



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

November 18, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7011 0110 0001 3590 5738

Mr. Steve Crowder
Little River Energy Company
P.O. Box 1113
Drumright, OK 74030

Re: Cease and Desist Administrative Order
Docket Number CWA-06-2012-1752
Facility Number OKU000310

Dear Mr. Crowder:

Enclosed is an Administrative Order (AO) issued to Little River Energy Co., for violation of the Clean Water Act (33 U.S.C. § 1251 et seq.). The violation was identified during an October 28, 2011, inspection, conducted by the Environmental Protection Agency (EPA), of your facility located in the Southwest Quarter of Section 5, Township 17 North, Range 7 East, Creek County, Oklahoma, designated as Facility Number OKU000310. The violation alleged consists of the unauthorized discharge of pollutants, specifically oil field brine and produced wastewater, to waters of the United States.

Effective upon receipt of this AO, you shall immediately cease and desist all discharges of pollutants into the identified tributary of Tiger Creek, and comply with all provisions set forth in the enclosed AO. The EPA is committed to ensuring compliance with the requirements of the Clean Water Act, and my staff will assist you in any way possible.

If you have any questions, please contact Kent Sanborn of my staff, at (918) 557-1615.

Sincerely,

A handwritten signature in black ink, appearing to read "John Blevins".

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure(s)

cc: OCC District 1
Bristow, OK

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 6
FINDINGS OF VIOLATION AND COMPLIANCE ORDER
In the Matter of Little River Energy Company (Respondent)
Docket No. CWA-06-2012-1752

STATUTORY AUTHORITY

The following findings are made and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 309(a) of the Clean Water Act (Act), 33 U.S.C. § 1319(a). The Administrator has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6, who further delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. Respondent, Little River Energy Co., is a "person" as defined by Section 502(5) of the Act, 33 U.S.C. § 1362(5).

2. At all times relevant to the violation alleged herein (relevant time period), Respondent operated an oil field production and brine disposal facility located in the Southeast Quarter of Section 5, Township 17 North, Range 7 East, Creek County, Oklahoma (facility), designated as Facility Number OKU000310.

3. On October 28, 2011, an EPA inspector observed that pollutants, primarily oil field brine generated from oil production activities, had been recently discharged from the facility to "waters of the United States", as that term is defined by 40 C.F.R. § 122.2. Pollutants were discharged to a tributary of Tiger Creek. The inspector determined that the water located at the discharge point of entry into the tributary was contaminated from brine discharges and measured 11,500 parts-per-million total soluble salts.

4. Pumps, pipes, hoses, flow lines, production wells, and associated devices located at the facility acted as "point sources", as defined by Section 502(14) of the Act, 33 U.S.C. § 1362(14).

5. At no time during the relevant time period did Respondent have National Pollutant Discharge Elimination System permit coverage under the Act which authorized the discharge of pollutants from the facility to waters of the United States.

6. During the relevant time period, it was unlawful under Section 301(a) of the Act, 33 U.S.C. § 1311(a), for any person to discharge pollutants from a point source to waters of the United States without a permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

7. On or about October 28, 2011, Respondent discharged or caused the discharge of pollutants from point sources within the facility to waters of the United States without permit coverage under the Act, in violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

ORDER

Based on these findings and pursuant to the authority of Section 309(a) of the Act, 33 U.S.C. § 1319(a), EPA orders that Respondent take the following actions upon receipt of this Order:

1. Cease all discharges of pollutants from the facility;
2. remove all brine and contaminated soils from the flow path located between the line leak and the tributary of Tiger Creek;
3. remove all brine from the tributary of Tiger Creek; and,
4. within thirty (30) days of the effective date of this Order, Respondent shall provide written certification to EPA Region 6 that these requirements have been completed.

GENERAL PROVISIONS

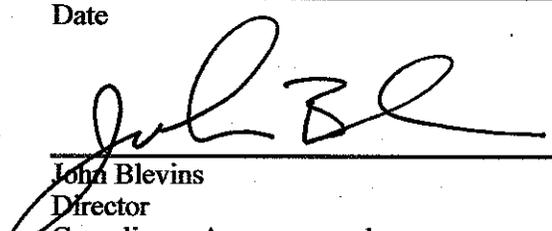
Issuance of this Order shall not be deemed an election by EPA to waive any administrative, judicial, civil, or criminal action to seek penalties, fines or other relief under the Act for the violation alleged herein or other violations which may become known to EPA. EPA reserves the right to seek any remedy available under the law which it deems appropriate.

Failure to comply with this Order or the Act may result in the initiation of an administrative penalty action by EPA or a civil judicial penalty action by the U.S. Department of Justice.

Compliance with this Order does not relieve Respondent of its obligation to comply with all applicable federal, state, and local laws.

The effective date of this Order is the date it is received by the Respondent.

11.18.11
Date


John Blevins
Director
Compliance Assurance and
Enforcement Division