

## Region 6 - Enforcement & Compliance Assurance Division

### INSPECTION REPORT

|                                        |                                                                         |           |
|----------------------------------------|-------------------------------------------------------------------------|-----------|
| Inspection Date(s):                    | 07/21/2025                                                              |           |
| Media Program:                         | Water                                                                   |           |
| Regulatory Program(s)                  | Clean Water Act-National Pollution Discharge Elimination System (Brine) |           |
| Company Name:                          | <b>Novy Oil and Gas Inc.</b>                                            |           |
| Facility Name:                         | <b>Pearsonia</b>                                                        |           |
| Facility Physical Location:            | Latitude: 36.813350, Longitude: -96.474391                              |           |
| (city, state, zip code)                | Foraker, OK, 74652                                                      |           |
| Mailing address:                       | PO BOX 599                                                              |           |
| (city, state, zip code)                | Goddard, KS, 76052                                                      |           |
| County/Parish:                         | Osage County, OK                                                        |           |
| Facility Phone Number                  | 918-798-4510                                                            |           |
| Facility Contact:                      | Mike Novy<br>novyoil@aol.com                                            | Owner     |
| FRS Number:                            | n/a                                                                     |           |
| Identification/Permit Number:          | OKU002219                                                               |           |
| Media Identifier Number:               | n/a                                                                     |           |
| NAICS:                                 | 211111                                                                  |           |
| SIC:                                   | 1311                                                                    |           |
| Personnel participating in inspection: |                                                                         |           |
| Matthew Allen                          | EPA/Region 6 ECDW                                                       | Inspector |
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| EPA Lead Inspector<br>Signature/Date   |                                                                         |           |
|                                        | Matthew Allen                                                           | Date      |
| Supervisor<br>Signature/Date           |                                                                         |           |
|                                        | Jeanne Eckhart                                                          | Date      |

## **Section I – INTRODUCTION**

### **PURPOSE OF THE INSPECTION**

EPA Region 6 Inspector, Matthew Allen, arrived at the Novy Oil and Gas Inc. - Pearsonia Lease (EPA ID No. OKU002219) at 03:10 PM on 07/21/2025 for a spill inspection in response to a spill report (NRC# 1437565). The inspection was conducted by the authority of the Clean Water Act (CWA) to determine compliance with Environmental Protection Agency (EPA) regulations. There was no other federal, state, or local agency representative present at the time of the inspection.

### **FACILITY DESCRIPTION**

EPA conducted an inspection at the Novy Oil and Gas Inc., Pearsonia Lease, where an oil/water separator malfunctioned, forcing saltwater into the oil storage tanks, and eventually forced oil and saltwater from the tanks into secondary containment at the facility. The secondary containment was overfilled and spilled into a nearby unnamed tributary of North Bird Creek. Spill impacts continued downstream and impacted North Bird Creek.

## **Section II - OBSERVATIONS**

I observed the facility sign for the Novy Oil & Gas Inc., Pearsonia Lease tank battery. See photo No. 1. For additional GPS location information and photo metadata, please see Appendix 1 (photo log) attached to this report.

I observed the oil tank which overflowed into the secondary containment. At the time of the inspection, the tank was covered in oil. This was the release point of the spill. See photo No. 2.

I observed a low point in the secondary containment berm along the south edge of the facility. This low section of berm was stained with oil and was the point where spilled fluids overtopped the secondary containment. See photo No. 3.

I observed the overland flowpath of the spill as it migrated away from the Pearsonia lease tank battery. The area along the flowpath was bare soil with no vegetation, and there was evidence of previous spills or inadequate secondary containment structures. See photo No. 4.

I observed cleanup contractors removing impacted water from the unnamed tributary. Contractors were also observed removing contaminated soil from the overland flowpath.

I observed oil-stained soil and roadbed along the county road immediately west of the facility. See photo No. 5.

I observed a TDS field reading of 1,421 mg/L in the impacted, unnamed tributary of North Bird Creek. This was the highest TDS reading observed during the inspection. At the time of the inspection, cleanup was underway, and this was the first pool of water along the unnamed tributary. At this same location, oil was observed on the water and banks. See photos No. 6 and 7.

Continuing downstream, I observed a TDS field reading of 1316 mg/L. At the same location I observed oil on the surface of the impacted tributary. See photos No. 8 and 9.

I observed the confluence of the impacted tributary and North Bird Creek. Significant oil was present on the unnamed tributary and North Bird Creek. See photo's No. 10, 11, 12 and 13.

Continuing downstream along North Bird Creek, I observed oil and sheen on the water. See photo No. 14.

At the lowermost containment area along North Bird Creek, I observed a TDS field reading of 295 mg/L. At this same location, I observed round bales of hay which had been placed in North Bird Creek by the operator to prevent downstream migration of the oil. At the time of the inspection, there was no oil present at the hay bales, and there was no spill impacts observed downstream beyond this point. See photos No. 15, 16 and 17.

From the lowermost containment area, with a view toward the northeast, I observed the bed and bank features of North Bird Creek. At the time of the inspection, south winds were preventing oil from migrating to this location. See photo No. 18.

### **Section III – AREAS OF CONCERN**

The primary area of concern was the oil impacted soil and vegetation along the overland flowpath, and the impacted water along the unnamed tributary of North Bird Creek and North Bird Creek.

Additional areas of concern included the produced water and oil impacts inside the secondary containment and the inadequate secondary containment at the Pearsonia lease tank battery.

### **Section IV – FOLLOW UP**

EPA conducted a follow-up inspection 7/24/2025.

EPA inspector will conduct follow-up calls, field meetings and inspections to ensure the impacted area is returned to "pre spill" condition.

### **Section V – LIST OF APPENDICES**

Appendix 1 – Photo Log – 18 photos taken 7/21/2025

## Appendix 1

### Photograph Log 18 Photos



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010698

**Orientation:** WNW

**Date of Photo:** 7/21/2025

**Time of Photo:** 3:13PM

**Latitude:** 36.813350

**Longitude:** -96.474391

**Photographer:** Matthew Allen

**Description:** This was the facility sign for the Novy Oil & Gas Inc. Pearsonia lease tank battery. This facility was the release point of the spill.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 2

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010699

**Orientation:** NW

**Date of Photo:** 7/21/2025

**Time of Photo:** 3:13PM

**Latitude:** 36.813350

**Longitude:** -96.474391

**Photographer:** Matthew Allen

**Description:** This was the oil tank which overflowed, releasing oil and saltwater onto the floor of the facility.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 3

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010700

**Orientation:** NW

**Date of Photo:** 7/21/2025

**Time of Photo:** 3:14PM

**Latitude:** 36.813350

**Longitude:** -96.474391

**Photographer:** Matthew Allen

**Description:** This was a low point in the secondary containment where oil spilled out of the facility.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 4

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010701

**Orientation:** SW

**Date of Photo:** 7/21/2025

**Time of Photo:** 3:14PM

**Latitude:** 36.813350

**Longitude:** -96.474391

**Photographer:** Matthew Allen

**Description:** This was a view toward the southwest of the overland flowpath as the spill migrated toward a nearby unnamed tributary of North Bird Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010702

**Orientation:** NNE

**Date of Photo:** 7/21/2025

**Time of Photo:** 3:46PM

**Latitude:** 36.813155

**Longitude:** -96.475670

**Photographer:** Matthew Allen

**Description:** This was oil-stained soil and roadbed where the spill crossed the county road, west of the facility.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 6

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010703

**Orientation:** N/A

**Date of Photo:** 7/21/2025

**Time of Photo:** 4:36PM

**Latitude:** 36.812046

**Longitude:** -96.479034

**Photographer:** Matthew Allen

**Description:** This was a TDS field reading of 1,421 mg/L in the first pool of water along the impacted, unnamed tributary of North Bird Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010704

**Orientation:** SSW

**Date of Photo:** 7/21/2025

**Time of Photo:** 4:37PM

**Latitude:** 36.812046

**Longitude:** -96.479034

**Photographer:** Matthew Allen

**Description:** This was oil floating on the unnamed tributary of North Bird Creek. This is the same location where the TDS field reading from photo No. 6 was observed.



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

### Photograph Log

Photo No. 8

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010705

**Orientation:** N/A

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:00PM

**Latitude:** 36.808770

**Longitude:** -96.480625

**Photographer:** Matthew Allen

**Description:** This was a TDS field reading of 1316 mg/L observed in the impacted tributary of North Bird Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 9

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010706

**Orientation:** W

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:01PM

**Latitude:** 36.808770

**Longitude:** -96.480625

**Photographer:** Matthew Allen

**Description:** This was the pool where the TDS reading from photo No. 8 was observed. Oil was present on the water in the top left portion of the photo.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 10

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010707

**Orientation:** NNW

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:05PM

**Latitude:** 36.808379

**Longitude:** -96.480865

**Photographer:** Matthew Allen

**Description:** This was the confluence of the unnamed tributary and North Bird Creek. This was the point of entry (POE) into North Bird Creek. The unnamed tributary enters the photo from the lower right corner. The unnamed tributary and North Bird Creek had a significant amount of oil floating on the surface at this location.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 11

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010708

**Orientation:** NE

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:05PM

**Latitude:** 36.808379

**Longitude:** -96.480865

**Photographer:** Matthew Allen

**Description:** This was a view from the confluence of North Bird Creek and the unnamed tributary with a view toward the northeast, looking back upstream along the unnamed tributary.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 12

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010709

**Orientation:** NNW

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:05PM

**Latitude:** 36.808379

**Longitude:** -96.480865

**Photographer:** Matthew Allen

**Description:** This was a view from the confluence of North Bird Creek and the unnamed tributary with a view toward the northwest along North Bird Creek. The gravel bar prevented oil from being pushed further upstream by the south wind.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 13

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010710

**Orientation:** SSW

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:05PM

**Latitude:** 36.808379

**Longitude:** -96.480865

**Photographer:** Matthew Allen

**Description:** This was a view from the confluence of North Bird Creek and the unnamed tributary with a view toward the southwest along North Bird Creek. There was significant oil on the surface of North Bird Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 14

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010711

**Orientation:** NNW

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:08PM

**Latitude:** 36.807629

**Longitude:** -96.481281

**Photographer:** Matthew Allen

**Description:** This was a view of oil and sheen present on North Bird Creek downstream from the POE.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 15

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010712

**Orientation:** N/A

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:13PM

**Latitude:** 36.806925

**Longitude:** -96.482784

**Photographer:** Matthew Allen

**Description:** This was a TDS field reading of 295mg/L. This was the highest reading observed in North Bird Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010713

**Orientation:** ESE

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:14PM

**Latitude:** 36.806925

**Longitude:** -96.482784

**Photographer:** Matthew Allen

**Description:** This was hay bales placed in North Bird Creek by the operator to prevent downstream migration of oil. At the time of the inspection, the hay bales were preventing downstream migration of oil.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 17

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010714

**Orientation:** SE

**Date of Photo:** 7/21/2025

**Time of Photo:** 5:14PM

**Latitude:** 36.806925

**Longitude:** -96.482784

**Photographer:** Matthew Allen

**Description:** This was a view downstream from the hay bales/containment area. There was no oil or spill impacts observed downstream from this location.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Photograph Log

Photo No. 18

|                                 |                      |                 |
|---------------------------------|----------------------|-----------------|
| Location: 36.813350, -96.474391 |                      |                 |
| City: Pawhuska                  | County/Parish: Osage | State: Oklahoma |



**Photo File Name:** R0010715

**Orientation:** NEE

**Date of Photo:** 7/21/2025

**Time of Photo:** : 5:14PM

**Latitude:** 36.806925

**Longitude:** -96.482784

**Photographer:** Matthew Allen

**Description:** This was a view from the hay bales/containment area looking upstream. At the time of the inspection the south wind was pushing oil up the creek, there was no oil present at this location at the time of the inspection.