



Douglas A. Ducey
Governor

State of Arizona
Oil and Gas Conservation Commission

1110 W. Washington Street, Phoenix, AZ 85007
602-771-4501
www.azogcc.az.gov

Dennis L. Turner, Oil and Gas Administrator

Commissioners:
Frank Thorwald, Chair
J. Dale Nations, Ph.D., Vice Chair
Stephen R. Cooper
William C. Feyerabend

**NOTICE OF COMBINED PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION
ARIZONA OIL AND GAS CONSERVATION COMMISSION**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Oil and Gas Conservation Commission (AOGCC or Commission) and to the general public that the AOGCC will hold a meeting open to the public on **July 12, 2019, 10:00 a.m. in Room 3100B**, third floor of the Arizona Department of Environmental Quality, at 1110 W. Washington St., Phoenix, AZ.

AGENDA:

1. Call to order
 - o Establish a quorum
 - o Conflicts of interest
2. Discussion, consideration and possible vote by the AOGCC on the minutes of:
 - o May 24, 2019 Public Meeting
3. Rare Earth 12-1 State: Rare Earth Exploration requests the AOGCC to review and approve the relocation of the 12-1 well, based on topographical conditions, in accordance with A.A.C. R12-7-107(E)(3), previously approved in the April 12, 2019 Spacing Exception Hearing.
 - a. Rare Earth shall present its justification to move the location
 - b. The Commission shall discuss, consider and possibly vote to approve or deny Rare Earth’s request
4. Ranger Development, LLC (Ranger):
 - a. Start or resume production activity on shut-in (SI) or temporarily abandoned (TA) wells: In accordance with A.A.C. R12-7-125(D), Ranger requests approval to resume well activities on the following wells:

PERMIT #	WELL	STATUS
1212	Ranger 2-1 MD	SI
1194	Ranger 33-1 PD	SI
1211	Ranger 33-2 PD	SI
1205	Ranger 34-1 PD	SI
1213	Ranger 34-2 PD	SI
1226	Ranger 27-1 NS	TA
1214	Ranger 28-1 NS	SI
1195	Ranger 31-1 NS	SI

The Commission shall discuss, consider and possibly vote to approve or deny Ranger’s requests.

- b. Ranger 33-3 PD, Permit # 1220 –Ranger requests that the Commission reconsider its requirement to run a cement bond log (CBL) on the 33-3 PD following completion of the remedial cement work.
 - o Ranger shall provide reasons for non-completion of the work and for canceling the CBL run
 - o The Commission shall discuss, consider and possibly vote whether to remove the requirement for another CBL after completing remedial cement work.
 - c. Continuation of Ranger confidentiality request from the May 24, 2019 meeting: The Commission shall discuss, consider and possibly vote to extend the confidentiality status of individual Ranger wells discussed at the April 12 and May 24, 2019 meetings.
5. Cobalt Group – temporary abandonment request.
 - a. The Commission shall discuss, consider and possibly vote on a request from Cobalt for temporary abandonment status of the Cobalt 20-22-4 #1 State, permit 1236;
 - b. The Administrator shall discuss activities and drilling progress of all permitted Cobalt wells

6. Pollard Helium 36-1 – the operator is out of compliance with A.A.C. R12-7-121(A) and R12-7-125(A). In addition, the Administrator has discovered deficiencies with R-12-7-108(B) and (C) and R-12-7-140(A). The Commission shall discuss, consider and possibly vote to order Pollard to take action to comply with these rules, including establishing a deadline to plug and abandon the well and consequences for failure to comply.
7. Report by the Oil and Gas Administrator.
 - Results of well activities and inspections:
 - Arizona Energy Partners (AEP) 16-1
 - Ranger Development
 - Enterprise Products – follow-up to inspection of April 25, 2019
 - The Administrator shall discuss the following operations with the Commission; the Commission may discuss, consider and possibly vote on these items:
 - Merit Partners, SunCor 1-24 well – status of the recordation of well location
 - Arizona Energy Partners – permits 1216 and 1217: request extension to October 27, 2020. The Commission may discuss, consider and possibly vote to approve or deny the permit extension requests.
 - Status update of ADEQ's pursuit of primacy for the Underground Injection Control (UIC) program.
8. Report by the AOGCC Chairman
9. Legislation affecting the Arizona Oil and Gas Conservation Commission
10. Call to the public: Members of the public may address the Commission during this Call to the Public. Pursuant to A.R.S. § 38-431.01(H), the Commission members may not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. Therefore, action taken as a result of public comment will be limited to directing staff to study the matter or scheduling the matter for further discussion and decision on a future agenda.
11. Review and Consider Future Agenda Items
12. Announcements
13. Executive Session. The Commission may convene an Executive Session to discuss the topics below. Any vote as a result of the Executive Session shall occur as part of the public meeting afterward.
 - Discuss automating and updating the AOGCC website and GIS data in conjunction with ADEQ.
 - Discuss rulemaking progress.
 - Discuss the Attorney General's Opinion 60-39 and related memo of April 11, 2019.
14. Adjourn

Members of the Arizona Oil and Gas Conservation Commission will attend either in person or by telephone. The public may also attend a Commission meeting either in person or by telephone. Please contact the Oil and Gas administrator at least 48 hours before the scheduled meeting to make arrangements for a member of the public to attend by telephone. In cases where an emergency meeting is called by the Commission and 48 hours' notice is not possible, a minimum 24 hours' notice from the public is required.

The public may be afforded an opportunity to comment on any item on the agenda; however, by ruling of the Arizona Oil and Gas Conservation Commission, any member of the public wishing to speak at this meeting shall be limited to three (3) minutes (see Note 2). Note that agenda items may be taken out of order at the discretion of the Commission.

NOTE 1: The Arizona Oil and Gas Conservation Commission may vote to hold an Executive Session, pursuant to AR.S. § 38-431 .03(A)(3) or (4), which will not be open to the public, to consult with its attorney and receive legal advice with respect to any regular agenda item listed on this agenda.

NOTE 2: Any comments provided by the public at the Call to the Public shall not exceed three (3) minutes per speaker. For any comments made during the Call to the Public on any specific issue the overall comment period shall not exceed ten (10) minutes per side. The Commission shall have the authority to end any public discussion that exceeds ten (10) minutes per side or twenty (20) minutes in total.

For additional information about this meeting, contact Dennis L. Turner, Oil and Gas Program Administrator, ogcc@azdeq.gov or (602) 771-4501. At least 24 hours prior to any meeting, a copy of the agenda will be available for public inspection at the Arizona Department of Environmental Quality (ADEQ), 1110 W. Washington Street, Phoenix, AZ 85007, or online at <http://www.azdeq.gov/ogcc-notices>. After approval by the Commission, the meeting minutes and background material provided to Commission members (with the exception of material relating to possible Executive Sessions) shall be made available at <http://www.azogcc.az.gov/meetings>.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write or understand English and/or to those with disabilities. Requests for language interpretation, ASL interpretation, CART captioning services or disability accommodations must be made at least 48 hours in advance by contacting Ian Bingham, Title VI Nondiscrimination Coordinator at 602-771-4322 or Bingham.Ian@azdeq.gov. Teleprinter services are available by calling 7-1-1 at least 48 hours in advance to make necessary arrangements.

ADEQ tomará las medidas razonables para proveer acceso a los servicios del departamento a personas con capacidad limitada para hablar, escribir o entender inglés y / o para personas con discapacidades. Las solicitudes de servicios de interpretación de idiomas, interpretación ASL, subtítulos de CART, o adaptaciones por discapacidad deben realizarse con al menos 48 horas de anticipación contactando a Ian Bingham, Coordinador de Anti-Discriminación del Título VI al 602-771-4322 o Bingham.Ian@azdeq.gov. Los servicios de teleimpresores están disponibles llamando al 7-1-1 con al menos 48 horas de anticipación para hacer los arreglos necesarios.



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Public Meeting of the Arizona Oil & Gas Conservation Commission
10:00 a.m., July 12, 2019, Room 3100B

Name / Organization – please print	email	phone
Katharine Ball / ASU	kmball1@asu.edu	
Kirk Jalbert / ASU	KirkJalbert@asu.edu	
FRANK THORWALD		
Bill Feyerabend	jballardrxd@gmail.com	
Jim Ballard		
Jason Abplanalp	jabplanalp@azland.gov	
Stephen R. Cooper	src@centralazlaw.com	
DENNIS TURNER, AOGCC ADMIN	ogcc@azdeg.gov	
DALE NATIONS, on phone		
JAMES T. SKARDON	JAMES.SKARDON@AZAG.GOV	

June 24, 2019

Dennis L. Turner
Oil & Gas Administrator
Arizona Department of Environmental Quality
1110 W. Washington Street
Phoenix, AZ 85007

Re: Permit 1220, Ranger 33-3 PD deepening – remediation requirements – request to eliminate requirement to run CBL on Surface casing after topping out cement.

Dear Mr. Turner:

In the minutes for the May 24 Public Meeting the Ranger 33-3 PD was approved to deepen subject to the completion of the remediation works previously approved in April 3, 2018 when the well was originally requested to be shut in under Temporary Abandonment. In going back and reviewing the records in 2018, it was indicated that after topping off the surface casing cement that a CBL would be run. We would like to request the Commission approve to revised the necessary remediation works to only requirement topping off of the cement on the backside of the surface casing from the deepest depth that can be obtained with 1" back to the surface. The reasons and support for the request are as follows:

- 1) When the remediation works were originally proposed in March 2018 after the 33-3 PD had reached TD, the well was still under evaluation to deepen the well and/or to attempt a possible completion in the Shinarump formation at a later date utilizing a possible stimulation of some type. As part of the requirement to stimulate a well per the approved APP by the ADEQ and as indicated in section 14.2 Design Documents of the APP application, it indicated the well would be cemented to the surface on both the surface casing installed and on the production casing installed and that a cement bond log (CBL) would be run in both cases. The inclusion of a CBL was to help relieve doubts that any party might have later on that any existing water zones found in the well would be sealed off from potential contamination. This is not a requirement of the AOGC rules to run CBL's.
- 2) The cost of running a CBL on one well including mobilization and stand by costs in the Chambers, Arizona area is approximately \$10,000.00.
- 3) The well has been evaluated and the decision made that the Shinarump zone would not be stimulated, therefor there is no requirement to spend the money to run an additional CBL on the well under the APP or the AOGC Rules 12.
- 4) The well will be topped off with cement to isolate any water zones behind the surface casing from contamination from the surface as required by rule R12-7-110.

- 5) In the deepening of the well an intermediate casing string of 4-1/2" casing will be run to a depth of approximately 1300', below the Coconino formation and cemented back up to a depth of approximately 400' inside the Surface casing per the rule R12-7-111. This will provide further isolation of anything downhole behind the intermediate casing from rising to any zone behind the surface casing (see attached well diagram). In addition, the intermediate casing string itself is providing another string of steel to prevent anything getting to the surface casing from downhole. There will be mud left behind the intermediate casing and the surface casing after the intermediate casing is cemented.
- 6) Eliminating the running of the CBL will provide for a faster, more efficient and a lower cost for better economics for the deepening of the well.

For the above reasons we request the elimination of the requirement to run a CBL prior to the deepening of the Ranger 33-3 PD. If you have any questions or need additional information please let me know.

Regards,



Tony Hines
Project Manager

Encl.



Arizona Oil and Gas Conservation Commission

Memorandum

Date: July 11, 2019
To: Members of the Arizona Oil and Gas Conservation Commission
From: Dennis L. Turner, O&G Admin.
Subject: ***CONFIDENTIAL*** Briefing Memo and recommended actions for July 12, 2019
AOGCC Regular Meeting

RARE EARTH EXPLORATION, LLC

The AOGCC previously approved a spacing exception for this well in a hearing on April 12, 2019. Due to topographic constraints, Rare Earth requests approval to relocate its 12-1 State well to a location approximately 200 ft. from the previously approved location. Relocating a well for topographic reasons does not require a hearing; see A.A.C. R-12-7-107(E)(3). Only after the hearing did the operator discover that the site was an undesirable location without extensive modification at considerable cost. Owing to Rare Earth's failure to ground truth the site in advance, the State Land Department will require an updated Geologic Field Operations Plan and a Cultural Resources Survey report that incorporates the new drill pad. Nevertheless, I recommend the AOGCC approve this request, based on topographic reasons.

Lisa Test objected to the issuance of the permit for the 12-1 State at the April 12 Hearing, based on a spill she alleged occurred at another site (Rare Earth 28-1), which was drilled in June 2018. I found no evidence of any spill during my inspection on April 27, 2019. The site was minimally disturbed by normal drilling operations, and is revegetating naturally.

RANGER DEVELOPMENT, LLC

Start or resume production activity on eight shut-in or temporarily abandoned wells: Ranger is installing the gathering line from their field helium recovery plant to connect to the 28-1 NS and the 27-1 NS (the latest wells that completed drilling, but never put in production). Completion date may be as early as July 15, at which time they will want to put all the wells back on production. In accordance with R12-7-125(C), I recommend approval of Ranger's request to return the eight wells to production ("beneficial use"). Section 125 (C)(1), (2) and (3) do not apply, given the young age of the wells. Sundry notice attached.

Ranger 33-3 PD, Permit # 1220 –Ranger requests that the Commission reconsider its requirement to run a cement bond log (CBL) on the 33-3 PD following completion of the remedial cement work. Request letter attached.

The permit to drill was issued July 20, 2017. In accordance with R12-7-112 and R12-7-125(B)(1), the AOGCC approved shut in status on April 6, 2018, contingent upon Ranger completing remedial cement work before shut-in began. The remedial work was described in a Sundry Notice dated April 3, 2018, which formed the basis for the Commission's original approval. Ranger's letter of June 24, 2019 sets forth the reasons for requesting a waiver of the CBL requirement. Two earlier Sundry Notices related to deepening and the June 24th letter are attached.

Ranger has not returned to the well site to finish the remedial cement work since they received approval 15 months ago.

Continuation of Ranger confidentiality request – Ranger’s confidentiality request from the April 12 and May 24, 2019 meetings remains in place. Counsel requested more time to analyze the matter, so the Commission voted to extend confidentiality of Ranger’s well files and defer further discussion until the June 28th meeting.

POLLARD HELIUM, 36-1 STATE WELL

Based on submittals from Pollard, drilling ceased on May 7 and did not resume. Pollard asserts they resumed activity on June 9, but I received no further notification to document that activity. The site is now presumed to be out of compliance with AAC R12-7-125(A), which requires wells be P&A'd after 60 days of inactivity. Pollard also has not submitted a completion report, in accordance with R12-7-121(A) (due within 30 days after completion).

In addition, Pollard is out of compliance with R-12-7-108(B) and (C) and R-12-7-140(A). These two regulations require operators to conduct operations in a manner that prevents surface or subsurface pollution, maintain a freeboard of at least 18 inches in earthen pits and maintain a fence around earthen pits.

I inspected the site once before drilling began and again on June 18. The latter inspection (report attached) revealed general housekeeping problems, such as unlined and unfenced mud pits, potential exceedance of freeboard and litter.

Pollard has been nonresponsive to my messages, including two voicemails, several pieces of correspondence via email and US Mail and even requests relayed by third parties to call me. I recommend the Commission set deadlines for the following:

- July 31, 2019 – submit a complete Form 9 (Plug & Abandon application) (for approval at the August 9, 2019 AOGCC meeting); and
- September 13, 2019 – submit a complete Form 10 (the plug and abandon record). Otherwise, at the September 20, 2019 meeting, the Commission should consider voting that Pollard forfeit \$10,000 of their \$25,000 performance bond.

These due dates can be negotiable if Pollard elects to participate in the July 12, 2019 meeting.

ARIZONA ENERGY PARTNERS

AEP requests a fourth approval to renew permits 1216 (AEP 2-1 MS) and 1217 (AEP 2-1 NA) to October 27, 2020. There is some discrepancy in whether the current expiration date is Sept. 14, 2019 (AOGCC Minutes of Sept. 14, 2018) or Oct. 27, 2019 (my letter approving extension following the meeting). In either case, I request the AOGCC discuss, consider and possibly vote on this matter at the July 12 meeting, unless the Commission prefers that an AEP representative be present at the August 9 meeting before voting.

MERIT PARTNERS, SUNCOR 1-24 WELL

Apparently confusion prevails over the responsibility for this well, hence the recordation of this plugged well’s location remains unfinished. I have had two phone conversations, followed by emails documenting them, with Mr. Nicholas Fischer, V.P. of Merit Partners. Both times Mr. Fischer said he was aware of the requirement, would follow-up with the appropriate person(s) and get back to me. So far, no results. I ask the Commission to consider alternative legal actions, including more forceful communication from the Attorney General’s Office.



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Oil and Gas Administrator's Field Inspection Report

Company Name: Pollard Helium Customer ID #: 97166	Inspection ID #: 326903	Case ID #: 184630
Place Name: Pollard 36-1 Place ID #: 184311	Inspector(s): Dennis L. Turner	
County: Navajo	Inspection Date: 6/18/2019	
Physical Location: T 19 N, R 23 E, SW NE SW Sec 36	Reason for Inspection:	
Mailing Address: 1575 Heritage Dr., Ste. 306, McKinney, TX 75069	<input type="checkbox"/> Complaint Complaint No.: _____ <input checked="" type="checkbox"/> Routine Inspection <input checked="" type="checkbox"/> Follow-Up Original Inspection Report No.: 316517 (4/26/19)	
Coordinates (for new locations): Latitude: Deg.: 35° 0' 5.7996" N Longitude: Deg.: 109° 51' 25.7796" W		
Permit No.: 1237	Was Inspection Announced?	
Onsite Contact Person(s)/Title(s)/phone: Joshua Pollard, 972-984-8474; Brad Butler, 972.345.9195; Charlie Pollard, (214) 632-4650	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Operational Status: Spud date: 4/28/2019 T.D. and date: 1,112 ft. 5/6/2019 last known depth, according to docs rec'd	
Other Names for Site/Facility: Northstar 36-1	Last Inspection: 4/26/2019	
Inspection Report Issued: Via email from AOGCC office	Facility Initial:	AOGCC Initial:
Results of Inspection:		
<input type="checkbox"/> No deficiencies were noted during the course of the inspection. No AOGCC action will result from this inspection. <input checked="" type="checkbox"/> Potential deficiencies were noted during the course of the inspection. Additional correspondence regarding this inspection may be forthcoming.		
Comments:		
A.A.C. R12-7-121(A) requires operators to submit a completion report within 30 days after the well is completed. A.A.C. R12-7-125(A) requires operators to P&A a well that is inactive 60 days, which will be July 6, 2019. Site has numerous good housekeeping issues; see photo log. The site must be cleaned up, pits backfilled, piles leveled, equipment, trash and debris removed when well is P&A, in accordance with A.A.C. R17-126 and R12-7-127.		
Attachments:		
Notice of Inspection Rights Small Business Bill of Rights Photograph Log		



ARIZONA OIL AND GAS CONSERVATION COMMISSION NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	OGCC INFORMATION
Facility Name (Place): Pollard 36-1	Date of Inspection: 6/18/2019
Physical Location (Facility): T 19 N, R 23 E, SW NE SW Sec 36	County: Navajo
	Inspector: Dennis Turner
Mailing Address: 1575 Heritage Dr., Ste. 306, McKinney, TX 75069	Telephone: 602/ 771-4501
	Accompanied by:
Responsible Party: Charles Pollard	ADEQ Follow-up Contact: Balaji Vaidyanathan Facilities Emissions Control Section
RP Telephone: (214) 632-4650	
On-Site Representative: Joshua Pollard, 972-984-8474; Brad Butler, 972.345.9195; Charlie Pollard, (214) 632-4650	
Title: Enter	Title: Manager
Email: webster@pollardhelium.com	Telephone: (602) 771-4527

The Arizona Oil And Gas Conservation Commission (AOGCC) representative(s) identified above were present at the above address on the above listed date and time. Upon entry to the premises, the AOGCC representative(s) met with me, presented photo identification indicating that they are AOGCC representative(s) and explained:

That the purpose of the inspection is to determine:

Compliance with Title 27 of the Arizona Revised Statutes, Title 12 of the Arizona Administrative Code* and/or:
Permit/Agreement Numbers: 1237

Qualification for a license issued pursuant to:
A.R.S. § 27-513, and A.A.C. R12-7-104

That this inspection is conducted pursuant to the authority granted in A.R.S. § 27-503 and/or:
A.A.C. R12-7-110(D)

That the state shall not be barred by the statutes of limitations of actions, according to A.R.S. § 12-510, except as provided in A.R.S. § 12-529 concerning certain claims based on navigability of watercourses. According to 28 U.S.C. § 2462, the U.S. government must commence an action within 5 years after the date the claim first accrued.

Possible applicability of Small Business Bill of Rights pursuant to Arizona Revised Statutes § 41-1001(21)

That the fee for this inspection is: No fee for the inspection

*The Arizona Revised Statutes (A.R.S.) can be found on the internet: www.azleg.state.az.us/ArizonaRevisedStatutes.asp while the Arizona Administrative Code (A.A.C.) can be found at <https://www.azsos.gov/rules/arizona-administrative-code>

While I have the right to refuse to sign this form, the AOGCC representatives may still proceed with the inspection

I have read this notice and discussed any questions or concerns with the AOGCC representatives and I have received the Small Business Bill of Rights

	Enter a date.
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Signature of Regulated Person or Authorized On-Site Representative

Signature of Regulated Person or Authorized On-Site Representative

The regulated person or authorized on-site representative refused to sign.

Name of Regulated Person or Authorized On-Site Representative

Title

The regulated person or an authorized on-site representative was not present at the facility.

Dennis L. Turner

Signature of AOGCC Representative

6/18/2019

INSPECTION RIGHTS

I understand that I can accompany the AOGCC representative(s) on the premises, except during confidential interviews.

I understand that I have right to, on request:

- Copies of any original documents taken during the inspection, and that the AOGCC will provide copies of those documents at the AOGCC's expense;
- A split of any samples taken during the inspection, if the split of the samples would not prohibit an analysis from being conducted or render an analysis inconclusive;
- Copies of any analysis performed on samples taken during the inspection and that the AOGCC would provide copies of this analysis at the AOGCC's expense;
- Copies of any documents to be relied on to determine compliance with licensure or regulatory requirements if the agency is otherwise permitted by law to do so.

I also understand that:

Each person who is interviewed by the AOGCC inspector during the inspection must be informed that:

- Participation in an interview is voluntary, unless legally compelled to participate;
- They have the right to have an attorney or other experts in their field present during the interview to represent or advise the regulated person;
- The AOGCC inspector may not take any adverse action or treat less favorably or draw any inference as a result of the regulated person's decision to be represented by an attorney or advised by any other experts in their field;
- Statements made by the person may be included in the inspection report; and
- They have the right to 24 hours to review and revise any written witness statement drafted by the AOGCC inspector on which the AOGCC inspector requests that person's signature.
- If the information and documents provided to the AOGCC inspector become a public record, trade secrets and proprietary and confidential information may be redacted, unless the information and documents are not confidential pursuant to statute.
- Each person interviewed during the inspection must be informed that statements made by the person may be included in the inspection report;
- Each person whose conversation is tape recorded during the inspection must be informed that the conversation is being tape recorded;
- If an administrative order is issued or a permit decision is made based on the results of the inspection, I have the right to appeal that administrative order or permit decision. I understand that my administrative hearing rights are set forth in Arizona Revised Statutes § 41-1092 et seq. and my rights relating to an appeal of a final agency decision are found in Arizona Revised Statutes § 12-901 et seq.
- If I have any questions or concerns about this inspection, I may contact the person listed as the ADEQ Follow-up Contact on the front of this form; ADEQ's Ombudsman at (602) 771-4322 (toll free inside Arizona at (800) 234-5677, extension, 771-4322); or the Arizona Ombudsman-Citizens' Aid office at (602) 277-7292 (toll free at (800) 872-2879);

If I have any questions concerning my rights to appeal an administrative order or permit decision, I may contact the AOGCC's Administrative Counsel at (602) 542-8535.

Small Business Bill of Rights

41-1001.01. Regulatory bill of rights; small businesses

- A. To ensure fair and open regulation by state agencies, a person:
1. Is eligible for reimbursement of fees and other expenses if the person prevails by adjudication on the merits against an agency in a court proceeding regarding an agency decision as provided in section 12-348.
 2. Is eligible for reimbursement of the person's costs and fees if the person prevails against any agency in an administrative hearing as provided in section 41-1007.
 3. Is entitled to have an agency not charge the person a fee unless the fee for the specific activity is expressly authorized as provided in section 41-1008.
 4. Is entitled to receive the information and notice regarding inspections and audits prescribed in section 41-1009.
 5. May review the full text or summary of all rulemaking activity, the summary of substantive policy statements and the full text of executive orders in the register as provided in article 2 of this chapter.
 6. May participate in the rulemaking process as provided in articles 3, 4, 4.1 and 5 of this chapter, including:
 - (a) Providing written comments or testimony on proposed rules to an agency as provided in section 41-1023 and having the agency adequately address those comments as provided in section 41-1052, subsection D, including comments or testimony concerning the information contained in the economic, small business and consumer impact statement.
 - (b) Filing an early review petition with the governor's regulatory review council as provided in article 5 of this chapter.
 - (c) Providing written comments or testimony on rules to the governor's regulatory review council during the mandatory sixty-day comment period as provided in article 5 of this chapter.
 7. Is entitled to have an agency not base a licensing decision in whole or in part on licensing conditions or requirements that are not specifically authorized by statute, rule or state tribal gaming compact as provided in section 41-1030, subsection B.
 8. Is entitled to have an agency not make a rule under a specific grant of rulemaking authority that exceeds the subject matter areas listed in the specific statute or not make a rule under a general grant of rulemaking authority to supplement a more specific grant of rulemaking authority as provided in section 41-1030, subsection C.
 9. May allege that an existing agency practice or substantive policy statement constitutes a rule and have that agency practice or substantive policy statement declared void because the practice or substantive policy statement constitutes a rule as provided in section 41-1033.
 10. May file a complaint with the administrative rules oversight committee concerning:
 - (a) A rule's, practice's or substantive policy statement's lack of conformity with statute or legislative intent as provided in section 41-1047.
 - (b) An existing statute, rule, practice alleged to constitute a rule or substantive policy statement that is alleged to be duplicative or onerous as provided in section 41-1048.
 11. May have the person's administrative hearing on contested cases and appealable agency actions heard by an independent administrative law judge as provided in articles 6 and 10 of this chapter.
 12. May have administrative hearings governed by uniform administrative appeal procedures as provided in articles 6 and 10 of this chapter and may appeal a final administrative decision by filing a notice of appeal pursuant to title 12, chapter 7, article 6.
 13. May have an agency approve or deny the person's license application within a predetermined period of time as provided in article 7.1 of this chapter.
 14. Is entitled to receive written notice from an agency on denial of a license application:
 - (a) That justifies the denial with references to the statutes or rules on which the denial is based as provided in section 41-1076.
 - (b) That explains the applicant's right to appeal the denial as provided in section 41-1076.
 15. Is entitled to receive information regarding the license application process before or at the time the person obtains an application for a license as provided in sections 41-1001.02 and 41-1079.
 16. May receive public notice and participate in the adoption or amendment of agreements to delegate agency functions, powers or duties to political subdivisions as provided in section 41-1026.01 and article 8 of this chapter.
 17. May inspect all rules and substantive policy statements of an agency, including a directory of documents, in the office of the agency director as provided in section 41-1091.
 18. May file a complaint with the office of the ombudsman-citizens aide to investigate administrative acts of agencies as provided in chapter 8, article 5 of this title.
 19. Unless specifically authorized by statute, may expect state agencies to avoid duplication of other laws that do not enhance regulatory clarity and to avoid dual permitting to the extent practicable as prescribed in section 41-1002.
 20. May have the person's administrative hearing on contested cases pursuant to title 23, chapter 2 or 4 heard by an independent administrative law judge as prescribed by title 23, chapter 2 or 4.
- B. The enumeration of the rights listed in subsection A of this section does not grant any additional rights that are not prescribed in the sections referenced in subsection A of this section.
- C. Each state agency that conducts audits, inspections or other regulatory enforcement actions pursuant to section 41-1009 shall create and clearly post on the agency's website a small business bill of rights. The agency shall create the small business bill of rights by selecting the applicable rights prescribed in this section and section 41-1009 and any other agency-specific statutes and rules. At the request of an authorized on-site representative of the regulated small business, the agency shall provide a written document of the small business bill of rights. In addition to the rights listed in this section and section 41-1009, the agency notice of the small business bill of rights shall include the process by which a small business may file a complaint with the agency employees who are designated to assist members of the public or regulated community pursuant to section 41-1006. The notice must provide the contact information of the agency's designated employees. The agency notice must also state that if the regulated person has already made a reasonable effort with the agency to resolve the problem and still has not been successful, the regulated person may contact the office of ombudsman-citizens aide.

Oil and Gas Field Inspection Photograph Log

Site Location: Pollard 36-1		T 19 N, R 23 E, SW NE SW Sec 36	Photographer: Dennis Turner	Camera: Canon PowerShot 110SX
Photo No. 1	Date: 6/18/2019			
Direction Photo Taken: North				
Photo Description: Panoramic view of drill site and access road. Pond, right foreground, likely does not meet 18 inch freeboard requirement in A.A.C. R12-7-108(C) (not measured at time of inspection). None of the three ponds onsite are fenced, as req'd by R12-7-108(B).				

Photo No. 2	Date: 6/18/2019			
Direction Photo Taken: Southeast				
Photo Description: Panoramic view of drill site; well lower right foreground.				

Photo No. 3	Date: 6/18/2019
Direction Photo Taken: Northeast	
Photo Description: Panoramic view of all ponds; illustrates need for improved good housekeeping. Pond area should have been fenced, R12-7-108(B).	



Photo No. 4	Date: 6/18/2019
Direction Photo Taken: South	
Photo Description: View of well.	



Photo No. 5	Date: 6/18/2019	
Direction Photo Taken: East		
Photo Description: View of two ponds; illustrates risk to livestock and the public due to lack of fencing. Livestock was observed around the drill site upon arrival.		

Photo No. 6	Date: 6/18/2019	
Direction Photo Taken: Northeast		
Photo Description: All photos illustrate operator's failure to adequately maintain site following drilling; timeframe for inactivity (R12-7-125(A)) will exceed 60 days on July 5, 2019.		