

PUBLIC NOTICE

Vonk Oil and Gas LLC
4960 Cedar Ridge NE
Grand Rapids, Michigan 49525

Docket No. SDWA-05-2021-0006

The U.S. Environmental Protection Agency, Region 5, is providing this notice of its intent to issue an Administrative Order on Consent (AOC) to Vonk Oil and Gas LLC (Respondent) which alleges Respondent failed to comply with requirements for its Underground Injection Control (UIC) permit listed below (the Permit) and federal regulations at its Class II disposal injection well facility in Michigan.

List: Sharnowski #1-16A SWD (EPA No. MI-101-2D-0073), Manistee County, Michigan

EPA has the authority to file the AOC under Section 1423(c)(2) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §300-2h. The AOC proposes that Respondent meet compliance requirements to improve the operation, monitoring, and record keeping practices of its injection well.

The Respondent violated the Permit and the UIC regulations at Title 40 of the Code of Federal Regulations (40 C.F.R.) Part 144. Respondent failed to: (1) sign and certify reports as required, (2) report annulus pressure as required, (3) submit accurate quarterly reports as required, (4) submit accurate monthly reports as required, and (4) failed to operate properly by exceeding the permitted maximum injection pressure. The compliance requirements in the Proposed Administrative Order on Consent address these violations.

Monitoring and reporting of injection wells is vital to protecting underground sources of drinking water because the required activities ensure that the wells have mechanical integrity, are not leaking, and are being operated for the purposes for which they were permitted. Retaining accurate and complete records is necessary to help EPA make informed decisions, and validate reports submitted to the Agency.

A copy of the Proposed AOC may be viewed online at: www.epa.gov/aboutepa/epa-region-5#events by clicking on the “Proposed Administrative Order on Consent” link on the Region 5 events calendar for the docket number identified above. Alternatively, the AOC may be received by contacting the Regional Hearing Clerk at the address listed below.

OPPORTUNITY FOR COMMENT: Section 1423(c)(3) of SDWA, 42 U.S.C. §300h-2(c)(3), requires that EPA provides public notice of, and reasonable opportunity to comment on any proposed order.

Due to the COVID-19 pandemic, access to the Region 5 office is limited and EPA employees are encouraged to telework. Therefore, EPA requests that all written comments be sent via email to

the Regional Hearing Clerk at whitehead.ladawn@epa.gov. If you are unable to submit written comments by email, please contact the Regional Hearing Clerk at (312) 886-3713.

Your comments should include the case name, docket number, and your complete mailing address. Comments and documents sent to any EPA employee other than the Regional Hearing Clerk are not assured of consideration in this matter. Note that EPA requires your mailing address because we must use the U.S. Postal Service should we need to reply, request additional information, or notify you of a hearing, and to provide a copy of any consent agreement and proposed final order.

All written comments must be received in the Regional Hearing Clerk's Office no later than 4:00 p.m., Central Time, of the Comment Period End Date shown on the Region 5 events calendar page for this docket number: www.epa.gov/aboutepa/epa-region-5#events.

All documents filed in this proceeding (including documents submitted by the Respondent or by the public) are available electronically on the EPA website:
<http://yosemite.epa.gov/oa/rhc/epaadmin.nsf>.

Any person wishing to participate in this proceeding must notify the Regional Hearing Clerk in via email or writing within the public notice period and provide their name, complete mailing address, and state that they wish to participate in the proceeding. *See* 40 C.F.R. § 22.45(c)(1).

Should EPA choose to issue the AOC after considering any comments received, EPA will send a copy of the AOC to any persons who submitted written comments during the public comment period. Commenters will then have 30 days to petition the Regional Administrator to set aside the AOC on the basis that material evidence was not considered. The specific procedures that apply when a commenter petitions the Regional Administrator include, among other things, an opportunity for EPA to withdraw the AOC. If EPA does not withdraw the AOC within 15 days of receipt of the petition, a Petition Officer shall be assigned to consider and rule on the petition. The Petition Officer shall issue written findings as to, among other things, the extent to which the petition states an issue relevant and material to the issuance of the AOC and whether resolution of the proceeding is appropriate without a hearing. *See* 40 C.F.R. § 22.45(c)(4).

If a hearing is held, EPA will advise commenters who, during the public comment period, submitted a written request to participate in a hearing of the date, time, and place of the hearing, which they may attend and present evidence on the appropriateness of the proposed compliance requirements by following the instructions in 40 C.F.R. 22.45(c)(1).