



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region08

NOV 05 2019

Ref: 8ENF-IO

**CERTIFIED MAIL #**  
**RETURN RECEIPT REQUESTED**

Crescent Point Energy U.S. Corp.  
Attn: CT Corporation System, Registered Agent  
1108 E. South Union Ave.  
Midvale, Utah, 84047

Re: Amended Complaint and Notice of Opportunity for Hearing  
Docket No. SDWA-08-2019-0022

To Whom It May Concern:

Enclosed, please find an Amended Complaint and Notice of Opportunity for Hearing issued by the U.S. Environmental Protection Agency as authorized by the Safe Drinking Water Act (Act), 42 U.S.C. § 300h-2(c). The document describes Crescent Point Energy U.S. Corp.'s (Crescent Point) violations of the Act and sets forth compliance requirements and the assessment of a civil penalty.

Please note that there are deadlines in the Amended Complaint that must be followed. Crescent Point has twenty (20) calendar days within which it may file an answer to dispute the contents of the Amended Complaint. If Crescent Point does not timely respond, the EPA may issue a Final Administrative Order by default.

The EPA encourages discussing whether cases can be settled through informal settlement discussions and is prepared to consider a penalty amount lower than the amount sought in the enclosed Amended Complaint. If Respondent wants to pursue the possibility of settling this matter, or has any other questions, contact Mia Bearley, Enforcement Attorney, at (303) 312-6554 or at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov). Please note that calling Ms. Bearley or requesting a settlement discussion does NOT delay the running of the 20-day period for filing an answer and/or requesting a hearing.

If you have any technical questions, please contact Nathan Wiser at the above address (with the mail code 8ENF-W-SD) or by phone at (303) 312-6211. For any additional legal questions, please feel free to contact Mia Bearley.

Sincerely,

A handwritten signature in black ink, appearing to read "Mia Bearley", written over a horizontal line.

Mia Bearley, Attorney  
Enforcement and Compliance Assurance Division

Enclosure: Amended Complaint and Notice of Opportunity for Hearing

cc:

Randy Dunn, Partner  
Davis Graham & Stubbs LLP  
1550 17<sup>th</sup> Street, Suite 500  
Denver, Colorado 80202

Kevin Stephens, Exploration Manager  
Crescent Point Energy U.S. Corp.  
555 17th Street, Suite 1800  
Denver, Colorado 80202

The Corporation Company, Registered Agent  
1675 Broadway, Suite 1200  
Denver, Colorado 80202

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

Docket No. SDWA-08-2019-0022

NOV -5 PM 2: 02

FILED  
EPA REGION VIII  
HEARING CLERK

In the Matter of: )  
)  
Crescent Point Energy U.S. Corp., )  
)  
Respondent. )  
)  
Proceedings under Section 1423 )  
of the Safe Drinking Water Act )  
42 U.S.C. 300h-2 )

**AMENDED COMPLAINT AND  
NOTICE OF OPPORTUNITY  
FOR HEARING**

**INTRODUCTION**

1. This Amended Complaint and Notice of Opportunity for Hearing is filed pursuant to sections 1423(a)(2) and (c)(2) of the Public Health Service Act, also known as the Safe Drinking Water Act (Act). 42 U.S.C. §§ 300h-2(a)(2), (c)(2). The U.S. Environmental Protection Agency originally filed a Complaint and Notice of Opportunity for Hearing on June 3, 2019, which was served on the Respondent on June 11, 2019. In the time since, the Respondent worked to resolve the violations identified in the June 3, 2019 Complaint including identifying new and additional instances of the violations in that Complaint. The EPA regulations authorized by the Act are set out in part 144 of title 40 of the Code of Federal Regulations (40 C.F.R. part 144), and violations of permits or the EPA regulations constitute violations of the Act. This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation, Termination or Suspension of Permits (Rules of Practice), 40 C.F.R. part 22, a copy of which is enclosed.
2. This Amended Complaint (Amended Complaint) is issued as a one-time matter of right by the EPA pursuant to 40 C.F.R. § 22.14(c) because the Respondent, with concurrence from the EPA Presiding Officer, has not yet filed an Answer to the June 3, 2019 Complaint.
3. Complainant is Suzanne J. Bohan, Director, Enforcement and Compliance Assurance Division, EPA Region 8, who has been duly delegated the authority to initiate this action.
4. Complainant alleges that Crescent Point Energy U.S. Corp (Respondent) has violated the Act and proposes the issuance of an administrative order requiring compliance with the Act and the assessment of a civil penalty.

## NOTICE OF OPPORTUNITY FOR A HEARING

5. Pursuant to 42 U.S.C. § 300h-2(c)(3) and 40 C.F.R. § 22.15, Respondent has the right to a public hearing before a presiding officer to contest any material fact in this Amended Complaint, the appropriateness of the proposed penalty, or to present the grounds for any legal defense it may have.
6. To contest the Amended Complaint and assert Respondent's right to a hearing, Respondent must file a written answer (and one copy) with the Region 8 Hearing Clerk at the following address:

Missy Haniewicz, Regional Hearing Clerk  
U.S. EPA Region 8 (8ORC-IO)  
1595 Wynkoop Street  
Denver, CO 80202-1129

within 30 calendar days (see 40 C.F.R. §22.15(a)) of receiving this Amended Complaint. The answer must clearly admit, deny or explain the factual allegations of the Amended Complaint, the grounds for any defense, any disputed facts, and Respondent's specific request for a public hearing. Please see section 22.15(b) of the Rules of Practice for a complete description of what must be in the answer.

**FAILURE TO FILE AN ANSWER AND REQUEST FOR HEARING WITHIN 30 CALENDAR DAYS MAY WAIVE RESPONDENT'S RIGHT TO CONTEST THE ALLEGATIONS OR PROPOSED PENALTY, AND RESULT IN A DEFAULT JUDGMENT AND ASSESSMENT OF THE PENALTY PROPOSED IN THE AMENDED COMPLAINT, OR UP TO THE MAXIMUM AUTHORIZED BY THE ACT.**

### QUICK RESOLUTION

7. Respondent may pay the penalty amount proposed in this Amended Complaint at which point the EPA shall resolve this proceeding following the procedures described in 40 C.F.R. § 22.45(c)(3). Such action to make payment need not contain any response to, or admission of, the allegations in this Amended Complaint. Such action to make payment constitutes a waiver of Respondent's right to contest the allegations and to appeal the final order.

### SETTLEMENT NEGOTIATIONS

8. The EPA encourages discussing whether cases can be settled through informal settlement conferences. If Respondent wants to pursue the possibility of settling this matter, or has any other questions, contact Mia Bearley, Enforcement Attorney, at 1-800-227-8917, extension 6554, or 303-312-6554, or at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov). **Please note that calling Ms. Bearley or requesting a**

**settlement conference does NOT delay the running of the 30-day period for filing an answer and/or requesting a hearing.**

**GENERAL ALLEGATIONS**

The following general allegations apply to all times relevant to this action, and to each count of this Amended Complaint:

9. Respondent is incorporated in the State of Delaware and conducts oil and gas production activities in the State of Utah. Respondent's principal office address is 555 17th Street, Suite #1800, Denver, Colorado, 80202-3905.
10. Respondent is a "person" within the meaning of section 1401(12) of the Act, 42 U.S.C. § 300f(12).
11. The injection wells which are the subject of this Amended Complaint penetrate known or possible underground sources of drinking water (USDW).
12. The injection wells subject to this Amended Complaint are listed in Attachment A which is incorporated into this Amended Complaint by reference.
13. A summary list of the violations alleged is included as Attachment B which is incorporated into this Amended Complaint by reference.
14. Pursuant to section 1422 of the Act, 42 U.S.C. § 300h-1(e), and 40 C.F.R. § 147.2253, the EPA administers the Underground Injection Control (UIC) program for Class II wells in Indian country within the State of Utah. Therefore, for purposes of 42 U.S.C. § 300h-2(a)(2), the EPA has primary enforcement authority for Class II wells in Indian country. The effective date of the program is November 25, 1988. The program requirements are located at 40 C.F.R. parts 124, 144, 146, 147, and 148.
15. Class II underground injection wells under the jurisdiction of the EPA are authorized to operate either under an EPA-issued permit or under a rule. To be eligible to operate under rule-authorization, a UIC well must be a Class II enhanced oil recovery well and must have been such a well at the time the EPA UIC program became effective. All other Class II wells must be authorized by an EPA-issued permit. Enhanced oil recovery (EOR) injection wells inject for the purpose of enhanced recovery of oil or natural gas. Salt water disposal (SWD) injection wells are wells that inject fluids brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production. See 40 C.F.R. § 144.6(b).
16. The wells subject to this action are 112 Class II EOR injection wells and two SWD injection wells. The wells are operated by Respondent and are located in Duchesne and Uintah Counties, Utah, within the exterior boundary of the Uintah & Ouray Indian Reservation. All but one of the EOR injection wells are used by

Respondent to enhance oil production in the Antelope Creek oilfield. The remaining EOR well, located in the Horseshoe Bend oilfield, has long been in disuse. The SWD injection wells are used to dispose of produced water in the Black Tail field and Antelope Creek field. The injection wells are authorized under these four permits:

- a. EPA Area Permit No. UT20736-00000 covers the EOR wells in the Antelope Creek field;
  - b. EPA Permit No. UT22214-09376 covers the SWD well in the Black Tail field;
  - c. EPA Permit No. UT20497-03100 covers the SWD well in the Antelope Creek field; and
  - d. EPA Area Permit No. UT20809-00000 covers the one EOR well in the Horseshoe Bend field.
17. The EPA originally issued area permit UT20736-00000 on July 12, 1994. The permit is issued for the operating lives of the wells it covers. On June 16, 2017, the EPA transferred this area permit to Respondent, who became the Permittee responsible for its compliance.
  18. The EPA originally issued permit UT22214-09376 on May 2, 2012. The permit is issued for the operating life of the well it covers. On June 16, 2017, the EPA transferred this permit to Respondent, who became the Permittee responsible for its compliance.
  19. The EPA originally issued permit UT20497-03100 on April 12, 1990. On June 16, 2017, the EPA transferred this permit to Respondent, who became the Permittee responsible for its compliance.
  20. The EPA originally issued area permit UT20809-00000 on April 18, 1997. The permit is issued for the operating lives of the wells it covers, although only one Class II injection is authorized under this area permit. Respondent acquired this well on or about November 29, 2012, when it merged with Ute Energy Upstream Holdings, LLC, the prior well operator.

## **VIOLATIONS COUNT I**

### **Failure to Submit Annual Monitoring Reports**

21. The UIC area permit UT20736-00000 at sections II(D)(1) through (4) requires that Respondent must annually by February 15 submit a report of the previous year's monitored and recorded information. At a minimum, for each injection well, this report must contain recorded observations of injection pressure, annulus pressure, flow rate, and cumulative injection volume.

22. The UIC area permit UT20736-00000 at sections II(D)(1) through (4) requires that Respondent must annually by February 15 submit a report of the results of sampled injected fluids analyzed for total dissolved solids, pH, specific conductivity, and specific gravity.
23. The UIC permit UT22214-09376 at sections II(D)(1) through (4) and the permit's Appendix D requires that Respondent must annually by February 15 submit a report of the previous year's monitored and recorded information. At a minimum, for each injection well, this report must contain recorded observations of injection pressure, annulus pressure, flow rate, and cumulative injection volume.
24. The UIC permit UT22214-09376 at sections II(D)(1) through (4) and the permit's Appendix D requires that Respondent must annually by February 15 submit a report of the results of sampled injected fluids analyzed for total dissolved solids, pH, specific conductivity, and specific gravity.
25. The UIC permit UT20497-03100 at sections II(D)(1) through (4) requires that Respondent must annually by February 15 submit a report of the previous year's monitored and recorded information. At a minimum, for each injection well, this report must contain recorded observations of injection pressure, annulus pressure, flow rate, and cumulative injection volume.
26. The UIC permit UT20497-03100 at sections II(D)(1) through (4) requires that Respondent must annually by February 15 submit a report of the results of quarterly sampled injected fluids analyzed for total dissolved solids, major ions, pH, specific conductivity, and specific gravity.
27. The UIC area permit UT20809-00000 at sections II(D)(1) through (4) requires that Respondent must annually by February 15 submit a report of the previous year's monitored and recorded information. At a minimum, for each injection well, this report must contain recorded observations of injection pressure, annulus pressure, flow rate, and cumulative injection volume.
28. Each year, prior to the February 15 due date, the EPA sends courtesy reminder letters to all Class II well operators reminding operators of the obligation to timely submit these annual monitoring reports for each injection well. On January 16, 2018, the EPA sent an email to Respondent as a reminder of the February 15, 2018 deadline for submission of the 2017 annual monitoring reports.
29. The EPA communicated with Respondent four more times, seeking to obtain the 2017 monitoring reports. These communications are listed below:
  - a March 6, 2018 phone call from the EPA's Don Breffle;
  - a May 7, 2018 Notice of Violation letter, from the EPA's Water Technical Enforcement Program Director, Arturo Palomares;
  - a May 10, 2018 phone call from the EPA's Nathan Wisner; and

- a July 24, 2018 email from the EPA's Don Breffle.
30. As of the June 3, 2019 Complaint, Respondent had not submitted any of the required 2017 annual monitoring reports for the Class II injection wells required by the permits. Additionally, despite an EPA December 27, 2018 courtesy reminder and an April 9, 2019 Notice of Violation, Respondent failed to submit two of the required 2018 annual monitoring reports, due on February 15, 2019, until May 1, 2019, and even then one of the 2018 reports was incomplete.
  31. Respondent's failure to timely submit the annual monitoring reports for Class II injection wells covered under the EPA permits identified in paragraph 16 are violations of section II(D) in each of those UIC permits and are therefore violations of part C of the Act. See Attachment B to this Amended Complaint, which lists these 114 annual monitoring report violations, as well as the date by which each annual monitoring report was due. These 114 wells are designated with the letter "A" in the Attachment B.

## **COUNT II**

### **Mechanical Integrity Testing (Part I) – Overdue Standard Annulus Pressure Test**

32. The UIC regulations at 40 C.F.R. § 146.8 define mechanical integrity. Mechanical integrity consists of two parts: Part I (internal) mechanical integrity and Part II (external) mechanical integrity. 40 C.F.R. § 146.8(a)(1) defines Part I mechanical integrity as no significant leak from the well's tubing, packer or casing. 40 C.F.R. § 146.8(a)(2) defines Part II mechanical integrity as no significant fluid movement into a USDW through vertical channels adjacent to the injection wellbore.
33. The EPA permit UT20736-00000, at section II(C)(3) requires Respondent to demonstrate internal mechanical integrity of the injection wells covered under the permit at least every five years, and to submit results of such mechanical integrity tests to the EPA no later than 60 days after test completion.
34. For 18 of the EOR injection wells covered under the permit UT20736-00000, it had been more than five years since the last demonstration of internal mechanical integrity.
35. For the well covered under the permit UT22214-09376, at section II(B) and the permit's Appendix B, Respondent must demonstrate internal mechanical integrity at least every five years by conducting a standard annulus pressure test of the annulus between the well's injection tubing and production casing. The permit at section II(B)(1) requires submission to the EPA of any mechanical integrity test within 60 days after the test is complete.

36. For the well covered under the permit UT22214-09376, the last demonstration of internal mechanical integrity occurred on July 12, 2012. Another internal mechanical integrity demonstration had been due by July 12, 2017, but was not conducted by that due date.
37. Due to its failure to timely conduct a demonstration of the internal mechanical integrity of 19 of the wells as described in paragraphs 32 through 36, Respondent was in violation of UIC permit UT20736-00000, section II(C) and UIC permit UT22214-09376, section II(B), and therefore was in violation of part C of the Act. See Attachment B to this Amended Complaint, which lists these 19 internal mechanical integrity violations, as well as the date by which each mechanical integrity test was due. These 19 wells are designated with the letter “B” in the Attachment B.

### **COUNT III**

#### **Mechanical Integrity Testing (Part II) – Overdue External Testing**

38. Paragraph 32 provides the regulatory definition of the two parts of mechanical integrity: internal and external. Paragraphs 32 through 37 refer to internal (Part I) mechanical integrity issues. External (Part II) mechanical integrity is normally demonstrated by the submission of one or more cement bond logs (CBLs) run in a Class II injection well that show, within the geologic confining zone, good cement bonding between the outer well casing and the wellbore. Good bonding is usually determined by calculating a cement bond index equal to or exceeding 0.80 and spanning a minimum distance behind the production casing within the confining zone. When CBLs fail to demonstrate external mechanical integrity, the EPA requires that a different log, such as a temperature, noise, oxygen activation, or under certain conditions, a radioactive tracer survey (RTS) log, shall be run on a frequency of no less than every five years.
39. Since originally issued in 1994, from time to time the EPA authorized additional Class II EOR injection wells under area permit UT20736-00000, 21 of which failed to meet the cement bond index standard described in paragraph 38. For these 21 wells, the EPA required a separate external mechanical integrity log to be conducted at least once every five years to demonstrate external mechanical integrity. Respondent had been in violation of the requirement to timely conduct external mechanical integrity logs at these Class II wells and such were violations of UIC permit UT20736-00000, and therefore part C of the Act. See Attachment B to this Amended Complaint where these external mechanical integrity violations are listed. These 21 wells are designated with the letter “C” in the Attachment B.

### **COUNT IV**

#### **Failure to Report Loss of Mechanical Integrity**

40. On October 10, 2018, the EPA received an email from Respondent that stated it had repaired the injection well Ute Tribal #04-02 covered by area permit UT20736-00000; demonstrated internal mechanical integrity on September 11, 2018; and sought authorization to resume injection. Respondent provided no prior notice that this injection well had lost internal mechanical integrity.
41. Information in the October 10, 2018 email from Respondent contained evidence that the Ute Tribal #04-02 well had lost mechanical integrity at least as early as September 4, 2018.
42. Area permit UT20736-00000 at section II(C)(3) requires Respondent to notify the EPA within 24 hours and to follow up with a written report within five days after a loss of mechanical integrity.
43. On October 11, 2018, the EPA granted Respondent's request to resume injection and reminded Respondent of the obligation to notify the EPA about an injection well losing mechanical integrity.
44. The Ute Tribal #04-02 well repair and demonstration of internal mechanical integrity occurred on September 11, 2018, and the well workover report indicates the loss of internal mechanical integrity on September 4, 2018. Respondent's failure to notify the EPA of the loss of mechanical integrity at this well within 24 hours after losing mechanical integrity and to follow up with a written report within five days is a violation of the area permit at section II(C)(3) and therefore the Act. See Attachment B to this Amended Complaint where this notification violation is listed. This well is designated with the letter "D" in the Attachment B.

#### **COUNT V**

##### **Injecting Over the Maximum Allowable Pressure Limit**

45. Area permit UT20736-00000 at section II(C)(5) establishes wellhead maximum allowable injection pressures (MAIPs) that are individually tailored to each injection well based on a fracture gradient, injection fluid density and the well's depth to the injection zone. MAIPs are established to ensure fracturing the injection zone does not occur.
46. During a May 22, 2018 routine inspection EPA UIC inspectors observed the Ute Tribal #29-12 Class II injection well to be actively injecting. Inspectors measured a wellhead injection tubing pressure of 1713 psi. The MAIP for this well is 1710 psi.
47. Formerly missing 2017 and revised 2018 annual monitoring reports submitted by the Respondent since June 3, 2019, contain information indicating the MAIP was exceeded at 12 wells covered by area permit UT20736-00000 a total of 17 times in addition to the May 22, 2018, exceedance described in paragraph 46. Each of these 18 total instances of exceeding the MAIP at an injection well under area

permit UT20736-00000 is a violation of UIC area permit UT20736-00000, section II(C)(5) and therefore the Act. See Attachment B to this Amended Complaint where these MAIPs violation are listed and are designated with the letter “E.”

#### **COUNT VI**

##### **Failure to Plug and Abandon or Demonstrate Non-Endangerment**

48. The EPA area permit UT20736-00000, at section II(E)(3), establishes requirements at covered Class II injection wells that have ceased injection activities for two years or longer, popularly referred to as “temporarily abandoned” injection wells. This section of the area permit requires that any temporarily abandoned injection well shall be plugged and abandoned, unless notice is made to the EPA that describes a future intended use for the well and a demonstration that the well will not endanger USDWs during the temporary abandonment period. The EPA will accept a “passing” internal mechanical integrity test as a means to demonstrate that a temporarily abandoned injection well will not endanger USDWs, and such mechanical integrity demonstrations would need to be made every two years the well remains temporarily abandoned.
49. For the calendar years 2015-2016, the monitoring reports submitted to the EPA indicate no injection had occurred at three injection wells and therefore that these wells had been temporarily abandoned. Prior to the issuance of the June 3, 2019 Complaint the latest “passing” internal mechanical integrity tests for these wells were more than two years old. In addition, no notifications referred to in paragraph 48 were made to the EPA prior to the June 3, 2019 Complaint about these temporarily abandoned injection wells. Respondent’s failure to either plug and abandon or demonstrate non-endangerment at these injection wells were violations of the UIC area permit UT20736-00000, section II (E)(3) and therefore the Act. See Attachment B to this Amended Complaint where these failures to plug or demonstrate non-endangerment violations are listed. The three wells are designated with the letter “F” in the Attachment B.

#### **COUNT VII**

##### **Failure to Properly Transfer Permit**

50. As described in paragraph 20, area permit UT20809-00000 was issued originally in 1997. The original permittee was Snyder Oil Corporation. This permit was transferred to Westport Oil and Gas Company L.P. on September 3, 2003, and again transferred to Newfield Production Company on December 5, 2006. When Ute Energy Upstream Holdings, LLP acquired the one authorized well under this permit in early 2012, the EPA was not notified. When the Respondent merged with Ute Energy Upstream Holdings, LLP on or about November 29, 2012, the EPA was not notified.

51. Area permit UT20809-00000, at section III(B)(3), requires that the permittee must follow the regulatory requirements for permit transfer described in 40 C.F.R. § 144.38, which includes notifying the EPA and providing evidence that new permittees will meet the financial responsibilities for plugging and abandoning the covered injection wells.
52. Respondent's failure to follow the regulatory requirement for permit transfer is a violation of area permit UT20809-00000 and therefore the Act. See Attachment B to this Amended Complaint where this failure to properly transfer the permit violation is listed. The well is designated with the letter "G" in the Attachment B.

### **COMPLIANCE AND CIVIL PENALTY ASSESSMENT**

53. The Act, as amended, authorizes the Administrator of the EPA to issue orders to require compliance with the Act and assess civil penalties for the violations alleged in this Amended Complaint. 42 U.S.C. §§ 300h-2(a)(2), (c)(2). The Act authorizes penalties of not more than \$5,000 per day for each violation, up to a maximum civil administrative penalty of \$125,000. The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, requires the EPA to adjust statutory penalty amounts to account for inflation. The EPA's Civil Monetary Penalty Inflation Adjustment Rule establishes \$57,317 as the maximum penalty per day of violation, up to a maximum total civil administrative penalty of \$286,586.00, for actions under 42 U.S.C. § 300h-2(c)(2).
54. The Act requires the EPA to take into account the following factors in assessing a civil penalty: the seriousness of the violation, the economic benefit resulting from the violation, any history of such violations, any good-faith efforts to comply, the economic impact on Respondent, and other matters as justice may require. 42 U.S.C. §300h-2(c)(4)(B).
55. Complainant proposes an order that requires Respondent to correct all alleged violations and return to compliance with the Act within 90 days of the order.
56. Complainant has considered the statutory penalty factors with respect to all violations alleged in this Amended Complaint, and the specific facts of this case and proposes that Respondent **pay a total civil penalty of \$99,500.00** for the violations alleged in this Amended Complaint.

### **PAYMENT OF PENALTY**

57. Respondent's payment of the penalty shall be made using any method provided on the following website, <https://www.epa.gov/financial/makepayment>. Further, Respondent shall:
  - (a) identify each payment with this Amended Complaint's Docket Number; and

(b) within 24 hours of payment, mail “proof of payment” (as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made in the amount due, and identified with this Amended Complaint’s Docket Number) to:

Nathan Wiser, Technical Enforcement Program  
U.S. EPA Region 8 (8ENF-W-SD)  
1595 Wynkoop Street  
Denver, CO 80202-1129

and

Missy Haniewicz, Regional Hearing Clerk  
U.S. EPA Region 8 (8ORC-IO)  
1595 Wynkoop Street  
Denver, CO 80202-1129.

58. The provisions of this Amended Complaint shall apply to and be binding upon Respondent, its officers, directors, agents, servants, employees, and successors or assigns.
59. As part of this proceeding, the EPA shall provide the public with notice of this Amended Complaint to allow a reasonable opportunity for citizens to comment on the matter, as well as the opportunity for such citizens to present evidence in the event a hearing is held. 42 U.S.C. § 300h-2(c)(3).
60. The presiding officer is not bound by the penalty proposed by the EPA, and may assess a penalty above the proposed amount, up to \$286,586.00, as authorized in the Act, as amended.
61. This Amended Complaint does not constitute a waiver, suspension, or modification of the requirements of any applicable provision of the Act or the UIC regulations implementing the Act, which remain in full force and effect. Issuance of this Amended Complaint is not an election by the EPA to forego any civil or any criminal action otherwise authorized under the Act.

By:

  
\_\_\_\_\_  
Suzanne J. Bohan, Director  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202

Date: 11/5/19

Attachment A – List of Respondent’s Wells in Violation

EPA Well ID	Well Name	Well Type	API Number
UT20736-04356	Ute Tribal 04-02	Enhanced Recovery (2R)	43-013-31656
UT20736-04322	Ute Tribal 04-01	Enhanced Recovery (2R)	43-013-30762
UT20497-03100	Ute Tribal 04-07 (2-4)	Salt Water Disposal (2D)	43-013-30879
UT20736-04434	Ute Tribal 03-14	Enhanced Recovery (2R)	43-013-31097
UT20736-04636	Ute Tribal 04-13	Enhanced Recovery (2R)	43-013-30848
UT20736-04635	Ute Tribal 04-11	Enhanced Recovery (2R)	43-013-30878
UT20736-04327	Ute Tribal 05-16	Enhanced Recovery (2R)	43-013-31527
UT20736-04328	Ute Tribal 04-05	Enhanced Recovery (2R)	43-013-31462
UT20736-04234	Ute Tribal 05-10 (old 3-5E3)	Enhanced Recovery (2R)	43-013-30938
UT20736-04324	Ute Tribal 05-08	Enhanced Recovery (2R)	43-013-31306
UT20736-04553	Ute Tribal 16-12	Enhanced Recovery (2R)	43-013-31800
UT20736-06699	Ute Tribal 17-01	Enhanced Recovery (2R)	43-013-30790
UT20736-04551	Ute Tribal 16-04	Enhanced Recovery (2R)	43-013-31789
UT20736-06601	Ute Tribal 16-03	Enhanced Recovery (2R)	43-013-31855
UT20736-06698	Ute Tribal 09-15	Enhanced Recovery (2R)	43-013-31165
UT20736-04412	Ute Tribal 16-02	Enhanced Recovery (2R)	43-013-31821
UT20736-06600	Ute Tribal 16-01	Enhanced Recovery (2R)	43-013-31821
UT20736-06602	Ute Tribal 16-05	Enhanced Recovery (2R)	43-013-31790
UT20736-04546	Ute Tribal 16-06	Enhanced Recovery (2R)	43-013-31710
UT20736-06603	Ute Tribal 16-07	Enhanced Recovery (2R)	43-013-31854
UT20736-04414	Ute Tribal 16-08	Enhanced Recovery (2R)	43-013-31853
UT20736-04503	Ute Tribal 16-10	Enhanced Recovery (2R)	43-013-31851
UT20736-06604	Ute Tribal 16-09	Enhanced Recovery (2R)	43-013-31582
UT20736-04640	Ute Tribal 15-12	Enhanced Recovery (2R)	43-013-31892
UT20736-04418	Ute Tribal 16-16	Enhanced Recovery (2R)	43-013-30804
UT20736-06607	Ute Tribal 16-15	Enhanced Recovery (2R)	43-013-31822
UT20736-04393	Ute Tribal 16-11	Enhanced Recovery (2R)	43-013-31799
UT20736-06605	Ute Tribal 16-13	Enhanced Recovery (2R)	43-013-31166
UT20736-07114	Ute Tribal 20-02	Enhanced Recovery (2R)	43-013-30764
UT20736-06606	Ute Tribal 16-14	Enhanced Recovery (2R)	43-013-31791
UT20736-06521	Ute Tribal 21-04	Enhanced Recovery (2R)	43-013-31735

UT20736-04363	Ute Tribal 21-03	Enhanced Recovery (2R)	43-013-31752
UT20736-06477	Ute Tribal 21-02	Enhanced Recovery (2R)	43-013-31749
UT20736-06478	Ute Tribal 21-05	Enhanced Recovery (2R)	43-013-31750
UT20736-04388	Ute Tribal 21-06	Enhanced Recovery (2R)	43-013-31731
UT20736-07116	Ute Tribal 21-07	Enhanced Recovery (2R)	43-013-31751
UT20736-07117	Ute Tribal 21-10	Enhanced Recovery (2R)	43-013-31748
UT20736-04365	Ute Tribal 21-11	Enhanced Recovery (2R)	43-013-31740
UT20736-06479	Ute Tribal 21-12	Enhanced Recovery (2R)	43-013-31741
UT20736-04522	Ute Tribal 21-15	Enhanced Recovery (2R)	43-013-31756
UT20736-06481	Ute Tribal 21-14	Enhanced Recovery (2R)	43-013-31742
UT20736-07118	Ute Tribal 28-04	Enhanced Recovery (2R)	43-013-31692
UT20736-04410	Ute Tribal 28-05A	Enhanced Recovery (2R)	43-013-31709
UT20736-07123	Ute Tribal 29-08	Enhanced Recovery (2R)	43-013-31693
UT20736-04325	Ute Tribal 29-08A	Enhanced Recovery (2R)	43-013-31305
UT20736-07120	Ute Tribal 28-11	Enhanced Recovery (2R)	43-013-31575
UT20736-07119	Ute Tribal 28-05	Enhanced Recovery (2R)	43-013-30802
UT20736-04380	Ute Tribal 28-06	Enhanced Recovery (2R)	43-013-31594
UT20736-04389	Ute Tribal 28-03	Enhanced Recovery (2R)	43-013-31675
UT20736-04233	Ute Tribal 29-09 (old 1-29)	Enhanced Recovery (2R)	43-013-30763
UT20736-04475	Ute Tribal 29-16	Enhanced Recovery (2R)	43-013-30849
UT20736-07126	Ute Tribal 29-15	Enhanced Recovery (2R)	43-013-31530
UT20736-04641	Ute Tribal 29-14	Enhanced Recovery (2R)	43-013-32201
UT20736-07124	Ute Tribal 29-10	Enhanced Recovery (2R)	43-013-31475
UT20736-07125	Ute Tribal 29-11	Enhanced Recovery (2R)	43-013-31714
UT20736-04523	Ute Tribal 29-12	Enhanced Recovery (2R)	43-013-31797
UT20736-04451	Ute Tribal 30-09	Enhanced Recovery (2R)	43-013-31798
UT20736-07122	Ute Tribal 29-07	Enhanced Recovery (2R)	43-013-30939
UT20736-07121	Ute Tribal 29-02	Enhanced Recovery (2R)	43-013-32199
UT20736-04619	Ute Tribal 29-01	Enhanced Recovery (2R)	43-013-32198
UT20736-06480	Ute Tribal 21-13	Enhanced Recovery (2R)	43-013-30883
UT20736-04541	Ute Tribal 29-03	Enhanced Recovery (2R)	43-013-31842
UT20736-06483	Ute Tribal 29-05	Enhanced Recovery (2R)	43-013-31796
UT20736-04416	Ute Tribal 29-06	Enhanced Recovery (2R)	43-013-30850

UT20736-06482	Ute Tribal 29-04	Enhanced Recovery (2R)	43-013-30851
UT20736-04494	Ute Tribal 20-13	Enhanced Recovery (2R)	43-013-31981
UT20736-04540	Ute Tribal 20-14	Enhanced Recovery (2R)	43-013-31982
UT20736-07113	Ute Tribal 19-16	Enhanced Recovery (2R)	43-013-30803
UT20736-04525	Ute Tribal 30-14	Enhanced Recovery (2R)	43-013-31908
UT20736-04446	Ute Tribal 30-15	Enhanced Recovery (2R)	43-013-31896
UT20736-04417	Ute Tribal 30-16	Enhanced Recovery (2R)	43-013-31897
UT20736-07417	Ute Tribal 29-13	Enhanced Recovery (2R)	43-013-32200
UT20736-04524	Ute Tribal 30-10	Enhanced Recovery (2R)	43-013-31895
UT20736-04359	Ute Tribal 30-08	Enhanced Recovery (2R)	43-013-31734
UT20736-07418	Ute Tribal 30-07	Enhanced Recovery (2R)	43-013-30852
UT20736-04362	Ute Tribal 30-01	Enhanced Recovery (2R)	43-013-31707
UT20736-07416	Ute Tribal 30-02	Enhanced Recovery (2R)	43-013-31823
UT20736-04496	Ute Tribal 19-15	Enhanced Recovery (2R)	43-013-31968
UT20736-04536	Ute Tribal 19-09	Enhanced Recovery (2R)	43-013-31794
UT20736-04381	Ute Tribal 08-07	Enhanced Recovery (2R)	43-013-31691
UT20736-04201	Ute Tribal 08-04 (old 1-8)	Enhanced Recovery (2R)	43-013-30759
UT20736-04637	Ute Tribal 07-11	Enhanced Recovery (2R)	43-013-31928
UT20736-04495	Ute Tribal 07-14	Enhanced Recovery (2R)	43-013-30788
UT20736-06701	Ute Tribal 18-03b	Enhanced Recovery (2R)	43-013-31528
UT20736-07414	Ute Tribal 7-15	Enhanced Recovery (2R)	43-013-31858
UT20736-04203	Ute Tribal 08-06 (old 5-8)	Enhanced Recovery (2R)	43-013-31307
UT20736-04415	Ute Tribal 07-09	Enhanced Recovery (2R)	43-013-31900
UT20736-04419	Ute Tribal 07-16	Enhanced Recovery (2R)	43-013-31463
UT20736-06700	Ute Tribal 18-01	Enhanced Recovery (2R)	43-013-30761
UT20736-04202	Ute Tribal 18-02 (old 4-18)	Enhanced Recovery (2R)	43-013-31099
UT20736-04520	Ute Tribal 18-11	Enhanced Recovery (2R)	43-013-31782
UT20736-06680	Ute Tribal 18-12	Enhanced Recovery (2R)	43-013-31783
UT20736-06678	Ute Tribal 18-06	Enhanced Recovery (2R)	43-013-31781
UT20736-04472	Ute Tribal 18-05	Enhanced Recovery (2R)	43-013-31534
UT20736-04355	Ute Tribal 18-08	Enhanced Recovery (2R)	43-013-30881
UT20736-04204	Ute Tribal 18-09 (old 5-18)	Enhanced Recovery (2R)	43-013-31180
UT20736-06677	Ute Tribal 18-07 (old 7-18)	Enhanced Recovery (2R)	43-013-31533

UT20736-06679	Ute Tribal 18-10	Enhanced Recovery (2R)	43-013-31595
UT20736-07415	Ute Tribal 18-16	Enhanced Recovery (2R)	43-013-31747
UT20736-04502	Ute Tribal 19-01	Enhanced Recovery (2R)	43-013-31964
UT20736-04491	Ute Tribal 19-07	Enhanced Recovery (2R)	43-013-31965
UT20736-04391	Ute Tribal 18-15	Enhanced Recovery (2R)	43-013-31753
UT20736-07536	Ute Tribal 18-14	Enhanced Recovery (2R)	43-013-31746
UT20736-04392	Ute Tribal 18-13b	Enhanced Recovery (2R)	43-013-31784
UT20736-04390	Ute Tribal 19-03	Enhanced Recovery (2R)	43-013-31792
UT20736-04535	Ute Tribal 19-05	Enhanced Recovery (2R)	43-013-31793
UT20736-04521	Ute Tribal 19-11	Enhanced Recovery (2R)	43-013-31967
UT20736-04618	Ute Tribal 19-13	Enhanced Recovery (2R)	43-013-31894
UT20736-04423	Ute Tribal 33-16-D3	Enhanced Recovery (2R)	43-013-31938
UT20736-04420	Ute Tribal 33-14-D3	Enhanced Recovery (2R)	43-013-31936
UT20736-04421	Ute Tribal 33-10-D3	Enhanced Recovery (2R)	43-013-31935
UT20736-04422	Ute Tribal 33-08-D3	Enhanced Recovery (2R)	43-013-31956
UT22214-09376	SWD 9-36 BTR	Salt Water Disposal (2D)	43-013-50646
UT20809-04345	Stirrup State 32-6	Enhanced Recover (2R)	43-047-32784

Attachment B – List of Respondent’s Well Violations

Label	EPA Well ID	Well Name	Violation	Begin date	End date
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2013	2/15/2014	10/9/2019
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2014	2/15/2015	10/9/2019
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2015	2/15/2016	10/9/2019
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2016	2/15/2017	10/9/2019
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2017	2/15/2018	10/9/2019
A	UT20809-04345	Stirrup State 32-6	Failure to Timely Report Annual Mon Report 2018	2/15/2019	10/9/2019
A	UT22214-09376	SWD 9-36 BTR	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT22214-09376	SWD 9-36 BTR	Failure to Timely Report Annual Mon Report 2017	2/15/2019	8/8/2019
A	UT20736-04434	Ute Tribal 03-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04322	Ute Tribal 04-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04356	Ute Tribal 04-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04328	Ute Tribal 04-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20497-03100	Ute Tribal 04-07 (2-4)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20497-03100	Ute Tribal 04-07 (2-4)	Failure to Timely Report Annual Mon Report 2017	2/15/2019	8/8/2019
A	UT20736-04635	Ute Tribal 04-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04636	Ute Tribal 04-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04324	Ute Tribal 05-08	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04234	Ute Tribal 05-10 (old 3-5E3)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04327	Ute Tribal 05-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04415	Ute Tribal 07-09	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04637	Ute Tribal 07-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04495	Ute Tribal 07-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04419	Ute Tribal 07-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04201	Ute Tribal 08-04 (old 1-8)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019

A	UT20736-04203	Ute Tribal 08-06 (old 5-8)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04381	Ute Tribal 08-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06698	Ute Tribal 09-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04640	Ute Tribal 15-12	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06600	Ute Tribal 16-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04412	Ute Tribal 16-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06601	Ute Tribal 16-03	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04551	Ute Tribal 16-04	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06602	Ute Tribal 16-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04546	Ute Tribal 16-06	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06603	Ute Tribal 16-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04414	Ute Tribal 16-08	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06604	Ute Tribal 16-09	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04503	Ute Tribal 16-10	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04393	Ute Tribal 16-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04553	Ute Tribal 16-12	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06605	Ute Tribal 16-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06606	Ute Tribal 16-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06607	Ute Tribal 16-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04418	Ute Tribal 16-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06699	Ute Tribal 17-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06700	Ute Tribal 18-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04202	Ute Tribal 18-02 (old 4-18)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06701	Ute Tribal 18-03b	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04472	Ute Tribal 18-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019

A	UT20736-06678	Ute Tribal 18-06	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06677	Ute Tribal 18-07 (old 7-18)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04355	Ute Tribal 18-08	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04204	Ute Tribal 18-09 (old 5-18)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06679	Ute Tribal 18-10	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04520	Ute Tribal 18-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06680	Ute Tribal 18-12	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04392	Ute Tribal 18-13b	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07536	Ute Tribal 18-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04391	Ute Tribal 18-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07415	Ute Tribal 18-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04502	Ute Tribal 19-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04390	Ute Tribal 19-03	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04535	Ute Tribal 19-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04491	Ute Tribal 19-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04536	Ute Tribal 19-09	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04521	Ute Tribal 19-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04618	Ute Tribal 19-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04496	Ute Tribal 19-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07113	Ute Tribal 19-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07114	Ute Tribal 20-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04494	Ute Tribal 20-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04540	Ute Tribal 20-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06477	Ute Tribal 21-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04363	Ute Tribal 21-03	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019

A	UT20736-06521	Ute Tribal 21-04	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06478	Ute Tribal 21-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04388	Ute Tribal 21-06	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07116	Ute Tribal 21-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07117	Ute Tribal 21-10	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04365	Ute Tribal 21-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06479	Ute Tribal 21-12	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06480	Ute Tribal 21-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06481	Ute Tribal 21-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04522	Ute Tribal 21-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04389	Ute Tribal 28-03	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07118	Ute Tribal 28-04	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07119	Ute Tribal 28-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04410	Ute Tribal 28-05A	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04380	Ute Tribal 28-06	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07120	Ute Tribal 28-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04619	Ute Tribal 29-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07121	Ute Tribal 29-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04541	Ute Tribal 29-03	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06482	Ute Tribal 29-04	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-06483	Ute Tribal 29-05	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04416	Ute Tribal 29-06	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07122	Ute Tribal 29-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07123	Ute Tribal 29-08	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04325	Ute Tribal 29-08A	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019

A	UT20736-04233	Ute Tribal 29-09 (old 1-29)	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07124	Ute Tribal 29-10	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07125	Ute Tribal 29-11	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04523	Ute Tribal 29-12	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07417	Ute Tribal 29-13	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04641	Ute Tribal 29-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07126	Ute Tribal 29-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04475	Ute Tribal 29-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04362	Ute Tribal 30-01	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07416	Ute Tribal 30-02	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07418	Ute Tribal 30-07	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04359	Ute Tribal 30-08	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04451	Ute Tribal 30-09	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04524	Ute Tribal 30-10	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04525	Ute Tribal 30-14	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04446	Ute Tribal 30-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04417	Ute Tribal 30-16	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04422	Ute Tribal 33-08- D3	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04421	Ute Tribal 33-10- D3	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04420	Ute Tribal 33-14- D3	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-04423	Ute Tribal 33-16- D3	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
A	UT20736-07414	Ute Tribal 7-15	Failure to Timely Report Annual Mon Report 2017	2/15/2018	8/8/2019
B	UT22214-09376	SWD 9-36 BTR	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	7/12/2017	7/18/2019
B	UT20736-03100	Ute Tribal 04-07 (2-4)	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/31/2017	9/19/2019
B	UT20736-04381	Ute Tribal 08-07	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	10/16/2017	7/2/2019

B	UT20736-04412	Ute Tribal 16-02	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	3/17/2018	7/2/2019
B	UT20736-04546	Ute Tribal 16-06	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	4/28/2014	9/5/2019
B	UT20736-06603	Ute Tribal 16-07	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/17/2016	7/9/2019
B	UT20736-06606	Ute Tribal 16-14	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	4/6/2018	7/2/2019
B	UT20736-06607	Ute Tribal 16-15	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/17/2016	7/2/2019
B	UT20736-04355	Ute Tribal 18-08	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/16/2018	7/2/2019
B	UT20736-04502	Ute Tribal 19-01	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	5/5/2014	9/6/2019
B	UT20736-04390	Ute Tribal 19-03	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	5/2/2016	7/8/2019
B	UT20736-04491	Ute Tribal 19-07	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	4/15/2014	9/6/2019
B	UT20736-04540	Ute Tribal 20-14	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	12/27/2016	9/5/2019
B	UT20736-07119	Ute Tribal 28-05	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	8/16/2013	9/4/2019
B	UT20736-04410	Ute Tribal 28-05A	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/17/2014	9/4/2019
B	UT20736-04541	Ute Tribal 29-03	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	9/11/2015	9/19/2019
B	UT20736-06482	Ute Tribal 29-04	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	12/28/2016	9/4/2019
B	UT20736-04422	Ute Tribal 33-08-D3	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	1/19/2019	7/2/2019
B	UT20736-04421	Ute Tribal 33-10-D3	Overdue <b>Internal</b> Mechanical Integrity Test Part I - Annulus Pressure Test	7/20/2018	7/2/2019
C	UT20736-04637	Ute Tribal 07-11	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/27/2019
C	UT20736-04495	Ute Tribal 07-14	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/18/2019
C	UT20736-04640	Ute Tribal 15-12	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/20/2019
C	UT20736-06602	Ute Tribal 16-05	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	7/17/2019
C	UT20736-04546	Ute Tribal 16-06	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	4/28/2014	9/20/2019
C	UT20736-06603	Ute Tribal 16-07	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	7/17/2019
C	UT20736-06604	Ute Tribal 16-09	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	7/16/2019
C	UT20736-06700	Ute Tribal 18-01	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/30/2019
C	UT20736-06677	Ute Tribal 18-07 (old 7-18)	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/18/2019

C	UT20736-04618	Ute Tribal 19-13	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/18/2019
C	UT20736-04365	Ute Tribal 21-11	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/20/2019
C	UT20736-07118	Ute Tribal 28-04	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	8/8/2019
C	UT20736-07119	Ute Tribal 28-05	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/23/2019
C	UT20736-04619	Ute Tribal 29-01	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/24/2019
C	UT20736-04541	Ute Tribal 29-03	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/24/2019
C	UT20736-07123	Ute Tribal 29-08	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/20/2019
C	UT20736-04641	Ute Tribal 29-14	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/23/2019
C	UT20736-04475	Ute Tribal 29-16	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/23/2019
C	UT20736-07416	Ute Tribal 30-02	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/25/2019
C	UT20736-07418	Ute Tribal 30-07	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	9/25/2019
C	UT20736-04524	Ute Tribal 30-10	Overdue <b>External</b> Mechanical Integrity Test Part II - Logs	9/1/2013	10/9/2019
D	UT20736-04356	Ute Tribal 04-02	Failure to Timely Report Mechanical Integrity Loss	9/4/2018	10/10/2018
E	UT20736-04434	Ute Tribal 03-14	Injection over Maximum Allowable Injection Pressure Limit	5/29/2017	5/30/2017
E	UT20736-04327	Ute Tribal 05-16	Injection over Maximum Allowable Injection Pressure Limit	8/29/2018	8/30/2018
E	UT20736-04495	Ute Tribal 07-14	Injection over Maximum Allowable Injection Pressure Limit	9/29/2018	9/30/2018
E	UT20736-06600	Ute Tribal 16-01	Injection over Maximum Allowable Injection Pressure Limit	6/29/2018	6/30/2018
E	UT20736-06604	Ute Tribal 16-09	Injection over Maximum Allowable Injection Pressure Limit	5/29/2017	5/30/2017
E	UT20736-06700	Ute Tribal 18-01	Injection over Maximum Allowable Injection Pressure Limit	3/29/2017	3/30/2017
E	UT20736-06701	Ute Tribal 18-03b	Injection over Maximum Allowable Injection Pressure Limit	3/30/2018	3/31/2018
E	UT20736-07114	Ute Tribal 20-02	Injection over Maximum Allowable Injection Pressure Limit	8/29/2017	8/30/2017
E	UT20736-06480	Ute Tribal 21-13	Injection over Maximum Allowable Injection Pressure Limit	8/29/2018	8/30/2018
E	UT20736-07118	Ute Tribal 28-04	Injection over Maximum Allowable Injection Pressure Limit	1/29/2017	1/30/2017
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	5/22/2018	5/23/2018
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	5/29/2018	5/30/2018

E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	6/29/2018	6/30/2018
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	7/29/2018	7/30/2018
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	8/29/2018	8/30/2018
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	9/29/2017	9/30/2017
E	UT20736-04523	Ute Tribal 29-12	Injection over Maximum Allowable Injection Pressure Limit	10/29/2017	10/30/2017
E	UT20736-04524	Ute Tribal 30-10	Injection over Maximum Allowable Injection Pressure Limit	5/29/2017	5/30/2017
F	UT20736-06678	Ute Tribal 18-06	Fail to Plug & Abandon or Demonstrate Non-Endangerment	2/4/2018	7/15/2019
F	UT20736-06479	Ute Tribal 21-12	Fail to Plug & Abandon or Demonstrate Non-Endangerment	5/3/2018	7/15/2019
F	UT20736-07122	Ute Tribal 29-07	Fail to Plug & Abandon or Demonstrate Non-Endangerment	6/28/2018	7/15/2019
G	UT20809-04345	Stirrup State 32-6	Fail to Properly Transfer Permit	2/28/2012	10/7/2019

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and a copy of the foregoing AMENDED COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING (COMPLAINT) (without a copy of 40 C.F.R. part 22) were hand-carried to the Regional Hearing Clerk, EPA, Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same (with a copy of 40 C.F.R. part 22) was sent to the following by CERTIFIED MAIL/RETURN RECEIPT REQUESTED:

Crescent Point Energy U.S. Corp.  
Attn: CT Corporation System, Registered Agent  
1108 E. South Union Ave.  
Midvale, Utah, 84047

Certified mail # 7012 2210 0000 5374 1540

Date: 11/5/19

By: Joan Detty  
Joan Detty