

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 14-7 Erie
)
 RONALD A. WRIGHT) (18 U.S.C. § 1001(a)(3))
)

I N D I C T M E N T

FILED

FEB 11 2014
CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

The Grand Jury charges:

At all times material to this Indictment:

1. Part C of the Safe Drinking Water Act, 42 U.S.C. §§ 300h through 300h-8, ("SDWA"), established an underground injection control ("UIC") program designed to protect underground sources of drinking water.

2. Pursuant to Section 1422(c) of the SDWA, 42 U.S.C. § 300h-1(c), the Administrator of the United States Environmental Protection Agency ("EPA") was required to prescribe an underground injection control program for states which do not operate their own programs. In the Commonwealth of Pennsylvania, underground injection wells are regulated by the United States Environmental Protection Agency.

3. The SDWA defines the term "underground injection" as the subsurface emplacement of fluids by well injection. 42 U.S.C. § 300h(d)(1).

4. "Well injection" means the subsurface emplacement of fluids through a well. 40 C.F.R. § 144.3.

5. A "well" means a bored, drilled, or driven shaft whose depth is greater than the largest surface dimension; or, a dug hole whose depth is greater than the largest surface dimension; or, an improved sinkhole; or, a subsurface fluid distribution system. 40 C.F.R. § 144.3.

6. Any underground injection, except into a well authorized by rule or as authorized by a permit issued under the UIC program, is prohibited. 40 C.F.R. § 144.11.

7. The permitting process regulations require minimum construction and maintenance standards for each class of injection well and all abandoned wells located within one-quarter mile of a new Class II injection well must be properly plugged. 40 C.F.R. Part 146.

8. S&T Services and Supply, Inc. (S&T), located in Pleasantville, Pennsylvania, was contracted to perform well plugging operations on behalf of ARG Resources, Inc. in compliance with ARG's SDWA UIC injection well permits in Elk County, Pennsylvania. The defendant, RONALD A. WRIGHT, was a contractor who conducted abandoned oil well plugging operations on behalf of S&T.

9. After completion of well plugging, the contractor must complete a "Certificate of Well Plugging" identifying the well operator, well number, and well location, and certifying the type of filling material used to plug the well and at what the depths the

plugging material was placed. This form is required to be submitted to the Pennsylvania Department of Environmental Protection as part of the Pennsylvania oil and gas regulations, and the SDWA permittee is required to submit the form to the EPA to indicate compliance with the SDWA abandoned well plugging requirements. The EPA relies on the accuracy of these reports as part of the SDWA permitting process.

COUNTS ONE THROUGH THREE

10. The allegations alleged in paragraphs 1 through 9 are re-alleged here as if fully set forth.

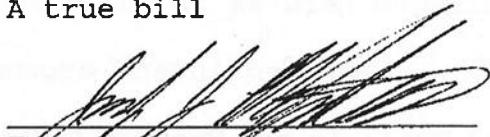
Between in and around September 2009, to in and around April 2011, in the Western District of Pennsylvania, the defendant, RONALD A. WRIGHT, in a matter within the jurisdiction of the executive branch of the Government of the United States, did knowingly and willfully make and use a false writing and document, that is, a Certificate of Well Plugging, knowing the same to contain a materially false, fictitious and fraudulent statement and entry, falsely claiming the materials he used and the depths those materials were placed to plug various wells, each such claim making it appear that the wells had been properly plugged, as follows:

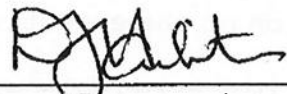
Count	On or about date of Certificate of Well Plugging	Well identification and location information on Certificate of Well Plugging
1	September 23, 2009	Crawford #5, located in Warrant 3779, Elk County, Pennsylvania
2	February 14, 2011	Palmer #7, located in Warrant 3761, Elk County, Pennsylvania
3	April 21, 2011	Hullings #2, located in Warrant 3761, Elk County, Pennsylvania

whereas, in truth and fact, as the defendant, RONALD A. WRIGHT, well knew, the wells were not properly plugged, and the claims the defendant, RONALD A. WRIGHT, made on the Certificates of Well Plugging were false, each such false Certificate of Well Plugging representing a separate Count of this Indictment.

In violation of Title 18, United States Code, Section 1001(a)(3).

A true bill


Foreperson


DAVID J. HICKTON
United States Attorney
PA ID No. 34524