

IN THE MATTER OF:

Diamond 3S, LLC

Respondent

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Docket No. CWA-06-2018-1102

DECLARATION OF RICK DAVIS

1. I, Rick Davis, make the following statement truthfully from personal knowledge, under penalty of perjury, in accord with 28 U.S.C. § 1746.
2. I make this statement in my capacity as an environmental engineer employed in the Energy Sector Compliance Section of the Enforcement and Compliance Division (Division) of the United States Environmental Protection Agency, Region 6 (“EPA”).
3. I joined the Division in May 1991. My job duties are that of an inspector. As such, I am responsible for doing underground injection control (UIC) inspections under the Safe Drinking Water Act (SDWA) on various injection wells. I am also responsible for reviewing and evaluating mechanical integrity test (MIT) inspections witnessed by myself and the Osage Nation inspectors. Part of my evaluation process is to make the determination if the injection well demonstrated the proper mechanical integrity during the inspection and to grade the results as either “Acceptable” or “Failure”.
4. On March 8, 2016, I reviewed and evaluated an inspection report of an MIT that was conducted by an Osage Nation’s inspector on the Kennedy #5 well on February 29, 2016. I evaluated the well’s mechanical integrity as “Failure” since the well failed to hold pressure during the test.

5. On April 18, 2018, I inspected the Kennedy # 5 well and observed that the well's static fluid level in the tubing was at the surface. I determined with a the UIC pressure gauge, a liquid filled brass 600 pound gauge, that the pressure on the tubing was 355 PSIG.

Rick Davis

Executed this 28th day of August 2019 in TULSA, Oklahoma.

Subscribed and sworn to before me, the undersigned Notary Public,

This 28th day of August, 2019

Jade Jackson

