Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR SEAN D. LOGAN, DIRECTOR

The Division of Mineral Resources Management
John F. Husted, Chief
2045 Morse Road, Building H-3
Columbus, Ohio 43229-6693
Phone: (614) 265-6633/Fax: (614) 265-7998

ORDER BY THE CHIEF

ORDER NO. 2010-47
AFFIRMATION OF Order

TO: Raymond Beck
Beck Energy Corp
P.O. Box 1070
Ravenna, Ohio 44266

RE: Consent Agreement: Beck Energy Corp. and Ohio Department of Natural Resources, Division of Mineral Resources Management Dated September 9, 2010

SUBJECT: Failure to Comply With Consent Agreement
Material and Substantial Violation

Response to Informal Hearing Held on 11/08/10

Pursuant to Ohio Revised Code Sections 1509.03 and 1509.04, the Chief of the Division of Mineral Resources Management ("Division") hereby makes the following Findings and issues this Order.

FINDINGS:

(1) On November 2, 2010 the Division issued Order 2010-47 to Beck Energy Corporation.

(2) Beck Energy Corporation requested an informal hearing pursuant to section 1509.04 of the Ohio Revised Code and the hearing was held on November 8, 2010.

(3) After review of the information presented on November 8, 2010 by Beck Energy Corporation, the Division finds that Beck Energy Corporation failed to present evidence or mitigating factors demonstrating that Beck Energy Corp's. actions: (a) are not material or substantial violations of the law and the rules promulgated thereunder; or (b) do not present a potential danger to the health or safety of the public or are not likely

to result in immediate substantial damage to the natural resources of this state. Further, Beck Energy Corporation failed to present evidence or mitigating factors demonstrating it did provide a written plan that was approved by the chief for the handling and disposal of fluids resulting from the workover at permit #8818, Washington County.

(4) Beck Energy Corporation's failure to comply with the Consent Agreement dated September 9, 2010 is a material and substantial violation to Ohio Revised Code 1509 and the rules promulgated thereunder.

ORDER:

(5) Therefore, Chief's Order No. 2010-47 is hereby AFFIRMED.

11-9-10
Issue Date

John F. Husted, Chief
Division of Mineral Resources Management

Addressee is further notified that this action may be appealed to the Oil and Gas Commission pursuant to Section 1509.36 of the Ohio Revised Code. The appeal must be in writing and must set forth the orders complained of and the grounds upon which the appeal is based. Such appeal must be filed with the Oil and Gas Commission, Linda Osterman, 2045 Morse Rd. Building F-2, Columbus, Ohio 43229-6693 within thirty (30) days after the receipt of this order.

In addition, a copy of the notice of the appeal must be filed with John F. Husted, Chief of the Division of Mineral Resources Management at Building H-3, 2045 Morse Rd., Columbus, Ohio 43229-6693, within three (3) days after the appeal is filed with the Oil and Gas Commission.

Addressee is further notified that, in the alternative, this action may be appealed directly to the court of common pleas of the county in which the activity that is the subject of the order is located pursuant to RC 1509.04(D) (3).

Raymond Beck
Beck Energy Corp
PO Box 1070
Ravenna, OH 44266

Certified Mail # 91 7108 2133 3932 1020 4102

C: Chief Order file copy