

**RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
OIL AND GAS SECTION**

OIL AND GAS DOCKET NO. 10-0234728

ENFORCEMENT ACTION FOR ALLEGED VIOLATIONS COMMITTED BY MEADOWS, CORY LEE SOLE PROPRIETOR, C&C OIL PRODUCERS (119962), REGARDING REVOCATION OF ORGANIZATION REPORT PURSUANT TO TEX. NAT. RES. CODE ANN. SECTION 91.114

FINAL ORDER

The Commission finds that after statutory notice the captioned enforcement proceeding was heard by the examiner on July 3, 2003, and that the respondent, Meadows, Cory Lee, Sole Proprietor, C&C Oil Producers (119962), failed to appear or respond to the notice. 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. Meadows, Cory Lee, Sole Proprietor, C&C Oil Producers (119962), ("Respondent") was given Notice of Opportunity for Hearing by certified mail, addressed to the most recent P-5 address on the Form P-5 Organization Report, which was returned to the Commission marked "unclaimed."
2. The returned certified receipt containing the Original Complaint and the Notice of Opportunity for Hearing was returned to the Commission marked "unclaimed" on June 10, 2003. The certified receipt has been on file with the Commission for 15 days, exclusive of the day of receipt and day of issuance.
3. According to Commission records the Respondent's Form P-5 (Organization Report) became delinquent on September 1, 2003. Respondent had a \$250,000 Letter of Credit as its Financial Assurance at the time of its last Form P-5 renewal.
4. On February 25, 2003, the Commission entered a Final Order against respondent in Oil & Gas Docket No. 10-0231277 regarding the McLaughlin (03771) Lease, Panhandle (Red Cave) Field, Moore County, Texas, ordering that respondent pay to the Commission as administrative penalty in the amount of \$16,000.00 within 30 days from the day immediately following the date the Order became final for violations of Statewide Rule 8(d)(1) regarding unauthorized discharges of oil and gas wastes.
5. The violations found to have been committed by respondent in Oil & Gas Docket No. 10-0231277 constituted acts deemed serious and a hazard to the public health.

6. Respondent did not file a motion for rehearing, and the Final Order in Oil and Gas docket No. 10-0231277 became final and effective on March 24, 2003, and no appeal was taken. Payment by respondent of the administrative penalty assessed in this docket was due on or before April 24, 2003.
7. Respondent has not paid the penalty ordered in Oil and Gas docket No. 10-0231277 and is not paying the penalty in accordance with any payment schedule agreed upon by respondent and the Commission.

CONCLUSIONS OF LAW

1. Proper notice was issued by the Railroad Commission to respondent and to all other appropriate persons legally entitled to notice.
2. All things necessary to the Commission attaining jurisdiction over the subject matter and the parties in this hearing have been performed or have occurred.
3. Respondent violated the final and effective Commission order in Oil and Gas Docket No. 10-0231277, an order that relates to safety or the prevention or control of pollution.
4. Respondent violated the Commission's Statewide Rule 8(d)(1) [16 TEX. ADMIN. CODE §3.8(d)(1)], which is a rule that relates to safety or the prevention or control of pollution, as determined in the Commission's final and effective order in Oil and Gas Docket No. 10-0231277.
5. Respondent committed a violation of a Commission rule and order relating to safety or the prevention or control of pollution within the meaning of Texas Natural Resources Code, §91.114.
6. Pursuant to Texas Natural Resources Code, §91.114(a), the Commission is prohibited from accepting an organization report from respondent or would be so prohibited if respondent submitted an organization report.
7. Pursuant to Texas Natural Resources Code §91.114(h), after notice and opportunity for hearing, the Commission may by order revoke respondent's organization report.
8. Respondent's organization report should be revoked pursuant to Texas Natural Resources Code §91.114.

IT IS THEREFORE ORDERED that the Form P-5 (Organization Report) of Meadows, Cory Lee, Sole Proprietor, C&C Oil Producers (119962), is hereby revoked.

It is further **ORDERED** by the Commission that this order shall not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE § 2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the order is served on the parties.

All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

Noncompliance with the provisions of this order is subject to enforcement by the Attorney General and subject to civil penalties of up to \$10,000.00 per day per violation.

Done this 22nd day of September 2003.

RAILROAD COMMISSION OF TEXAS

(Signatures affixed by Default Master Order dated September 22, 2003)

JD/sa