



REGION 3

PHILADELPHIA, PA 19103

FILED

Sep 08, 2025

9:15 am

**U.S. EPA REGION 3
HEARING CLERK**

VIA ELECTRONIC MAIL

Mr. Kenneth Scavone, Managing Member
Bear Lake Properties, LLC
5459 State Route 29
Springville, Pennsylvania, 18844
kenneths@kendra2.com

**RE: Termination of Safe Drinking Water Act Compliance Order
Docket No. SDWA-03-2023-0005
Bear Lake Properties, LLC**

**Termination of Safe Drinking Water Act Notice of Violation
Docket No. SDWA-03-2025-6-VS
Bear Lake Properties, LLC**

Dear Mr. Scavone:

On September 8, 2023, the United States Environmental Protection Agency, Region 3 ("EPA") issued a Consent Agreement and Final Order ("Order") to Bear Lake Properties, LLC ("Bear Lake") to address violations of Section 1423 of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. § 300h-2, and the UIC regulations at 40 C.F.R. Parts 124 and 144 through 148, pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits ("*Consolidated Rules*"), 40 C.F.R. Part 22.13(b).

On October 9, 2023, a Consent Agreement and Final Order entered into between Bear Lake Properties, LLC ("Bear Lake") and the EPA, EPA Docket No. SDWA-03-2023-0005 became effective. As required by the Order, on September 29, 2023, Bear Lake submitted a payment of the agreed civil penalty of \$45,000. Bear Lake has complied with a series of actions, notification and monthly reporting requirements listed Paragraph 94(a)-(e). On October 13, 2023, Bear Lake submitted a Corrective Action Plan ("CAP") per Paragraph 94(f) of the Order that included the following:

- i. **Training Program:** A full description of Bear Lake's training program for all employees, including staff operating equipment and performing monitoring functions. The training program should specify the topics of training and frequency

of training for staff based on their roles, and whether they are a new employee or already on staff.

- ii. **Standard Operating Procedure for Monitoring Active Wells and Maintaining Records:** A Standard Operating Procedure (“SOP”) that would specify procedures for monitoring all active (i.e., currently operating and injecting) wells and maintaining associated records and logs. This SOP would also specify quality assurance procedures so that operators and managers can review pressures and flows to verify adequate reporting.
- iii. **Standard Operating Procedure for Equipment Calibration, Maintenance and Repairs:** A Standard Operating Procedure for equipment maintenance and calibration to verify proper operation, including, but not limited to, monthly pressure recorder calibration checks with annual third-party calibrations, standard procedures and checks, routing maintenance schedules, and proper documentation and records of service.

On November 22, 2023, the EPA approved the CAP. Bear Lake continued to submit electronic Monthly Reports on the 15th day of every month for a year following the Effective Date of the CAFO per Paragraph 94(e).

On March 27, 2025, a Notice of Violation (“NOV”) was issued under EPA Docket No. SDWA-03-2025-6-VS for the exceedance of maximum allowable injection pressure for Bitteringer #4 and Operation of Bitteringer #4 without mechanical integrity. On March 28, 2025, Bear Lake submitted their most recent mechanical integrity test for Bitteringer 4 and photographs of monitoring and shut off devices, as well as inspection reports.

At this time, the EPA has determined that the Bear Lake has completed all of the requirements of the NOV and the Order, and the NOV and the Order are therefore both terminated, effective immediately. If you have questions regarding any of the above, please contact Andrea Lewis, Enforcement Inspector, Safe Drinking Water Act and Wetlands Section, at (215) 814-2838 or lewis.andrea@epa.gov, or have your attorney contact Aviva Reinfeld, Assistant Regional Counsel at (215) 814-2632 or reinfeld.aviva@epa.gov.

Sincerely,

Andrea Bain
Acting Director
Enforcement & Compliance Assurance Division

Termination of Safe Drinking Water Act Compliance Order and NOV
Docket No. SDWA-03-2023-0005; Docket No. SDWA-03-2025-6-VS

cc: Robert D. Schaub, Esq. (rschaub@riglaw.com)
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