



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Phone 800-227-8917  
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2017 FEB 22 PM 1:03

FILED  
EPA REGION VIII  
HEARING CLERK

MEMORANDUM

**SUBJECT:** Close Out Memo for Administrative Docket Number CWA-08-2011-0014

**FROM:** Andrea Madigan, Acting Director  
Legal Enforcement

FEB 01 2017

**TO:** File

Ref: 8ENF- W-WO

This letter serves as an internal memo to the file to close the Administrative Order Docket No. CWA-08-2011-0014 issued to Nadel and Gussman Rockies, LLC (ESPY 12 Tank Battery) on 6/1/2011. The EPA has determined that Nadel and Gussman Rockies, LLC, to the best of our knowledge, has complied with the requirements of the Order.

A copy of this letter will not be sent to the respondent, but rather serves as an internal record to acknowledge that nothing further will be tracked or is expected to be received from the respondent at this time. We believe this matter to be resolved and will update our internal electronic data systems accordingly.

If you have any questions regarding this matter, please contact Kenneth M. Champagne at 303-312-6608.

Sincerely,

  
Andrea Madigan  
Acting Director, Legal Enforcement





**REGION 8  
OPA ENFORCEMENT PROGRAM  
CASE CLOSURE**



Enforcement Confidential X

Confidential Business Information/Privacy Act/Sensitive

Privileged

Other

Docket #: CWA-08-2011-0014 (AO) and CWA-08-2014-0011 (APO) Bar Code:

INSP# W11004 (ESPY #12) and W11005 (ESPY #3) and NRC #: 977399 & 977627

Facility/Site Name: ESPY # 3 Tank Battery; NWNW Sec 26 T19N, R89W; 41.59592°, -107.394437°

Location: ESPY # 9 Tank Battery; NWSW Sec 23 T19N, R89W; 41.60416°, -107.39377°  
 ESPY # 12 Tank Battery; SENW Sec 25 T19N, R89W; 41.593329°, -107.37042°  
 Near Rawlins, Carbon County, WY

Owner/Operator: Nadel and Gussman Rockies, LLC

O/O Address: 15 E 5th Street # 3200  
 Tulsa, OK 74103-4340

Violation(s): 311(b) and 311(j)

**Date Actions Taken:**

Inspection 6/6/2011 for ESPY #3 and # 12

308 Issued \_\_\_\_\_

NOV Issued \_\_\_\_\_

AO issued 5/28/2011

APO issued 1/27/2014

DOJ Referral \_\_\_\_\_

**Reasons for Closing Case:**

Final Order Date: 3/13/2014 Penalty Collected \$ 102,156.00

Referral Concluded Date: \_\_\_\_\_ Penalty Collected \$ \_\_\_\_\_

Return to Compliance Date: 4/23/2013

No Violation \_\_\_\_\_

Other: There was also a criminal case for the discharge which settled for a \$1,000,000 penalty. Vice President was also sentenced to 3 years probation, 250 hours of community service, and \$10,000 fine for making false statements on the NRC Report and to Federal officials form EPA and BLM.

OPA Compliance Specialist \_\_\_\_\_

Date: 5/6/14

File Location:  OPA Enforcement Actions – Oil Site Specific 480A

Compliance Files 211

Other \_\_\_\_\_