

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

In the Matter of the Alleged Violation
of Article 23 of the Environmental
Conservation Law (ECL) of the State of
New York and Title 6 of the Official
Compilation of Codes, Rules and
Regulations of the State of New York
(6 NYCRR),

ORDER

- by -

DEC Case No.
2098-2015DK

SHAWN P. PHILLIPS,

Respondent.

In this administrative enforcement proceeding, New York State Department of Environmental Conservation (Department) staff alleges that respondent Shawn P. Phillips violated 6 NYCRR 551.2(b) by failing to timely file a complete and accurate annual well report for the 2013 production year for three wells located and permitted to him in the Town of Bolivar, Allegany County, New York and violated 6 NYCRR 555.3(c) by failing to permanently plug the three wells. The wells, known as Millard Estate 1, 2, and 3, are designated as American Petroleum Institute (API) Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00, respectively.

On September 29, 2015, an adjudicatory hearing was convened before Michael S. Caruso, Administrative Law Judge (ALJ) of the Department's Office of Hearings and Mediation Services, to address these violations. ALJ Caruso prepared the attached hearing report, which I adopt as my decision in this matter, subject to the following comments.

As set forth in the ALJ's hearing report, respondent Shawn P. Phillips failed to file an answer to the complaint served by Department staff in this matter and failed to appear for the adjudicatory hearing scheduled in the matter on September 29, 2015, as was directed in the notice of hearing (see Hearing Report, at 6 [Finding of Fact No. 23]).

At the hearing, Department staff orally moved for a default judgment. The ALJ recommended that Department staff's motion for default be granted (see Hearing Report, at 7-8), and I concur that staff is entitled to a judgment on default pursuant to 6 NYCRR 622.15. Furthermore, at the hearing, Department staff presented a prima facie case on the merits, and proved its case by a preponderance of the evidence (see Hearing Report, at 7). Accordingly, staff is entitled to a judgment based on record evidence.

Department staff, in its papers, sought a penalty of one thousand dollars (\$1,000), and the ALJ recommended that respondent be directed to pay this amount. ECL 71-1307 provides for a penalty of up to eight thousand dollars (\$8,000) for the first day of violation and up to two thousand dollars (\$2,000) per day for each day the violation continues. Respondent has failed to submit a report for three wells, and, notwithstanding the efforts of Department staff to obtain his compliance, nothing in this record indicates that respondent made an effort to address this failure to file a report (see e.g. Hearing Exhibit 4 [July 3, 2014 correspondence from Department staff to respondent]).

Moreover, Department staff's proof demonstrates that respondent failed to permanently plug and abandon the three wells in violation of 6 NYCRR 555.3(c). The record demonstrates that the three wells have been not been capable of production since at least the inspection date of October 30, 2013 and have been unproductive for thirteen years (see Hearing Report at 3 [Findings of Fact 3 and 4]).

Based on the record before me, the recommended penalty is authorized and appropriate. However, respondent had for many years been in compliance with the annual reporting requirement (see e.g. Hearing Report, at 4 [Finding of Fact No. 9]). In light of the foregoing, I have determined to impose the recommended penalty of one thousand dollars (\$1,000) but suspend two hundred fifty dollars (\$250) of

that amount, contingent upon respondent complying with the terms and conditions of this order. In the event that respondent fails to comply with the terms and conditions of this order, including but not limited to payment of the payable portion of the penalty (that is, seven hundred fifty dollars [\$750]), the suspended portion of the penalty will become immediately due and payable.

I have considered the recommendations of the ALJ for respondent to submit an annual well report for the 2013 production year, to submit an updated organizational report reflecting the current personnel for the operator of the wells, to submit a notice of intention to plug and abandon the Millard Estate 1, 2 and 3 wells, to engage a registered New York State plugging contractor to plug and abandon those wells, and to submit a plugging report no later than thirty (30) days after completion of plugging operations.

Those recommendations are appropriate, and I have incorporated them into this order with the following modification. With respect to the engaging of a contractor to plug and abandon these wells, the recommendation is for that contracting to occur within one hundred eighty days (180) of the service of this order upon respondent. That time period may be extended by Department staff upon good cause shown by respondent.

NOW, THEREFORE, having considered this matter and being duly advised, it is **ORDERED** that:

- I. Department staff's motion for a default judgment pursuant to 6 NYCRR 622.15 is granted. By failing to answer or appear in this proceeding, respondent Shawn P. Phillips waived his right to be heard at the hearing.
- II. Moreover, based upon record evidence, respondent Shawn P. Phillips is adjudged to have violated the following:

- A. 6 NYCRR 551.2(b), for failure to timely file a complete and accurate annual well report for certain wells located and permitted to him in the State of New York, that is, for wells known as Millard Estate 1, 2, and 3 designated as American Petroleum Institute (API) Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00, respectively, for the 2013 production year; and
 - B. 6 NYCRR 555.3(c), for failure to permanently plug the wells known as Millard Estate 1, 2, and 3.
- III. Within thirty (30) days of the service of this order upon respondent Shawn P. Phillips, respondent shall submit the annual well report for the 2013 production year to the Department.
- IV. Within thirty (30) days of the service of this order upon respondent Shawn P. Phillips, respondent shall submit an updated organizational report reflecting the current personnel for the operator of the wells.
- V. Respondent Shawn P. Phillips is hereby assessed a civil penalty in the amount of one thousand dollars (\$1,000), of which two hundred fifty dollars (\$250) shall be suspended contingent upon respondent's compliance with the terms and conditions of this order. Respondent shall pay the unsuspended portion of the civil penalty (that is, seven hundred fifty dollars [\$750] within thirty (30) days of the service of this order upon him. Payment is to be by certified check, cashier's check or money order made payable to the New York State Department of Environmental Conservation at the address noted in paragraph IX of this order.

In the event that respondent fails to comply with the terms and conditions of this order, respondent upon notice of Department staff shall immediately pay the suspended portion of the penalty (that is, two hundred fifty dollars [\$250]) to the Department in the same form and to the same address as the unsuspended portion of the penalty.

- VI. Within thirty (30) days of the service of this order upon respondent Shawn P. Phillips, respondent shall submit a notice of intention to plug and abandon the Millard Estate 1, 2, and 3 wells.
- VII. Within one hundred eighty (180) days of the service of this order upon respondent Shawn P. Phillips, respondent shall contract with a registered New York State plugging contractor to plug and abandon the Millard Estate 1, 2, and 3 wells in accordance with ECL article 23 and 6 NYCRR part 555. Department staff may extend this time period of up to one hundred eighty (180) days upon good cause shown by respondent.
- VIII. Within thirty (30) days after the completion of the plugging operations, respondent Shawn P. Phillips shall submit a plugging report to the Department.
- IX. The annual well report for the 2013 production year, the organizational report, the notice of intention to plug and abandon the Millard Estate 1, 2, and 3 wells, the plugging report, and the civil penalty payment shall be sent to the following address:
- New York State Department of Environmental
Conservation
Division of Mineral Resources
Oil and Gas Compliance Enforcement Section
625 Broadway, 3rd Floor
Albany, New York 12233-6500
Attn: Theodore N. Loukides, Chief.
- X. Any questions or other correspondence regarding this order shall also be addressed to Theodore N. Loukides at the address referenced in paragraph IX of this order.

XI. The provisions, terms and conditions of this order shall bind respondent Shawn P. Phillips, and his agents, successors and assigns, in any and all capacities.

For the New York State Department
of Environmental Conservation

By: _____
/s/

Basil Seggos
Acting Commissioner

Dated: February 22, 2016
Albany, New York

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

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of Article 23 of the Environmental
Conservation Law (ECL) of the State of
New York and Title 6 of the Official
Compilation of Codes, Rules and
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HEARING REPORT

DEC Case No.
2098-2015DK

- by -

SHAWN P. PHILLIPS,

Respondent.

Procedural History

Staff of the New York State Department of Environmental Conservation (Department) served respondent Shawn P. Phillips (respondent) with a notice of hearing and complaint dated August 21, 2015, alleging a violation of 6 NYCRR 551.2(b), for failure to file a timely annual well report for the 2013 production year for three wells and a violation of 6 NYCRR 555.3(c) for failure to plug the three wells respondent owned in the State of New York, known as the Millard Estate 1, 2, and 3 wells and designated by American Petroleum Institute (API) Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00, respectively.

The complaint seeks an order of the Commissioner (1) finding respondent in violation of 6 NYCRR 551.2(b) and 555.3(c); (2) assessing a civil penalty in the amount of one thousand dollars (\$1,000); (3) directing respondent to comply with the schedule of compliance included in the papers served on respondent; and (4) granting such other and further relief as the Commissioner shall deem just and appropriate.

Service of the notice of hearing and complaint was made by certified mail and was received by respondent on August 24, 2015 (see 6 NYCRR 622.3[a][3]). Respondent failed to file an answer to the complaint and failed to appear for the adjudicatory hearing scheduled in the matter on September 29, 2015 as directed in the notice of hearing.

As stated in the notice of hearing, on September 29, 2015, an adjudicatory hearing was convened before the undersigned at the Department's Region 9 office, 270 Michigan Avenue, Buffalo, New York 14203. Department staff was represented by David H. Keehn, Esq., Associate Attorney, Office of General Counsel, New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1500. No one appeared on behalf of respondent.

Department staff indicated that it was prepared to proceed with the hearing, proffering a program staff witness. Noting for the record that respondent had failed to answer the complaint, and failed to appear for the adjudicatory hearing, Department staff orally moved for a default judgment pursuant to 6 NYCRR 622.15, and proceeded to put on its case seeking judgment on the merits. The hearing commenced on September 29, 2015 at 1:45 p.m.¹

Department staff called two witnesses, Christopher J. McKelvey, Mineral Resources Specialist 3, and Theodore N. Loukides, Chief, Compliance and Enforcement Section, Division of Mineral Resources. In all, I received ten (10) exhibits in evidence.

Applicable Regulatory Provisions

Section 551.2 Production and purchase reports.

"(a) Each person who first produces, sells, purchases, acquires, stores or transports oil and gas produced in the State must keep and maintain complete and accurate records of the amounts thereof. These records must be retained for five calendar years after the calendar year to which they pertain. True copies or duplicates must be kept or made available within the State for examination by the department at all reasonable times.

"(b) Each person who first produces, sells or purchases oil and gas produced in the State and the operator of each gas storage facility in the State must file with the department on a form the department prescribes a statement of the oil and gas produced, sold, purchased or stored. The information contained in this statement must be compiled on a calendar year basis and

¹ Respondent failed to appear for the hearing noticed for September 29, 2015 at 10:00 a.m. and called at calendar at approximately 11:40 a.m. Department staff proceeded to hearing on this matter at 1:45 p.m. on September 29, 2015.

must be filed no later than March 31st next following the close of the calendar year, unless the department requires otherwise."

Section 555.3 Temporary abandonment.

"(a) It shall be unlawful for the owner or operator of any well to temporarily abandon same for more than 90 days without specific permission from the department for an extension of the time period during which temporary abandonment is permitted.

"(b) Permission for an extension of the time period during which temporary abandonment is permitted shall be granted administratively by the department upon written application therefor by the owner or operator and the demonstration of sufficient good cause. Such extension shall be granted for a reasonable time period and shall be renewable for additional reasonable time periods upon receipt of successive petitions from the owner or operator and the demonstration of continued sufficient good cause.

"(c) Upon termination of the period of lawful temporary abandonment, the owner or operator must either resume operations or permanently plug and abandon the well as provided hereinafter."

Findings of Fact

1. Respondent Shawn P. Phillips resides at 108 Abruzzo Lane, Statesville, North Carolina, 28625. (Staff Exhibits 1, 2 and 9; Testimony of Christopher J. McKelvey.)
2. Respondent owns and operates the wells designated as API Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00 and known as the Millard Estate 1, 2, and 3 wells, respectively (hereinafter Millard Estate wells), located in the town of Bolivar, Allegany County, New York. (Staff Exhibits 5, 6, 7, and 9.)
3. The wells are not productive and have been non-producing wells for thirteen years. (Staff Exhibits 5, 6, 7, and 9; Testimony of Christopher J. McKelvey.)
4. The wells are not capable of production. (Testimony of Christopher McKelvey; Staff Exhibit 5.)
5. Respondent is required to file annual well reports (AWRs) with the Department for each production year for each well he owns on a form supplied by the Department, as typified

by Department Staff's Exhibit 7, an AWR filed by respondent for the production year 2014. (Testimony of Christopher J. McKelvey; Staff Exhibit 7.)

6. The Department supplies the AWR form to owners or other responsible parties by regular mail in January of each year immediately following the production year for which the AWR is required. The AWR must be filed by March 31st of that year. As a courtesy, if the Department does not timely receive the required AWR, it sends out a letter reminding the owners or other responsible parties of their obligation to file the AWRs, enclosing another copy of the AWR form. (Testimony of Christopher J. McKelvey; Staff Exhibits 3 and 4 [January 9, 2014 and July 3, 2014 correspondence to respondent, respectively].)
7. Each AWR form filled in by the owner or other responsible party and filed with the Department must be signed by them on the signature line indicated in the form. (Testimony of Christopher J. McKelvey; Staff Exhibits 7, 9 and 10.)
8. Above the signature line in the AWR form is the following certification made by the person executing the form:
"Certification: I understand that Environmental Conservation Law (ECL) Sec. 23-0305 requires me to file complete and accurate well records on a form provided by NYSDEC and that ECL Sec. 71-1307 provides that knowingly violating ECL Sec. 23-0305 is punishable as a misdemeanor. I certify under penalty of perjury that the information provided above is complete and accurate." (Staff Exhibits 7, 9 and 10.)
9. Respondent executed AWR forms containing the certification indicated in Finding of Fact 8 for the production years 2001 through 2012 and 2014 and filed the AWRs with the Department. (Testimony of Christopher J. McKelvey; Staff Exhibits 6, 7 and 9.)
10. The Department provided Respondent with AWR forms in January 2014 for the AWR due for the 2013 production year for the wells indicated in Finding of Fact 2, above. (Testimony of Christopher J. McKelvey; Staff Exhibit 3.)
11. The Department sent a letter to Respondent in July 2014 reminding him to file the required AWR for the 2013 production year. (Testimony of Christopher J. McKelvey; Staff Exhibit 4.)

12. Christopher McKelvey is an employee of the Department and is a Mineral Resources Specialist 3 in the Oil and Gas Compliance and Enforcement Section of the Department's Division of Mineral Resources. Mr. McKelvey's duties include the care, custody, and maintenance of the records pertaining to the oil, gas and solution mining program of the State of New York. These records are kept in a database maintained by the Department and include all AWRs filed pursuant to 6 NYCRR 551.2. (Testimony of Christopher J. McKelvey.)
13. On August 4, 2015 and September 21, 2015, Christopher McKelvey searched the Department's oil, gas and solution mining database for all AWRs filed by respondent. (Testimony of Christopher J. McKelvey; Staff Exhibit 2, Affidavit of Christopher J. McKelvey, sworn to August 21, 2015; Staff Exhibit 6.)
14. As a result of his search, Christopher McKelvey determined that respondent had not timely filed an AWR for the 2013 production year for his Millard Estate wells. (Testimony of Christopher J. McKelvey; Staff Exhibit 2, Affidavit of Christopher J. McKelvey, sworn to August 21, 2015; Staff Exhibit 6.)
15. Respondent was responsible for filing the 2013 annual well report and as of the date of the hearing had not done so. (Testimony of Christopher J. McKelvey.)
16. Mr. McKelvey also determined that respondent changed the mailing address on the AWR filed for the 2012 production year but had not provided the Department with his current address by filing an updated organizational report. (Testimony of Christopher J. McKelvey; Staff Exhibit 9; see e.g. Staff Exhibit 8.)
17. Respondent's Millard Estate wells have been temporarily abandoned for more than 90 days. (Staff Exhibits 5, 6, 7, and 9; Testimony of Christopher J. McKelvey.)
18. Theodore Loukides is an employee of the Department and is Chief of the Oil and Gas Compliance and Enforcement Section of the Department's Division of Mineral Resources. Mr. Loukides's duties include the care, custody, and maintenance of the records pertaining to the oil, gas and solution mining program of the State of New York. These records are kept in a database maintained by the Department and include all AWRs filed pursuant to 6 NYCRR 551.2.

(Testimony of Theodore N. Loukides.)

19. In September 2015, respondent verbally indicated to staff that respondent is no longer the owner of the real property on which respondent's wells are located, but respondent has not provided a written notice of the transfer of the property or transfer of ownership of the wells. (Testimony of Theodore N. Loukides.)
20. As recently as May 5, 2015, respondent certified the accuracy of the information on the AWR for the 2014 production year, which lists respondent as owner of the wells. The Department received the AWR on August 3, 2015. (Staff Exhibit 7.)
21. As shown by the Affidavit of Service of Keisha Rivera sworn to September 15, 2015, Department staff served the notice of hearing and complaint, order on consent, statement of readiness and affidavit of Christopher McKelvey, on respondent by certified mail, pursuant to 6 NYCRR 622.3(a)(3), that were delivered on August 24, 2015. (Staff Exhibit 1.)²
22. The notice of hearing and complaint allege a violation of 6 NYCRR 551.2(b) for failure to file a complete and accurate AWR for the 2013 production year and allege a violation of 6 NYCRR 555.3(c) for failure to plug respondent's Millard Estate wells. (Staff Exhibit 2.)
23. Respondent failed to file an answer to the complaint and failed to appear for the adjudicatory hearing scheduled in the matter on September 29, 2015, as directed in the notice of hearing. (Staff Exhibit 2; Hearing Record.)

² The affidavit of service indicates that service was made on respondent at 121 Mystic Court, Troutman, NC 28166, but the United States Postal Service (USPS) receipt attached to the affidavit demonstrates that the papers were mailed to 108 Abruzzo Lane, Statesville, NC 28625 where it was signed for by respondent. The cover letter is addressed to the Statesville, NC address. The USPS documents and signed receipt constitute proof of service. The cover letter also indicates that the pleadings were also sent by regular mail (presumably first class mail), but there is no proof submitted of this additional mailing. In the future, staff's affidavit of service should reference the correct address and the first class mailing, if such was provided.

Discussion

Department staff's proof presents a prima facie case demonstrating that respondent failed to timely file a complete and accurate AWR for the 2013 production year for the Millard Estate 1, 2 and 3 wells (API Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00, respectively), being those wells set forth in Finding of Fact 2, above, in violation of 6 NYCRR 551.2(b).

Department staff's proof also presents a prima facie case demonstrating respondent's wells have been abandoned for more than 90 days and have not been permanently plugged, in violation of 6 NYCRR 555.3(c).

The record shows that Department staff duly served the notice of hearing and complaint upon respondent; and that respondent failed to file an answer to the complaint and failed to appear for the adjudicatory hearing scheduled in the matter on September 29, 2015, as directed in the notice of hearing. Department staff submitted a proposed order on October 9, 2015, and the record was closed on October 13, 2015. The Department is entitled to a default judgment in this matter pursuant to the provisions of 6 NYCRR 622.15.

Moreover, the proof adduced at the hearing, conducted in respondent's absence, demonstrates by a preponderance of the evidence that respondent failed to timely file a complete and accurate AWR for the 2013 production year for the Millard Estate wells in violation of 6 NYCRR 551.2(b). The proof also demonstrates that the wells have been incapable of production and abandoned for years and have not been plugged in violation of 6 NYCRR 555.3(c). The Department is entitled to judgment upon the facts proven.

Department staff orally moved to amend Appendix I attached to the McKelvey Affidavit served with the notice of hearing and complaint to correct the API well numbers referenced therein. The API well number for Millard Estate 1 was correct, but the same number was repeated for the other two wells. As the wells were properly identified by name, Millard Estate 1, 2, and 3, there is no prejudice to the defaulting respondent by correcting the API numbers for Millard Estate 2 and 3. Accordingly, I orally granted staff's motion as it conformed the pleadings to the proof.

Department staff's proposed civil penalty of \$1,000 is consistent with the Department's Civil Penalty Policy (DEE 1,

issued June 20, 1990) as well as applicable provisions of ECL article 71. Furthermore, staff demonstrated the importance of plugging abandoned wells to avoid environmental damage and contamination from the seepage of brine or hydrocarbons into groundwater and surrounding soils. Also of concern to the Department is the fact that State funds may be expended to permanently plug the wells should respondent fail to do so.

Conclusions of Law

By failing to file the annual well report for the Millard Estate 1, 2 and 3 wells for the 2013 production year, the respondent violated 6 NYCRR 551.2(b). By abandoning the Millard Estate wells for more than 90 days without permanently plugging the wells, the respondent violated 6 NYCRR 555.3(c).

Recommendation

Based upon the foregoing, I recommend that the Commissioner issue an order:

1. granting Department staff's motion for default, finding respondent in default pursuant to the provisions of 6 NYCRR 622.15;
2. holding that, based upon the proof adduced at the adjudicatory hearing, respondent violated the following:
 - a. 6 NYCRR 551.2(b) by failing to timely file a complete and accurate annual well report for the 2013 production year for the Millard Estate 1, 2, and 3 wells (API Well Numbers 31-003-60747-00-00, 31-003-60748-00-00, and 31-003-60749-00-00, respectively); and
 - b. 6 NYCRR 555.3(c) by failing to permanently plug the Millard Estate 1, 2, and 3 wells;
3. directing respondent to file the required annual well report with the Department within thirty (30) days of the service of the Commissioner's order upon respondent;
4. directing respondent to file an updated organizational report;
5. directing respondent to pay a civil penalty in the amount of one thousand dollars (\$1,000) within thirty days (30)

of the service of the Commissioner's order upon respondent;

6. directing respondent to submit a notice of intention to plug and abandon the Millard Estate 1, 2, and 3 wells within thirty days (30) of the service of the Commissioner's order upon respondent;
7. directing respondent to contract with a registered New York State plugging contractor to plug and abandon the wells in accordance with ECL article 23 and 6 NYCRR part 555 within one hundred eighty (180) days of the service of the Commissioner's order upon respondent;
8. directing respondent to submit a plugging report within thirty (30) days after completion of plugging operations; and
9. directing such other and further relief as he may deem just and appropriate.

_____/s/_____
Michael S. Caruso
Administrative Law Judge

Dated: Albany, New York
October 15, 2015

EXHIBIT CHART – OIL & GAS WELL EXPEDITED PROCEEDINGS

Matter of Shawn P. Phillips – Town of Bolivar, Allegany County, New York – DEC Case No. 2098-2015DK
 September 29, 2015 – Region 9 Office
 Edrol File No. 020308104801

Exhibit No.	Description	ID'd?	Rec'd ?	Offered By	Notes
1	Affidavit of Service of Keisha Rivera, sworn to September 15, 2015, including USPS attachments.	✓	✓	Department Staff	
2	Cover Letter from David H. Keehn, Esq. to Shawn P. Phillips, dated August 21, 2015 with Notice of Hearing and Complaint, dated August 21, 2015, Order on Consent, Statement of Readiness, dated August 21, 2015, Affidavit of Christopher McKelvey sworn to August 21, 2015, Schedule of Compliance and List of Wells.	✓	✓	Department Staff	
3	Letter to Shawn P. Phillips from Theodore N. Loukides, dated January 9, 2014 transmitting annual well report form for 2013 production year and reminding respondent to submit by March 31, 2014.	✓	✓	Department Staff	
4	Letter to Shawn P. Phillips from John K. Dahl, dated July 3, 2014, regarding missing 2013 Annual Well Report.	✓	✓	Department Staff	
5	Post-Drilling Site Inspection Reports (3) for Millard Estate 1, 2, and 3 wells conducted on October 30, 2013 with photos.	✓	✓	Department Staff	

Exhibit No.	Description	ID'd?	Rec'd ?	Offered By	Notes
6	Annual Well Production Data (3 reports) for Millard Estates 1, 2, and 3 wells for years 2001 through 2012 and 2014, generated on September 21, 2015.	✓	✓	Department Staff	
7	Annual Well Report for 2014 production year certified by Shawn P. Phillips on May 25, 2015, received by Department staff on August 3, 2015.	✓	✓	Department Staff	
8	Organizational Report affirmed by Shawn Phillips on May 12, 2006, received by Department staff on May 22, 2006.	✓	✓	Department Staff	
9	Annual Well Report for 2012 production year certified by Shawn P. Phillips on September 11, 2013, received by Department staff on September 16, 2013.	✓	✓	Department Staff	
10	Sample Annual Well Report provided to well owners with each production year's annual well report.	✓	✓	Department Staff	