



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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FILED

Oct 06, 2023

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U.S. EPA REGION 8  
HEARING CLERK

Ref: 8ENF-W-SD

**SENT VIA EMAIL**  
**DIGITAL DELIVERY RECEIPT REQUESTED**

The Honorable Julius Murray, Chairman  
Ute Indian Tribe  
juliusm@utetribes.com

Re: Notification of Case Conclusion in the Matter of XTO Energy Inc, SDWA-08-2023-0008

Dear Chairman Murray:

I am writing to inform the Ute Indian Tribe (Tribe) that the U.S. Environmental Protection Agency, Region 8 (EPA), and XTO Energy Inc. (XTO), entered into a settlement agreement fully resolving the complaint allegations in the above referenced matter. On September 29, 2023, the EPA Regional Judicial Officer Kathrin Hall signed an order requiring compliance with the settlement agreement. Copies of the complaint, settlement agreement and order are included for your information.

On March 22, 2023, the EPA provided the Ute Tribal Chairman notice of its proposal to initiate enforcement proceedings against XTO for violations of underground injection control (UIC) requirements. On April 7, 2023, the EPA filed a complaint with the EPA Region 8 hearing clerk describing the violations. XTO agreed to pay a civil penalty in settlement of this matter.

The EPA views its settlement with XTO as a mutually satisfactory resolution to the environmental noncompliance. Please let us know if you have any questions regarding the settlement. The persons on my staff who are most knowledgeable about this matter are Nathan Wisner, Environmental Scientist, at (303) 312-6211, and Mia Bearley, Enforcement Attorney, at (303) 312-6554.

Sincerely,

Suzanne J. Bohan  
Director  
Enforcement and Compliance Assurance Division

Enclosures

Re: *Notification of Case Conclusion in the Matter of XTO Energy Inc, SDWA-08-2023-0008*

electronic cc:

Christopher Tabbee, Ute Indian Tribe Vice-Chairman

Mike Natchees, Ute Indian Tribe Councilman

Luke Duncan, Ute Indian Tribe Councilman

Cleveland Murray, Ute Indian Tribe Councilman

Emmett Duncan, Sr., Ute Indian Tribe Councilman

Lelila Longhair, Executive Director

Sonja Willie, Acting Director, Ute Indian Tribe Energy & Minerals Department

Jeremy Patterson, Tribal Attorney, Patterson, Earnhart, Real Bird & Wilson LLP