EPA United States Environmental Protection Agency

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	05/22/2024	
Media Program:	Water	
Regulatory Program(s)	Clean Water Act – National Pollutant Discharge Elimination System (Brine)	
Company Name:	**Waters Materials Co. LLC**	
Facility Name:	**Gilmore-Wilcoxen Lease**	
Facility Physical Location:	36.924316, -95.719415	
(city, state, zip code)	Noxie, OK 74083	
Mailing address:	5915 70th Street	
(city, state, zip code)	Lubbock, TX 79424	
County/Parish:	Nowata County	
Facility Phone Number	979-533-0721	
Facility Contact:	Jack Waters	Owner
	JSJ1948@sbcglobal.net	
FRS Number:	n/a	
Identification/Permit Number:	OKU002206	
Media Identifier Number:	n/a	
NAICS:	211111	
SIC:	1311	

Personnel participating in inspection:		
Matthew Allen	EPA Region 6 ECDW	Inspector
Jeremey McKinney	ODEQ	Inspector

EPA Lead Inspector Signature/Date	MATTHEW ALLEN Digitally signed by MATTHEW ALLEN Date: 2024.06.04 10:19:47 -05'00'	
	Matthew Allen	Date
Supervisor Signature/Date	JEANNE ECKHART Digitally signed by JEANNE ECKHART Date: 2024.06.04 14:16:55 -05'00'	
	Jeanne Eckhart	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector Matthew Allen arrived at the Waters Materials Co. LLC/Gilmore-Wilcoxen Lease (OKU002206) at 1:30 PM on 5/22/2024 for an unannounced inspection. EPA inspector met with Oklahoma Department of Environmental Quality (ODEQ) inspector Jeremey McKinney and landowners Shelia and Jimmy King. This was an EPA inspection in response to a complaint received from the ODEQ. The inspection was conducted under the authority of the Clean Water Act (CWA) to ensure compliance with Environmental Protection Agency (EPA) regulations. No company representative was present at the time of the inspection. 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 Waters Materials Co. LLC, Gilmore-Wilcoxen lease. The facility consisted of the Gilmore-Wilcoxen tank battery and connected flowlines/wells.

Section II - OBSERVATIONS

I observed the facility signage, which was believed to be inaccurate at the time of the inspection. See photo No. 1 of Appendix 1 (photo log). The facility was believed to be the Gilmore-Wilcoxen tank battery. At the time of the inspection, EPA inspector met an oil purchasing driver who stated he was loading oil from the Gilmore lease. For additional location information and photo metadata, see Appendix 1.

I observed large quantities of loose oil on the floor of the facility, including the “pit” area, on the soil/gravel and on the tanks. I also observed drain valves without a plug/cap. See photos No. 2, 3, and 4.

I observed a temporary repair plug installed into one of the facilities’ steel tanks. At the time of the inspection, the temporary repair was leaking. See photo No. 5.

I observed additional oil on the floor of the facility which can be seen in photo No. 6.

I observed oil-stained soil and gravel outside the secondary containment near the west end of the facility. See photo. No. 7.

I observed one of the producing wells which was connected to the Gilmore-Wilcoxen tank battery. I observed evidence of a recent oil and saltwater spill event. Oil-stained soil and gravel can be seen around the wellhead. Brine impacted soil and vegetation can be seen to the NE of the well location along the flowpath of the spill. At this same location, there was a plastic “tote” with oil and water being stored with no secondary containment. See photo No. 8.

I observed impacted vegetation (dead grass and trees) and a pool of water which had been impacted by produced water. An elevated TDS field reading of approximately 3,700 mg/L was observed. The flowpath for the spill travelled from SE to NW. The spill originated from a flowline connected to the Gilmore-Wilcoxen tank battery. This impacted water was not impacting a significant waterway at the time of the inspection but there had been no action taken by the operator to prevent further migration of the impacted waters. See photo No. 9.

I observed a temporarily abandoned well which had loose oil on the ground. There was no signage to identify the well. At the same location, I observed evidence of recent spill impacts which could be identified by the gray and brown grass extending to the west of the well location. See photos No. 10 and 11.

Section III – AREAS OF CONCERN

There were multiple area's of concern observed during the inspection. The areas of concern at the Gilmore-Wilcoxen tank battery included a significant amount of loose oil on the floor of the facility and oil-stained soil and gravel on the floor of the facility. An insufficiently repaired steel tank which was leaking oil/saltwater was an area of concern. Multiple tanks at the facility did not have plugs/caps on the tank drain valves. The final area of concern at the tank battery was an area of oil-stained soil and gravel outside of the secondary containment berm near the west end of the facility.

Additional areas of concern included the spill areas noted in the observations and photo log, including the area of elevated TDS water along the flowpath noted in photo No. 9. The primary area of concern was the lack of action to prevent further migration of spill impacts toward major waterways and no apparent spill cleanup or mitigation efforts had been implemented.

Another area of concern was the oil/saltwater containers present at production wells on the lease with no secondary containment present.

The facility, including the tank battery, flowlines, and well locations was poorly maintained resulting in significant impact to the soil, vegetation, and waterways across the lease. The primary area of concern would be the continued failure to address leaked oil and saltwater which will eventually impact Water of the United States.

Section IV – FOLLOW UP

6/03/2024 - Follow-up call to contract pumper Jarred Davis. Mr. Davis referred me to owner/operator Jack Waters.

6/03/2024 - Follow-up call to Jack Waters resulted in a referral to his daughter, J. Sue Johnson.

6/03/2024 – Follow-up call with J. Sue Johnson. Mrs. Johnson provided mailing and email address for official communication with Waters Materials Co. Inc. EPA inspector summarized the areas of concern related to the inspection and offered compliance assistance to help ensure the operator will be working to address the areas of concern.

Upon completion of the inspection report, EPA inspector will refer the facility to the EPA SPCC program for inspection.

Inspector will follow-up with Mr. Waters and his representatives to verify produced water spills orginating from the Waters Materials Co. Inc. facility have been cleaned to prevent migration into Water of the United States.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 11 photos taken 5/22/2024.

Appendix 1

Photograph Log
11 Photos

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010381
Orientation: E
Date of Photo: 5/22/2024
Time of Photo: 1:49 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a photo of the facility signage which was present at the time of the inspection. This facility was believed to be the Gilmore-Wilcoxen tank battery. During the inspection, the EPA inspector did speak with the oil purchaser who was loading oil from the facility, the purchaser stated he was purchasing a load from the Gilmore Lease.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010381
Orientation: E
Date of Photo: 05/22/2024
Time of Photo: 1:53 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a photo showing loose crude oil floating inside the secondary containment berm on the floor of the facility.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010382
Orientation: N/A
Date of Photo: 5/22/2024
Time of Photo: 1:54 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a photo showing oil-stained soil and free oil on the floor of the facility inside the secondary containment.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010383
Orientation: N
Date of Photo: 05/22/2024
Time of Photo: 1:54 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a photo showing loose oil, oil-stained soil, and a tank drain valve without a cap/plug.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010384
Orientation: N/A
Date of Photo: 05/22/2024
Time of Photo: 1:55 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a temporary repair plug which had been installed in one of the steel tanks at the facility. The plug was leaking at the time of the inspection.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010385
Orientation: S
Date of Photo: 05/22/2024
Time of Photo: 1:56 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was a photo showing free oil and oil staining on the floor of the facility as well as tank drain valves without a plug/cap.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010386
Orientation: N
Date of Photo: 05/22/2024
Time of Photo: 1:56 PM
Latitude: 36.924316
Longitude: -95.719415
Photographer: Matthew Allen
Description: This was an area of oil-stained soil/gravel immediately outside the secondary containment on the west side of the facility.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010387
Orientation: ENE
Date of Photo: 05/22/2024
Time of Photo: 2:17 PM
Latitude: 36.926558
Longitude: -95.716461
Photographer: Matthew Allen
Description: This was a well connected to the Gilmore-Wilcoxen tank battery with oil-stained soil and gravel, evidence of a recent produced water spill travelling to the NE and a container holding oil without secondary containment.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010388
Orientation: SSW
Date of Photo: 05/22/2024
Time of Photo: 2:29 PM
Latitude: 36.923844
Longitude: -95.714886
Photographer: Matthew Allen
Description: This was an area of vegetation and a pool of water which was impacted by produced water. Grass and trees had been killed by the elevated brine concentration. Elevated TDS field readings of approximately 3,700 mg/L were observed at the location. The spill path was visible travelling from SE to NW.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010389
Orientation: SE
Date of Photo: 05/22/2024
Time of Photo: 2:35 PM
Latitude: 36.924758
Longitude: -95.714217
Photographer: Matthew Allen
Description: This was a temporarily abandoned well with free oil, oil-stained soil, and oil-stained vegetation.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: 36.924316, -95.719415		
City: Noxie	County/Parish: Nowata	State: Oklahoma

Photo File Name: R0010390
Orientation: WNW
Date of Photo: 05/22/2024
Time of Photo: 2:38 PM
Latitude: 36.924758
Longitude: -95.714217
Photographer: Matthew Allen
Description: This was the flowpath from a recent spill which travelled west from the well in photo No. 10. The flowpath is defined in the photo by the brown and gray dead grass.