



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

New Mexico State Office
1474 Rodeo Road
P. O. Box 27115
Santa Fe, New Mexico 87502-0115

August 14, 1998

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

RECEIVED BLM	
98 AUG 17 PM 1:03	
070 FARMINGTON, NM	
MINERAL RESOURCES	
ADM	1
NATV AM MIN COORD	
SOLID MIN TEAM	
PETRO MIN TEAM	2a
ON SITE TEAM	
ALL TEAM LEADERS	
LAND RESOURCES	
ENVIRONMENT	
FILES	

CERTIFIED - RETURN RECEIPT REQUESTED

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

Decision

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.