

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION**

OIL AND GAS DOCKET NO. 8A-0261746

ENFORCEMENT ACTION FOR ALLEGED VIOLATIONS COMMITTED BY PLATINUM EXPLORATION, INC. (667939), AS TO THE GRIFFIN C LEASE, WELL NO. 1, HOBO (PENNSYLVANIAN) FIELD, BORDEN COUNTY, TEXAS

FINAL ORDER

The Commission finds that after statutory notice the captioned enforcement proceeding was heard by the examiner on June 25, 2009, and that the respondent, Platinum Exploration, Inc. (667939), failed to appear or respond to the Notice of Opportunity for Hearing. Pursuant to § 1.49 of the Commission's General Rules of Practice and Procedure [Tex. R. R. Comm'n, 16 TEX. ADMIN. CODE § 1.49] and after being duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. Platinum Exploration, Inc. (667939), ("Respondent") was given Notice of Opportunity for Hearing by certified mail, addressed to Respondent's most recent P-5 address, which was signed and returned to the Commission.
2. The returned certified receipt (green card) that was attached to the Original Complaint and the Notice of Opportunity for Hearing mailed to Respondent's most recent P-5 address, was signed and returned to the Commission on May 18, 2009. The certified receipt has been on file with the Commission for 15 days, exclusive of the day of receipt and day of issuance.
3. On January 30, 2008, Respondent, a Corporation, filed an Organization Report (Form P-5) with the Commission reporting that its officers consisted of the following individual(s): Harold James Rasmussen, President; Michael Paul Jobe, Vice-President; and Gregory James Rasmussen, Vice-President.
4. Harold James Rasmussen, was a person in a position of ownership or control of respondent, as defined by Texas Natural Resources Code Section 91.114, during the time period of the violations of Commission rules committed by respondent.
5. Michael Paul Jobe, was a person in a position of ownership or control of respondent, as defined by Texas Natural Resources Code Section 91.114, during the time period of the violations of Commission rules committed by respondent.

6. Gregory James Rasmussen, was a person in a position of ownership or control of respondent, as defined by Texas Natural Resources Code Section 91.114, during the time period of the violations of Commission rules committed by respondent.
7. The violations of Commission rules committed by respondent are related to safety and the control of pollution.
8. Respondent designated itself to the Commission as the operator of Well No. 1 on the Griffin "C" (64145) Lease (subject well/"subject lease") by filing a Form P-4 (Producer's Transportation Authority and Certificate of Compliance) with the Commission effective on July 1, 2001.
9. According to Commission records the Respondent's Form P-5 (Organization Report) became delinquent on January 1, 2009. Respondent had a \$50,000.00 Letter of Credit as its financial assurance at the time of its last P-5 renewal.
10. Commission District inspections were conducted on August 7, 2006, December 14, 2006, February 7, 2007, March 29, 2007, June 22, 2007, July 31, 2007 and February 25, 2009 for the Griffin "C" (64145) Lease. The signs or identification required to be posted at the well and the tank were missing.
11. Failure to properly identify a well by the posting of the sign required by Statewide Rule 3 has the potential for causing confusion and delay in remedying a violation or emergency and poses a threat to the public health and safety.
12. Production from the subject well ceased on or before May 31, 1994.
13. Commission records indicate that no Form H-15 (Test On An Inactive Well More Than 25 Years Old) has been filed and approved for the Griffin "C" (64145) Lease, Well No. 1. Commission records further show that the Griffin "C" (64145) Lease, Well No. 1 was completed on November 6, 1982, that an H-15 test was due in October 2008, and that the well has not been plugged.
14. The Statewide 14(b)(2) plugging extension for Well No.1 on the Griffin "C" (64145) Lease, was denied for other well violations and an H-15 has not been filed.
15. The subject well has not been properly plugged in accordance with, and is not otherwise in compliance with Statewide Rule 14.
16. Usable quality groundwater in the area is likely to be contaminated by migrations or discharges of saltwater and other oil and gas wastes from the subject well. Unplugged wellbores constitute a cognizable threat to the public health and safety because of the potential for pollution.
17. The estimated cost to the State of plugging the subject well is \$36,300.00.

7. 18. OIL AND GAS DO

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Respondent's Brief (1/28/19) - 1/28/19

Agreed Order See 6/24/18 250st018-0208249, 0

CONCLUSIONS OF LAW

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SC

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Z881.0531(c).

MH/sa

Done this 16th day of July 2009.

Done this 16th day of July 2009.

XG QV

Noncompliance with the requirements of this statute is a criminal offense under Chapter 201, Section 1.46(e)

§ 201.146(e)

da(Signatory) FOR THE BOARD OF COMMISSIONERS OF TEXAS