



EXPEDITED OIL SPILL SETTLEMENT AGREEMENT
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7, 901 N. 5th ST., KANSAS CITY, KANSAS 66101

DOCKET NO. CWA-07-2011-0084

On February 11, 2011

At: SE1/4, SE1/4, NW1/4, Section 8, T15S, R13W,
Russel County, Kansas

Owned or operated by Murfin Drilling Company, Inc.
(Respondent), discharged 5 barrels of oil (crude) in violation
of regulations promulgated at 40 C.F.R. Part 110 under
Section 311(b)(3) of the Clean Water Act as noted on the
attached FINDINGS AND ALLEGED VIOLATIONS
FORM, (Form), which is hereby incorporated by reference.

This proceeding and the Expedited Settlement are under the
authority vested in the Administrator of EPA by Section
311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i),
as amended by the Oil Pollution Act of 1990, and by
40 C.F.R. §§ 22.13(b). The parties enter into this Expedited
Settlement in order to settle the civil violations described in
the Form for a penalty of \$500.

This settlement is subject to the following terms and
conditions:

Respondent consents to the assessment of the penalty stated
above. Respondent certifies, subject to civil and criminal
penalties for making a false submission to the United States
Government, that the violations have been corrected and
Respondent has sent a certified check in the amount of
\$500, payable to the "Environmental Protection Agency,"
via certified mail to:

U.S. Environmental Protection Agency
P.O. Box 979077
St. Louis, MO 63197-9000

and Respondent has noted on the penalty payment check
Docket No. CWA-07-2011-0084 and "OSLTF - 311."
The original, signed Settlement Agreement and copy of
the penalty payment check must be sent via certified
mail to:

Mr. Douglas Drouare
U.S. Environmental Protection Agency
Region 7, AWMD/STOP
901 N. 5th Street
Kansas City, KS 66101

This Expedited Settlement resolves Respondent's liability
for Federal civil penalties for the violations of the oil spill
regulations described in the Form. However, EPA does
not waive any rights to take any enforcement action for
any other past, present, or future violations by Respondent
of the OPA/SPCC regulations or of any other federal
statute or regulations. By its first signature, EPA ratifies
the Findings and Alleged Violations set forth in the Form.

Upon signing and returning this Expedited Settlement to
EPA, Respondent waives the opportunity for a hearing or
appeal pursuant to Section 311 of the Act, and consents to
EPA's approval of the Expedited Settlement without

further notice.

This Expedited Settlement is binding on the parties
signing below, and is effective upon the Regional Judicial
Officer's signature.

APPROVED BY EPA:

[Signature] Date 9-22-2011
Chief, Storage Tank and Oil Pollution Branch (STOP)
Air and Waste Management Division

APPROVED BY RESPONDENT:

Name (print): Leon Rodak
Title (print): VP Production
Signature: [Signature]
Date: August 4, 2011

The estimated cost for correcting the violation(s) is:
\$ 4000

IT IS SO ORDERED:

[Signature] Date Sept. 30, 2011
Robert L. Patrick
Regional Judicial Officer

11 SEP 30 AM 8:42
ENVIRONMENTAL PROTECTION
AGENCY REGION VII
REGIONAL HEARING CLERK

FINDINGS AND ALLEGED CIVIL VIOLATIONS

1. Murfin Drilling Company, Inc. organized under the laws of Kansas with a place of business located at 250 North Water Street, Suite 300, Wichita, Kansas 67202. The Respondent is a person within the meaning of Section 311 (a)(7) of the Act, 33 U.S.C. §1321 (a)(7).
2. Respondent is the owner/operator of an onshore facility (production wellhead) within the meaning of Section 311 (a)(10) of the Act, 33 U.S.C. §1321 (a)(10) of the Act, which is located at SE1/4, SE1/4, NW1/4, Section 8, T15S, R13W, Russel County, Kansas.
3. Section 311(b)(3) of the Act prohibits the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in such quantities that have been determined may be harmful to the public health or welfare or environment of the United States.
4. For purposes of Section 311 (b)(3) and (b)(4) of the Act, 33 U.S.C. §1321 (b)(3) and (b)(4), discharges of oil into or upon the navigable waters of the United States in such quantities that have been determined may be harmful to the public health or welfare or environment of the United States are defined in 40 C.F.R. § 110.3 to include discharges of oil that cause a film or a sheen upon or discoloration of the surface of the water or adjoining shorelines or a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shorelines.
5. On February 11, 2011, Respondent discharged 5 barrels of oil (crude oil) as defined in Section 311 (a)(1) of the Act, 33 U.S.C. §1321(a)(1), and 40 C.F.R. §110.1, from its facility into or upon Sellens Creek.
6. The Sellens Creek is a navigable water of the United States as defined in Section 502(7) of the Act, 33 U.S.C. §1362(7), and 40 C.F.R. §110.1.
7. Respondent's February 11, 2011 discharge (transfer line rupture) of oil (crude oil) from its facility caused a sheen upon or discoloration of the surface of Sellens Creek and the adjoining shoreline and therefore, was in a quantity that has been determined may be harmful under 40 C.F.R. §110.3, which implements Sections 311(b)(3) and (b)(4) of the Act.
8. Respondent's February 11, 2011 discharge (transfer line rupture) of oil (crude oil) from its facility into or upon Sellens Creek and adjoining shorelines in a quantity that has been determined may be harmful under 40 C.F.R. §110.3 violated Section 311(b)(3) of the Act. Pursuant to Section 311(b)(6)(B)(i) of the Act, and 40 C.F.R. 19.4, the Respondent is liable for civil penalties of up to \$16,000 per violation, up to a maximum of \$37,500.

IN THE MATTER OF Murfin Drilling Company, Inc., Respondent
Docket No. CWA-07-2011-0084

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Expedited Oil Spill Settlement Agreement was sent this day in the following manner to the addressees:

Copy hand delivered to
Attorney for Complainant:

Howard Bunch
Assistant Regional Counsel
Region 7
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Copy by Certified Mail Return Receipt to:

Leon Rodak
VP Production
Murfin Drilling Company, Inc.
250 North Water Street, Suite 300
Wichita, Kansas 67202

Dated: 9/30/11


Kathy Robinson
Hearing Clerk, Region 7