



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

April 20, 2022

ECW-15J

VIA E-MAIL

Mr. Chris Kokenis
Delta Oil Company
125 Windsor Drive 101
Oak Brook, Illinois 60523
Email: C_Kokenis@deltaoperations.com

Dear Mr. Kokenis

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) regarding docket number SDWA-05-2022-0004. As indicated by the filing stamp on the first page of the CAFO, the CAFO was filed with the Regional Hearing Clerk on February 28, 2022.

Pursuant to the CAFO, Delta Oil Company must pay the civil penalty within 30 days of the effective date, April 20, 2022. The check with which you pay the civil penalty must display the case name: In the Matter of Delta Oil Company and the docket number SDWA-05-2022-0004.

Please direct any questions regarding this matter to Jim Adamiec of my staff at 312-886-0815 or adamiec.james@epa.gov, or your Counsel can contact Luis Oviedo, Associate Regional Counsel, at 312-353-9538 or Oviedo.luis@epa.gov.

Sincerely,

Elizabeth
Murphy

Digitally signed by
Elizabeth Murphy
Date: 2022.04.06
14:38:02 -05'00'

Elizabeth Murphy
Section Supervisor
Enforcement and Compliance Assurance Branch

Enclosure

cc: Ann Coyle, Regional Judicial Officer
Jason Mailloux, MIEGLE, MaillouxJ@michigan.gov
Luis Oviedo, Associate Regional Counsel, Oviedo.luis@epa.gov
Michael Matheson, Attorney, michael@mathesonlawfirm.com
Jim Adamiec, EPA adamiec.james@epa.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter Of:)	Docket No. SDWA-05-2022-0004
)	
Delta Oil Company)	Proceeding under Section 1423(c) of the
Oak Brook, Illinois,)	Safe Drinking Water Act,
)	42 U.S.C. § 300h-2(c)
Respondent.)	
<hr/>)	

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 1423(c)(2) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §300h-2(c)(2), and Sections 22.1(a)(9), 22.13(b), 22.18(b)(2) and (3), and 22.45 of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (Consolidated Rules), as codified at 40 C.F.R. Part 22.

2. Complainant is the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency (EPA), Region 5.

3. Respondent is Delta Oil Company, a corporation doing business in Michigan.

4. Where the parties agree to settle one or more causes of action before the filing of a complaint, an administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). *See* 40 C.F.R. § 22.13(b).

5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.

6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.

8. Respondent waives its rights to notice of EPA's proposal to issue this CAFO, to request a hearing as provided at 40 C.F.R. § 22.15(c) and Section 1423(c)(3) of the SDWA, 42 U.S.C. § 300h-2(c)(3), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

Statutory and Regulatory Background

9. Section 1421 of SDWA, 42 U.S.C. § 300h, requires that the Administrator of EPA promulgate regulations, which shall include permitting requirements as well as inspection, monitoring, recordkeeping and reporting requirements, for state underground injection control (UIC) programs to prevent underground injection which endangers drinking water sources.

10. Section 1421(d)(1) of SDWA, 42 U.S.C. § 300h(d)(1), defines "underground injection" as the subsurface emplacement of fluids by well injection and excludes the underground injection of natural gas for purposes of storage and the underground injection of fluids or propping agents (other than diesel fuels) pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities.

11. Section 1421(d)(2) of the SDWA, 42 U.S.C. § 300h(d)(2), provides that underground injection endangers drinking water sources if such injection may result in the presence in underground water which supplies or can reasonably be expected to supply any public water system of any contaminant, and if the presence of such contaminant may result in such system not complying with any national primary drinking water regulation or may otherwise adversely affect the health of persons.

12. Pursuant to Section 1422(b) of the SDWA, 42 U.S.C. § 300h-1(b), designated states shall apply to obtain primary enforcement responsibility of their UIC programs (a concept called “primacy”).

13. Section 1422(c) of the SDWA, 42 U.S.C. § 300h-1(c), provides that the Administrator for EPA shall by regulation prescribe UIC programs applicable to those states that have not obtained primacy for their UIC programs or do not have primacy for all types of wells.

14. Pursuant to Sections 1421 and 1422 of the SDWA, 42 U.S.C. §§ 300h and 300h-1, respectively, EPA has promulgated UIC regulations at 40 C.F.R. Parts 124 and 144 through 148.

15. The SDWA and its regulations prohibit all underground injections unless authorized by a permit or a rule. 42 U.S.C. § 300h(b)(1)(A); 40 C.F.R. § 144.11.

16. EPA administers and has primary enforcement responsibility of the UIC program in the State of Michigan. The UIC program for the State of Michigan is set forth at 40 C.F.R. Part 147, Subpart X.

17. Pursuant to 40 C.F.R. § 144.1(g), the UIC programs regulate underground injection by six classes of wells and all owners or operators of these injection wells must be authorized either by permit or rule. Class II wells inject fluids which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection; for enhanced recovery of oil or natural gas; and for storage of hydrocarbons which are liquid at standard temperature and pressure. 40 C.F.R. § 144.6(b)(1).

18. In accordance with 40 C.F.R. § 144.51(a) any UIC permittee must comply with

all conditions of its permit which include the requirements set forth in 40 C.F.R. §§ 144.11-144.19. Any permit noncompliance constitutes a violation of the SDWA, except that the permittee need not comply with the provisions of its permit to the extent and for the duration such noncompliance is authorized in an emergency permit under 40 C.F.R. § 144.34.

19. Section 1423(a)(2) of the SDWA, 42 U.S.C. § 300h-2(a)(2), authorizes EPA to assess a civil penalty to any person found to be in violation of any requirement of an applicable UIC program in a state that does not have primacy and order compliance with such requirement or regulation pursuant to Section 1423(c)(2) of the SDWA, 42 U.S.C. § 300h-2(c)(2).

20. Under Section 1423(c)(2) of SDWA, 42 U.S.C. § 300h-2(c)(2), and 40 C.F.R. Part 19, EPA may issue an order requiring compliance and/or assess a civil penalty of not more than \$7,500 for each day of violation, up to a maximum administrative penalty of \$177,500 for SDWA violations occurring after January 12, 2009 through December 6, 2013; \$7,500 for each day of violation, up to a maximum administrative penalty of \$187,500 for SDWA violations occurring after December 6, 2013 through November 2, 2015; \$11,463 for each day of violation, up to a maximum administrative penalty of \$286,586 for SDWA violations occurring after November 2, 2015.

Factual Allegations and Alleged Violations

21. Respondent is, and has been at all relevant times to this matter, a corporation doing business in the State of Michigan. At all times relevant to this Complaint, Respondent had a place of business at 125 Windsor Drive, Oak Brook, Illinois 60523. Each of the wells addressed in this CAFO are located in Michigan.

22. Respondent is a corporation, and as such, Respondent is a “person” as that term is defined at Section 1401(12) of SDWA, 42 U.S.C. § 300f(12), and 40 C.F.R. § 144.3.

23. At all times relevant to this CAFO, Respondent was authorized to construct and operate the following wells located in Otsego and Montmorency counties, Michigan:

EPA Permit No.	Disposal Well Name
MI-137-2D-0136	State Dover 1-14
MI-137-2D-0112	Wilson D4-28 SWD
MI-137-2D-0058	Puthuff Zinn Schrader
MI-119-2D-0038	State Vienna C2-13SWD
MI-119-2D-0104	Briley C1-17
MI-119-2D-0041	Briley B3-30 SWD
MI-119-2D-0037	State Briley B3-31 SWD
MI-119-2D-0045	Paul 1 SWD
MI-119-2D-0036	State Avery D2-31 SWD

24. The Permit authorizes the underground injection of saltwater and oil field brines (“Brine”) from production wells owned and operated by the Permittee into the disposal wells listed in paragraph 23, subject to the terms and conditions set forth in the Permits.

25. Brine is a “fluid” and the subsurface emplacement of Brine through the wells listed in paragraph 23 is a “well injection.” 40 C.F.R. § 144.3.

26. At all times relevant to this CAFO, Respondent owned injection wells in the State of Michigan and was thus subject to the UIC program requirements set forth at 40 C.F.R. Parts 124, 144, 146, 147 Subpart X, and 148

27. At all times relevant to this CAFO, Respondent did not apply and obtain an emergency permit pursuant 40 C.F.R. § 144.34.

28. On September 12, 2017, pursuant to Section 1445(b) of SDWA, 42 U.S.C. § 300j-4(b) and Part I(E)(7) of the Permit, EPA employees inspected Respondent’s facilities.

29. On January 14, 2020, EPA issued a Noncompliance Notification Letter (NNL) to Respondent, to detail the noncompliance discovered during the EPA inspection.

30. On February 12, 2020, EPA received Respondent’s response to the NNL

(Respondent's Response).

31. Under 40 C.F.R. § 144.51(a) and Part I(E)(1) of the Permit, Respondent is required to comply with all conditions of the Permit and any noncompliance constitutes a violation of the SDWA.

Count 1 – Failure to Properly Monitor Well Annulus Pressure Using a Calibrated Gauge

32. The statements in Paragraphs 1 through 31 of this CAFO are hereby incorporated by reference as if set forth in full.

33. For each of the Respondent's wells identified in Paragraph 23, Permit provision Part II(B)(2)(d) has, at all times relevant to this complaint, provided that the Permittee shall monitor the wells at least weekly for the injection pressure, annulus pressure, flow rate, and cumulative volume using a calibrated gauge.

34. For each of the Respondent's wells identified in Paragraph 23, Permit provision Part II(B)(3)(a) has, at all times relevant to this complaint, provided that the Permittee shall use a calibrated gauge to record annulus pressure.

35. For the wells listed in Paragraph 23, the annulus was continuously left open prior to the Respondent taking the annulus pressure. Respondent then reported the annulus pressure as 0 psig and submitted these on numerous monthly reports from January 2016 to February 2020.

36. The Respondent's Response indicated that calibrated gauges were not used during all times relevant to this complaint and were not ordered or in use until February 2020, after the EPA inspection and NNL had been issued.

37. Based on observations made during the September 12, 2017 EPA inspection, statements made by operators at that same time, and the Respondent's Response, for the wells listed in Paragraph 23, annulus pressure was not recorded with a calibrated gauge as standard

practice and was instead left continuously open. Operators used “feel” to determine if they detected a vacuum on the annulus.

38. Thus, Respondent’s failure to properly monitor annulus pressure constitutes a violation of Part II(B)(2)(d), Part II(B)(3)(a), and U.I.C. regulations at 40 C.F.R. §144.51(a), and the SDWA.

Count 2 – Failure to Accurately Report Weekly Annulus Pressure

39. The statements in Paragraphs 1 through 31 of this CAFO are hereby incorporated by reference as if set forth in full.

40. For each of the Respondent’s wells identified in Paragraph 23, Permit provision Part II(B)(3)(a) has, at all times relevant to this complaint, provided that the Permittee shall submit monthly monitoring reports to EPA, and monthly reports shall include the “weekly measurements” of annulus pressure.

41. For each of the Respondent’s wells identified in Paragraph 23, Permit provision Part I(E)(11) and Title 40 of the Code of Federal Regulations (40 C.F.R.) §144.32 has, at all times relevant to this complaint, provided that the Permittee shall certify that all submitted documents are true, accurate, and complete

42. For each of the Respondent’s wells identified in Paragraph 23, Permit provision Part I(E)(8)(c) has, at all times relevant to this complaint, provided that the Permittee’s monitoring record shall include: (i) the date, place, and time of sampling or measurements; (ii) the name of the individual who performed the sampling or measurements; and (iii) a description of the sampling methodology

43. From January 2016 to October 2019, Respondent entered “0” for weekly annulus pressure on nearly all monthly monitoring reports submitted to EPA for the Permits. This is not an accurate weekly measurement, since the gauge was not calibrated.

44. Thus, Respondent’s failure to accurately report annulus pressure constitutes a violation of Part I(E)(11) and Part I(E)(8)(c) of the Permits, 40 C.F.R. §144.51, and the SDWA.

Count 3 – Failure to Follow Best Management Practices

45. The statements in paragraph 1 through 31 of this CAFO are hereby incorporated by reference as if set forth in full.

46. For each of the Respondent’s wells identified in Paragraph 23, Permit provision Part I(E)(17)(a) has, at all times relevant to this complaint, provided that the Permittee must establish and maintain mechanical integrity in accordance with 40 C.F.R. §146.8.

47. 40 C.F.R. §146.8(a)(1) states that an injection well has mechanical integrity when, among other things, there is no significant leak in casing, tubing or packer. This condition is verified by conducting annulus pressure monitoring, which the Respondent failed to do (see Count 1 – Failure to Properly Monitor Annulus Pressure).

48. Based on observations made during the September 12, 2017 EPA inspection, and on statements made by operators at that same time, for the wells listed in Paragraph 23, the annulus was continuously left open to allow pressure to bleed off. EPA Class II permits require the annulus to remain closed and filled with a corrosion inhibiting fluid. A well with an open annulus cannot be considered to have mechanical integrity and leaving the annulus open is considered a failure to follow best management practices and operating procedures.

49. Thus, each day Respondent failed to follow best management practices constitutes a violation of Part I(E)(17)(a) of the Permits, 40 C.F.R. §146.8, and SDWA.

Civil Penalty

50. Based upon the facts alleged in this CAFO, the factors listed in Section 1423(c)(4)(B) of SDWA, 42 U.S.C. 300h-2(c)(4)(B), EPA's UIC Program Judicial and Administrative Order Settlement Penalty Policy (September 1993) (EPA's UIC Penalty Policy), and Respondent's good faith and cooperation in resolving this matter, EPA has determined that an appropriate civil penalty to settle this action is \$40,000.

51. Within 30 days of the effective date of this CAFO, Respondent must pay a \$40,000 civil penalty by sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines and Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, Missouri 63101

The check must note Respondent's name and the docket number of this CAFO.

52. When Respondent pays the penalty or any portion thereof, Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA electronically, to the extent possible. Electronic submissions must be sent to the following addresses: adamiec.james@epa.gov, R5WECA@epa.gov, and Oviedo.luis@epa.gov. If electronic submittal is not possible, the submissions must be made by certified mail (return receipt requested) and mailed to the following addresses:

James Adamiec (ECW-15J)
Water Enforcement and Compliance Assurance Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Luis Oviedo (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

53. This civil penalty is not deductible for federal tax purposes.

54. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, Respondent must pay the following on any amount overdue under this CAFO: interest accrued on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2); the United States' enforcement expenses, including but not limited to attorneys' fees and costs incurred by the United States for collection proceedings; a handling charge fee each month that any portion of the penalty is more than 30 days past due; and up to 6% per year penalty on any principal amount 90 days past due.

55. If Respondent does not pay timely the civil penalty, EPA may request the United States Department of Justice bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties, and the United States' enforcement expenses for the collection action under Section 1423(c)(7) of the SDWA, 42 U.S.C. § 300h-2(c)(7). The validity, amount, and appropriateness of the civil penalty are not reviewable in a collection action.

56. This CAFO resolves Respondent's liability for federal civil penalties for only the violations alleged in this CAFO.

57. This CAFO constitutes a “previous violation” as that term is used in EPA’s UIC Penalty Policy and to determine Respondent’s “history of such violations” under Section 1423(c)(4)(B) of the SDWA, 42 U.S.C. § 300h-2(c)(4)(B).

58. Each party agrees to bear its own costs and attorneys’ fees in this action.

59. Except as provided in Paragraph #56, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal law administered by EPA.

Compliance Requirements

60. As provided by Section 1423(c)(2) of SDWA, 42 U.S.C. §300h-2(c)(2), Respondent shall:

- (i) Use calibrated gauges for all monitoring required by the Permits and/or replace them with new gauges on an annual basis;
- (ii) Monitor injection pressure, annulus pressure, annulus liquid loss, flow rate, and cumulate volume in accordance with Part II (B)(2)(d); including keeping the annulus closed and cease the practice of venting annulus pressure prior to conducting required monitoring;
- (iii) Sample, analyze, record and retain all monitoring information in accordance with Permit provision Part I(E)(8)(c); monitoring reports must contain actual measurements as recorded using a calibrated gauge.

61. To the extent possible Respondent must electronically submit all reports, notifications, documentation, submissions, and other correspondence required to be submitted by Paragraph 60 to EPA. If electronic submittal is not possible, the submissions must be made by

certified mail (return receipt requested) to the enforcement officer whose name and address is identified in Paragraph 52, above.

62. Respondent must provide all electronic documents submitted pursuant to Paragraph 60 in unsecured, accessible, searchable, format as a Portable Document Format (PDF) or electronic spreadsheet. Respondent must create a document index that clearly identifies any single electronic document that has been separated into multiple electronic files (because of size limitation or otherwise) and each component file that comprises the full document.

63. Reports, notifications, documentation, and submissions must be signed by a duly authorized representative of Respondent and shall include the following statement consistent with 40 C.F.R. § 144.32(d):

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

64. Respondent may not withhold information based on a claim that it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, Respondent may assert a claim of business confidentiality regarding any portion of the information submitted in response to Paragraph 60, as provided in 40 C.F.R. § 2.203 by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a

certain event, the notice should so state. The failure to furnish a confidentiality claim with your response may result in the information being made available to the public without further notice to you. EPA's confidential business information (CBI) regulations are at 40 C.F.R. Part 2, Subpart B).

65. Respondent should segregate any personnel, medical, and similar files from their responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

66. If Respondent finds at any time after submitting information that any portion of that information is false or incorrect, the signatory must notify EPA immediately. Knowingly submitting false information to EPA in response to this Order may subject Respondent to criminal prosecution under Section 1423(b) of the SDWA, 42 U.S.C. § 300h-2(b), as well as 18 U.S.C. §§ 1001 and 1341.

67. Submissions required by paragraph 60 shall be deemed submitted on the date they are sent electronically or on the date postmarked if sent by U.S. mail.

68. The information required to be submitted pursuant to Paragraph 60 is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 et seq because it seeks the collection of information by an agency from specific individuals or entities as part of an administrative action.

69. For the purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of Paragraph 60 and the amount paid pursuant to Paragraph 50 are restitution, remediation, or required to come into compliance with the law.

70. EPA may use any information submitted in accordance with Paragraph 62 in support of an administrative, civil, or criminal action against Respondent.

71. EPA may terminate this Order at any time by written notice to Respondent.

72. Absent the notice described in Paragraph 71, Respondent may request in writing that EPA terminate this CAFO. With this request for termination, Respondent must submit to the EPA enforcement officer a written final report and certification of completion describing all actions taken to comply with all requirements of the compliance program in Paragraph 60. Respondent must include the certification language required under Paragraph 63. In response to the request for termination and written final report, EPA may require additional information, actions, or evidence from Respondent to show completion of the compliance requirements; EPA may pursue appropriate administrative or judicial action to require compliance with this Order; or EPA may accept the request for termination. This Order shall terminate on the date that EPA notifies Respondent in writing that EPA agrees with Respondent's request for termination.

General Provisions

73. The parties consent to service of this CAFO by e-mail at the following valid e-mail addresses: Oviedo.luis@epa.gov (for Complainant) and c_kokenis@deltaoperations.com (for Respondent).

74. Violation of this CAFO shall be deemed a violation of the SDWA for purposes of Section 1423(b) of the SDWA, 42 U.S.C. § 300h-2(b).

75. This CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

76. This CAFO does not affect Respondent's responsibility to comply with the SDWA and other applicable federal, state, or local laws and permits.

77. The terms of this CAFO bind Respondent and its successors and assigns.

78. Each person signing this CAFO certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to the terms of this CAFO.

79. This CAFO constitutes the entire agreement between the parties.

80. The parties acknowledge and agree that final approval by EPA of this CAFO is subject to Section 1423(c)(3) of the SDWA, 42 U.S.C. § 300h-2(c) which provides, among other procedural requirements, public notice and a reasonable opportunity to comment on any proposed penalty order.

81. The parties acknowledge and agree that final approval by EPA of this CAFO is subject to 40 C.F.R. § 22.45(c)(4) which sets forth requirements under which a person not a party to this proceeding may petition to set aside a consent agreement and final order on the basis that material evidence was not considered.

82. Unless an appeal for judicial review is filed in accordance with Section 1423(c)(6) of the SDWA, 42 U.S.C. § 300h-2(c)(6) or 40 C.F.R. § 22.45, this CAFO shall become effective 30 days after the date of issuance, which is the date that the Final Order contained in this CAFO is signed by the Regional Judicial Officer or Regional Administrator.

**Consent Agreement and Final Order
In the Matter of: Delta Oil Company
Docket Number. [#] SDWA-05-2022-0004**

Delta Oil Company, Respondent

February 7, 2022
Date

Chris Kokenis
Chris Kokenis
Director/Authorized Agent
Delta Oil Company

United States Environmental Protection Agency, Complainant

Date

**MICHAEL
HARRIS**
Digitally signed by MICHAEL
HARRIS
Date: 2022.02.28 13:03:29
-06'00'

Michael Harris
Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 5

**Consent Agreement and Final Order
In the Matter of: Delta Oil Company
Docket No. [#] SDWA-05-2022-0004**

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective 30 days after issuance, unless an appeal for judicial review is filed in accordance with Section 1423(c)(6) of the SDWA, 42 U.S.C. § 300h-2(c)(6), or 40 C.F.R. § 22.45(c)(4)(viii). This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18, 22.31, and 22.45. IT IS SO ORDERED.

By: ANN COYLE Digitally signed by ANN
COYLE
Date: 2022.04.18
10:05:45 -05'00' Date: _____
Ann Coyle
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 5

**Consent Agreement and Final Order
In the Matter of: Delta Oil Company
Docket Number. [SDWA-05-2022-0004](#)**

Certificate of Service

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number [SDWA-05-2022-0004](#), which was filed on [April 20, 2022](#), in the following manner to the following addresses:

Copy by e-mail to Respondent: Chris Kokenis
President, Delta Oil Company
c_kokenis@deltaoperations.com

Copy by e-mail to Attorney for Complainant: Luis Oviedo
Oviedo.luis@epa.gov

Copy by e-mail to Attorney for Respondent: Michael Mattheson
michael@mathesonlawfirm.com

Copy by e-mail to Regional Judicial Officer: Ann Coyle
coyle.ann@epa.gov

Dated: _____
Isidra Martinez
Acting Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5