0078; Petroglyph Operating Company, Inc.

Answer & Request for Hearing

Petroglyph Operating Company, Inc. ("Respondent") by and through its undersigned attorneys, hereby files its Answer to the Proposed Penalty Complaint in the captioned matter and makes its Request for Hearing as provided therein, and in support thereof states:

1. The Complaint alleges that "injection pressure measurement values were reported to exceed the MAIPs *for at least one month* for each of the 25 wells." *Complaint* at 16, emphasis added. This assertion is factually incorrect in that the duration of the (self) reported pressure exceedences never extended over the course of "at least one month." To the contrary, these pressure exceedences were transient in nature, often lasting no more than a few hours. See attachment. Respondent's field personnel responded quickly to the pressure alarm on a well to re-balance the system and ensure that the well operated below its MAIP.
2. Respondent installed, at its own initiative, remote monitoring on its system in order to better manage the pressures of the interconnected wells, and should not be penalized because of the enhanced, real-time monitoring results enabled by this technology. As stated above, this monitoring alarm system allows field personnel to quickly respond to system imbalances, thereby enhancing compliance.
3. Respondent believes that no environmental harm was caused by the transient pressure spikes; that it self-reported; that any violation was *de minimus* and technical in nature; and that the proposed penalty is excessive.

Respondent states that it intends to request and engage in settlement discussions, and asks that enforcement proceedings be held in abeyance during such discussions. It is Respondent's

Ms. Tina Artemis
October 27, 2011
Page 2

expectation that such discussions will lead to better mutual understanding regarding the practicalities of the operation of its interconnected system, and EPA's compliance concerns.

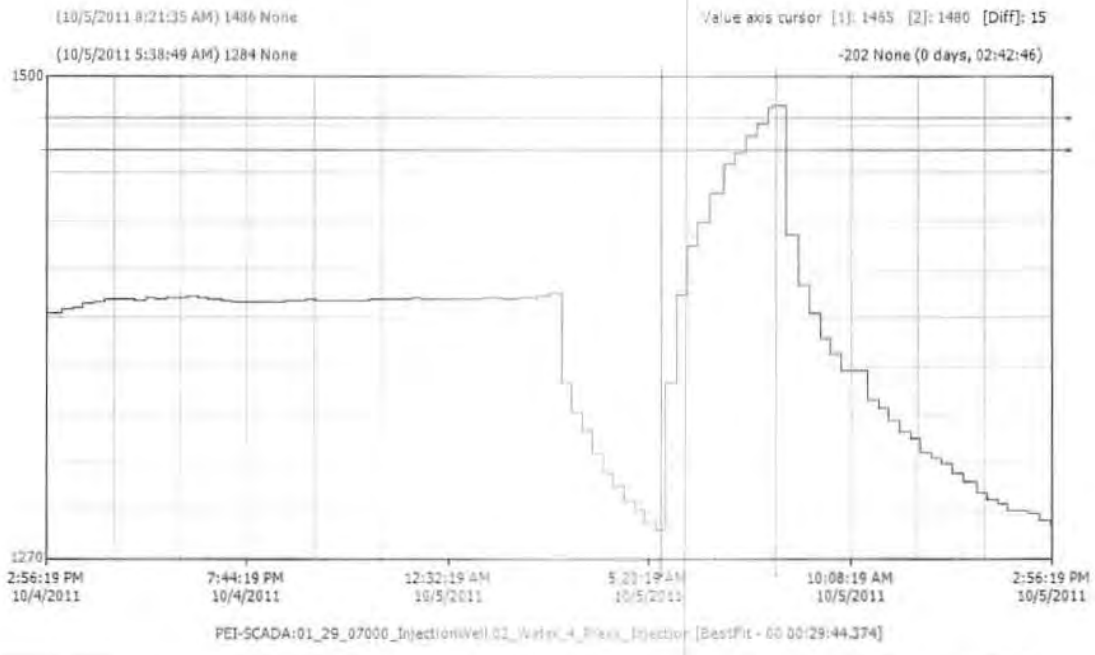
Very truly yours,

BEATTY & WOZNIAK, P.C.



Kenneth A. Wonstolen
Attorneys for Petroglyph Operating Company, Inc.

Enclosure



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