



United States Department of the Interior

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BUREAU OF LAND MANAGEMENT

98 AUG 17 PM 1:03

New Mexico State Office

1474 Rodeo Road

P. O. Box 27115

Santa Fe, New Mexico 87502-0115

070 FARMINGTON, NM

MINERAL RESOURCES

ADM |

NATV AM MIN COORD _____

SOLID MIN TEAM _____

PETRO MIN TEAM 2a _____

ON-SITE TEAM _____

ALL TEAM LEADERS _____

LAND RESOURCES _____

ENVIRONMENT _____

FILES _____

IN REPLY REFER TO:
SDR 98-07
3165.3 (932)

August 14, 1998

CERTIFIED - RETURN RECEIPT REQUESTED

Decision

BK Petroleum, Incorporated
Attention: Brad Walls
P.O. Box 826
Farmington, New Mexico 87499-0826

: Assessment of Civil Penalties and
: Order to Shut-In Wells
:
:
:

Dismissed

BK Petroleum, Incorporated (BK) has requested review of an order to shut in all oil or gas wells on two Navajo Indian oil and gas leases and an assessment of civil penalties by the Bureau of Land Management Farmington Field Office. Such order and assessment of civil penalties resulted from long-term noncompliance and failure to produce wells on Navajo Tribal leases 14-20-600-3530 and 14-20-600-3531. Specifically, BK was ordered to return shut-in wells to producing status and/or submit reports identifying and justifying continued shut-in status. Correspondence between BK and the Farmington Office indicate that compliance deadlines had been extended to various intervals between December 31, 1997, and April 15, 1998. When BK failed to comply with the April 15, 1998, deadline, an assessment of civil penalties and order to shut-in the leases was issued by the Farmington Office in a letter dated June 5, 1998. BK has requested a review of the June 5, 1998, assessment and order.

Records indicate that the assessment of civil penalties and order to shut-in wells was received by BK on June 9, 1998. The request for State Director Review was postmarked on July 31, 1998, and received in this office on August 3, 1998, which is 40 business days following receipt of the decision subject to review. The regulation in 34 CFR Part 3165.3(b) provides that requests for State Director review shall be filed in writing with the appropriate State Director within 20 business days of the date the assessment or order was received.

Decision:

The request for review is not timely filed. BK has waived right to a review of the assessment and order; therefore, the request for review is hereby dismissed.