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EPA REGION VIII
HEARING CLERK

January 25, 2011

BY EXPRESS MAIL

Regional Hearing Clerk
U.S. Environmental Protection Agency
1595 Wynkoop Street (8RC)
Denver, Colorado 80202-1129

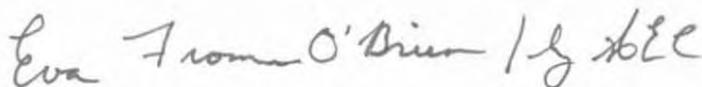
Re: Docket No. SWDA-08-2011-001

Dear Sir or Madam:

Enclosed please find an original and one copy of Patterson-UTI Drilling Company LLC's Answer to Proposed Compliance Order and Penalty Complaint and Request for a Hearing ("Answer") in Docket No. SWDA-08-2011-011. Please file the Answer in the appropriate docket.

If you have any questions about this filing, please feel free to give me a call at (713) 651-5321.

Very truly yours,



Eva Fromm O'Brien

Enclosure

cc: Ms. Brenda Morris
U.S. Environmental Protection Agency
Region 8
Mail code 8ENF-UFO
1595 Wynkoop Street
Denver, Colorado 80202-1129

BY EXPRESS MAIL

8. Paragraphs 4 through 6 of the Complaint contain statements of law to which no response is required.

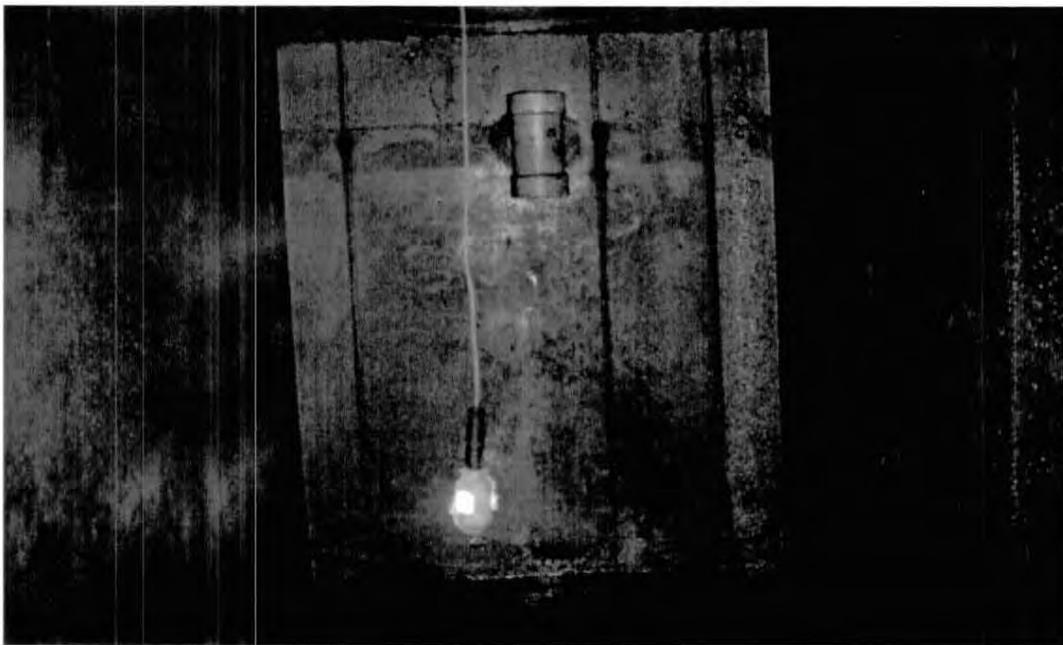
9. Patterson-UTI admits the allegations in Paragraph 7 of the Complaint.

10. Patterson-UTI admits the allegations in Paragraph 8 of the Complaint.

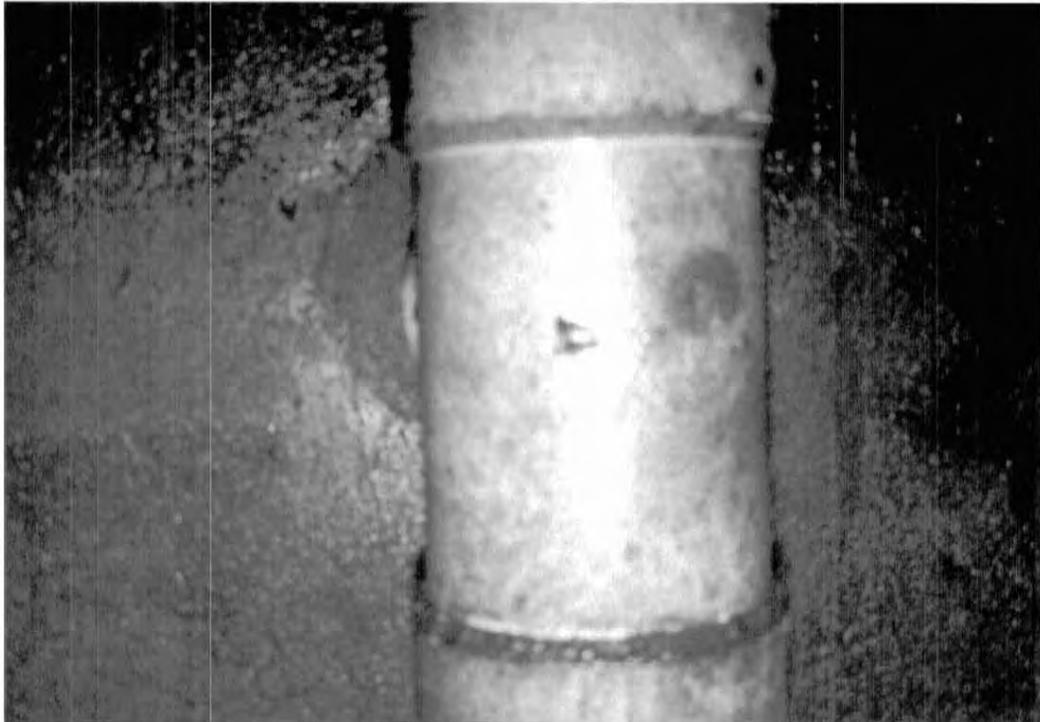
11. Patterson-UTI admits the allegations in Paragraph 9 of the Complaint.

12. Patterson-UTI denies that the materials from the drain in the maintenance building at the Facility (the "Shop") discharge into the subsurface to the extent that this implies that the materials are discharged into the soils at the Facility; the materials drain into an enclosed concrete tank. Patterson-UTI admits the remainder of the allegations in Paragraph 10 of the Complaint.

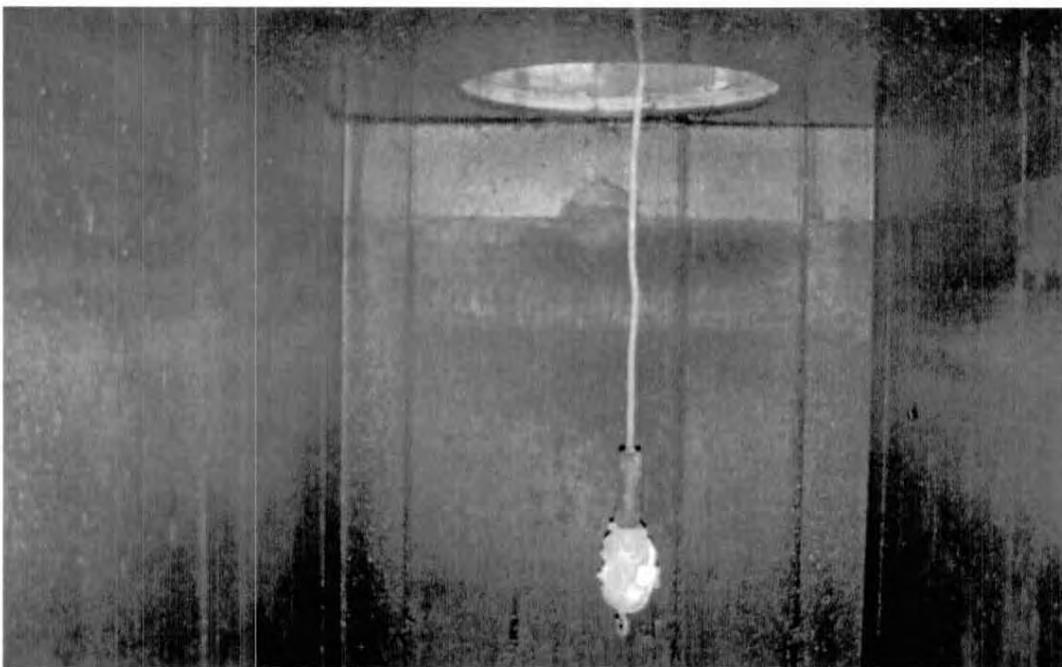
In support of its response, Patterson-UTI submits the following information. The Facility serves as office space and stores and maintains vehicles used in support of oil and gas operations. As the inspector noted, motor vehicles and other equipment are serviced in the Shop. A floor drain is used to capture minor releases of fluids that occur within the Shop. The inspector mistakenly believed that floor drains in the Shop discharge to the subsurface. However, as established by the photographs below and the attached drawing of the Facility ("Exhibit 1"), the floor drain at the Shop discharges to a 1,000 gallon underground concrete tank located just outside the Shop. The floor drains flow through a below-ground pipe and are discharged into the concrete holding tank. The photograph below ("Photograph 1") depicts the interior of the concrete tank and the end of the pipe that discharges into the south wall of the tank.



Photograph 2 below is a close-up photograph of the pipe that discharges from the Shop into the south wall of the tank:



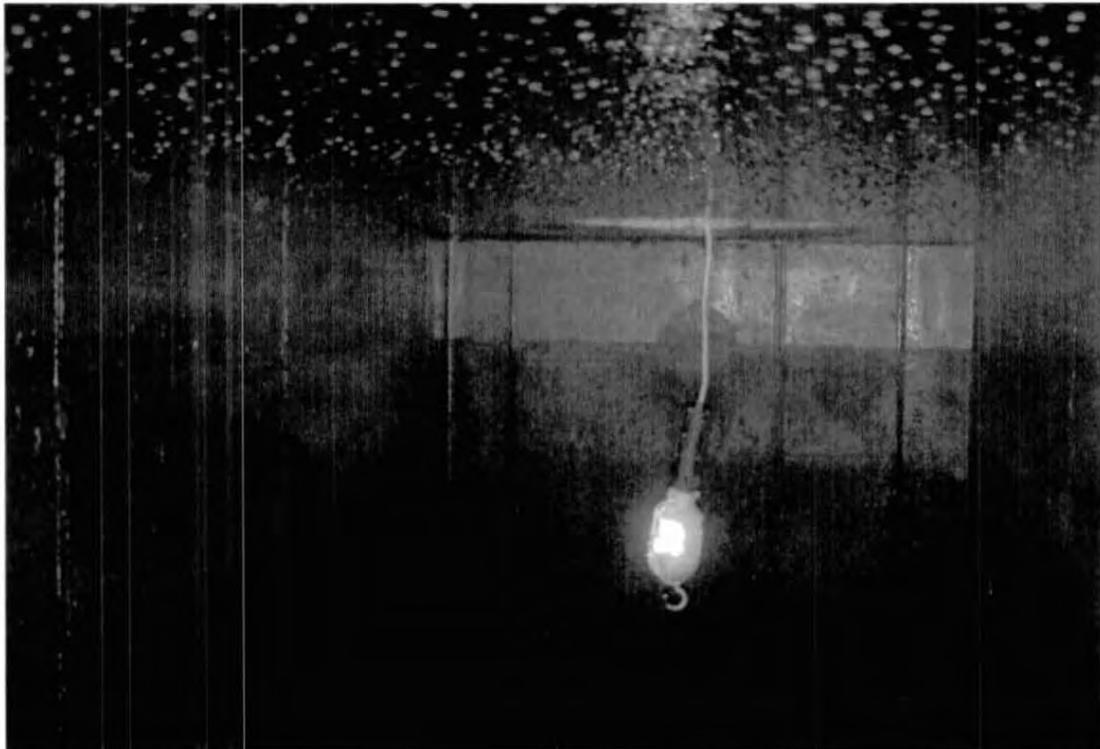
Photograph 3 below is a photograph of the north wall of the tank (note no discharge pipes).



Photograph 4 below is a photograph of the east wall of the tank (note no discharge pipes).



Photograph 5 below is a photograph of the north and west walls of the tank (note no discharge pipes).



Photograph 6 below is a photograph of the two manhole entrances to the tank.



13. The Facility does not inject motor vehicle wastes into the subsurface; thus, Patterson-UTI denies the allegations in Paragraph 11 of the Complaint.

14. Patterson-UTI denies that its disposal system is a “Class V Injection Well;” thus, Patterson-UTI denies the allegations in Paragraph 12 of the Complaint.

15. Patterson-UTI is without sufficient information to admit or deny the allegations in Paragraph 13 of the Complaint.

16. Patterson-UTI denies that it is in violation of any laws or regulations relating to disposal of motor vehicle wastes at the Facility. Thus, Patterson-UTI denies the allegations in Paragraph 14 of the Complaint.

RESPONSE TO COMPLIANCE ORDER

17. The EPA's allegations regarding Patterson-UTI's Fruita, Colorado Facility are based on a mistake of fact. Patterson-UTI does not operate a motor vehicle waste disposal well and, consequently, Patterson-UTI is unable to close a motor vehicle waste disposal well. As a result, Patterson-UTI cannot comply with the proposed compliance order found in Paragraphs 15 and 16 of the Complaint.

Patterson-UTI has collected the water and oil generated at the Shop in a concrete holding tank since the Facility was constructed in 2008. The tank is a 1,000 gallon concrete tank (10 feet long, by 5 feet deep, by 4 feet wide) with eight-inch thick walls and is located completely beneath ground surface. The tank has no outlet lines discharging to the subsurface, but, rather, is designed so that the materials in the tank can be pumped out and properly disposed of off-site.

REQUEST FOR A HEARING

18. Patterson-UTI hereby requests a public hearing on these allegations so that it may present evidence that EPA's allegations are based on a mistake of fact.

RESPONSE TO PROPOSED CIVIL PENALTY

19. The EPA's allegations regarding Patterson-UTI's Fruita, Colorado Facility are based on a mistake of fact. Patterson-UTI does not operate a motor vehicle waste disposal well; thus, Patterson-UTI has not committed any violations of the Act and should not be subject to a civil penalty. As a result, Patterson-UTI objects to the imposition a civil penalty in any amount.

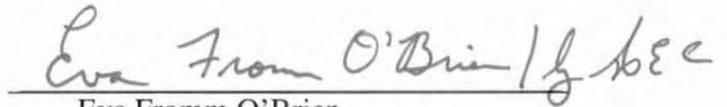
REQUEST FOR IMMEDIATE DISMISSAL OF THE ACTION

20. The EPA's allegations regarding Patterson-UTI's Fruita, Colorado Facility are based on a mistake of fact, and EPA has not produced any evidence to support its claims that "the inspector confirmed that the floor drains discharge into the subsurface nearby." Patterson-UTI does not believe that EPA has any basis for its allegations that Patterson-UTI is in violation of the Act. Accordingly, Patterson-UTI respectfully requests that the Presiding Officer of this matter dismiss EPA's claims against Patterson-UTI.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and one copy of the ANSWER TO PROPOSED COMPLIANCE ORDER AND PENALTY COMPLAINT, AND REQUEST FOR A HEARING with exhibits were delivered by Express Mail to the Regional Hearing Clerk, EPA Region 8, 1595 Wynkoop Street; Denver, Colorado 80202-1129, and that a true copy of the same was sent via Federal Express to:

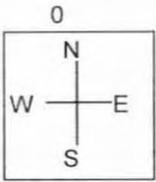
Brenda Morris
United States Environmental Protection Agency
Region 8
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ATTORNEY FOR RESPONDENT
PATTERSON-UTI DRILLING COMPANY
LLC

EXHIBIT 1



Fruita, Co. sewer system

