

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)
PUBLIC NOTICE
OPPORTUNITY FOR PUBLIC COMMENT ON
PROPOSED COMBINED COMPLAINT
AND CONSENT AGREEMENT AND
NOTICE OF OPPORTUNITY FOR HEARING
AGAINST
ADVANTAGE RESOURCES, INC.
FOR FAILURE TO COMPLY WITH SAFE DRINKING WATER ACT
UNDERGROUND INJECTION CONTROL (UIC) REGULATIONS
AND ITS EPA UIC PERMITS**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to solicit written comments on a Proposed Combined Complaint and Consent Agreement and Notice of Opportunity for Hearing (CCCA) [Docket No. SDWA 08-2013-0040] that Region 8 of the United States Environmental Protection Agency (EPA) has issued to Advantage Resources, Inc., for alleged violations at three enhanced oil recovery injection wells in the Coyote Canyon Oilfield in Township 8 South, Range 25 East, Section 6, Uintah County, Utah, on Indian lands within the exterior boundaries of the Uintah and Ouray Indian Reservation. The CCCA alleges violations of the Safe Drinking Water Act (SDWA), the regulations, and EPA UIC permits detailing the requirements of the SDWA's Underground Injection Control (UIC) program. These regulations govern the injection of fluids that may endanger an underground source of drinking water (USDW). The CCCA alleges that the company failed to timely conduct mechanical integrity tests, timely address loss of mechanical integrity, timely notify EPA of loss of mechanical integrity, and timely notify EPA of sale of the wells. The CCCA proposes a civil penalty of \$58,391 for the alleged violations.

EPA desires to receive written comments from any interested party having knowledge of the alleged violations or who can provide any information useful to ensure that the CCCA is appropriate. EPA will review and consider all comments received, and will thereafter determine whether the comments, if any, justify the modification or withdrawal of the CCCA.

BACKGROUND

Part C of the SDWA (40 U.S.C. §300h *et seq*) requires EPA to regulate underground injection of fluid through wells to assure that underground sources of drinking water (USDWs) are not endangered. Section 1421 of the SDWA (40 U.S.C. §300h) requires EPA to administer UIC programs in States or Indian Reservations that do not have approved UIC programs. Regulation of the UIC Class II Program has not been delegated to the Ute Indian Tribe, therefore, EPA administers the program in accordance with title 40 of the Code of Federal Regulations (40 C.F.R.) parts 124, 144, 146, 147, and 148.

The Class II enhanced oil recovery injection wells, the Federal 42-6X-8-25, the East Red Wash Federal 4-6-8-25, and the Amerada Guinand Federal 1-8-25 (EPA permit #s UT20653-03751, UT20653-04224, and UT20653-04225, respectively), are the subject of this CCCA. A Class II injection well is a well that injects fluids which are brought to the surface in connection with conventional oil or natural gas production.

The CCCA alleges that Advantage Resources, Inc. is in violation of its EPA UIC permits and 40 C.F.R. section 144, and is subject to appropriate penalties for failing to meet the requirements of the SDWA and its implementing regulations.

PUBLIC COMMENTS

Written comments on the CCCA are encouraged and will be accepted at the address listed below for a period of thirty (30) calendar days after the publication of this notice. Written comments submitted by the public, as well as information submitted by Advantage Resources, Inc. will be available for public review, subject to the provisions of law restricting the disclosure of confidential information. Should Advantage Resources, Inc. request a hearing, any person submitting written comments will be notified of and has a right to participate in such a hearing. The CCCA is available for review between 9:00 a.m. and 4:00 p.m. at the address listed below. Any person wishing to view the CCCA electronically can access it at <http://www.epa.gov/region8/compliance>. Please submit written comments to:

Tina Artemis (8RC)
Regional Hearing Clerk
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, Colorado 80202

THE DECISION

EPA will review and consider all public comments received on the public notice and will thereafter determine whether the comments, if any, justify the modification or withdrawal of the CCCA. If the CCCA is revised, copies shall be provided to all parties and to all members of the public who have commented.



Darcy O'Connor, Director
UIC/FIFRA/OPA Technical Enforcement Program
Office of Enforcement, Compliance and Environmental Justice
U.S. EPA, Region 8
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Denver, CO 80202