

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	10/10/2023	
Media Program:	Water	
Regulatory Program(s)	Clean Water Act – National Pollutant Discharge Elimination System	
Company Name:	Katie Hurst	
Facility Name:	Katie Hurst, Water Well	
Facility Physical Location:	36.638695, -96.957352	
(city, state, zip code)	Ponca City, Oklahoma, 74604	
Mailing address:	N/A	
(city, state, zip code)	N/A	
County/Parish:	Osage County	
Facility Phone Number	1-580-628-1692	
Facility Contact:	Katie Hurst	Owner
	KHURST@HURSTCONSTRUCTION.net	
FRS Number:	n/a	
Identification/Permit Number:	OKU002192	
Media Identifier Number:	n/a	
NAICS:	211111	
SIC:	1311	
Personnel participating in inspection:		
Matthew Allen	EPA Region 6 ECDW	Inspector
Katie Hurst	Landowner	
Tom Ashmore	Osage Nation DNR	Inspector
Cameron Chesbro	Osage Nation DNR	Inspector
Kara Brayfield	Osage Nation DNR	Lab Technician
EPA Lead Inspector Signature/Date		
	Matthew Allen	Date
Supervisor Signature/Date		
	Jeanne Eckhart	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector Matthew Allen arrived at the Katie Hurst water well (EPA ID No. OKU002192) at 2:30 PM on 10/11/2023 for an announced inspection. This was an EPA inspection in response to a citizen complaint which was received by EPA Region 6 through a referral from the BIA Osage Agency. The inspection was conducted by the authority of the Clean Water Act (CWA) to determine compliance with Environmental Protection Agency (EPA) regulations. Katie Hurst (landowner) was present and participated during the inspection. Osage Nation Department of Natural Resources inspectors Tom Ashmore, Cameron Chesbro, and Kara Brayfield were present at the time of the inspection. There was no other federal, state, or local agency representatives present at the time of the inspection.

FACILITY DESCRIPTION

EPA conducted an inspection at a hand dug water well located on a working cattle ranch approximately 10 miles southeast of Ponca City, Oklahoma in Osage County, Oklahoma. The facility is generally unmanned but is visited daily by a ranch employee. The inspection centered on a water well located near the south border of the property which the landowner stated had been contaminated by diesel fuel. There were water troughs, miscellaneous farm equipment, a large agricultural building and an above ground fuel storage tank all located within approximately 100 feet of the water well. The facility was protected by a closed but unlocked gate.

Section II - OBSERVATIONS

I observed the concrete and metal housing which contained the hand dug water well. The owner stated the well was approximately 5-6 feet in diameter and they were uncertain about the depth of the well. The water well structure can be seen in photo No. 1 of Appendix 1 (photo log) which is attached to this report. GPS and other metadata are also available in the photo log.

I observed a round 6–8-foot diameter water trough immediately adjacent to the water well. The landowner stated the water trough had been filled from the water well, and at the time of the inspection the water trough had a layer which looked, felt, and smelled like diesel fuel, approximately ¼ to ½ inch in depth floating atop the water in the trough. The trough and presumed diesel layer can be seen in photos No. 2 & 3.

The owner stated there were two additional water troughs on the property which were supplied by the same well and they both contained the same diesel-like contaminant floating atop the water. The owner stated the diesel fuel appeared on the water troughs beginning the morning of October 9, 2023 and was initially red in color.

I observed the water well pumping water into a 5-gallon bucket during the inspection. The water coming from the well had a strong smell of diesel fuel and when the water was allowed to rest for a few moments in the bucket, a film of the contaminant formed on top of the water.

During the inspection, the landowner stated there were three pipelines within approximately ½ mile of the facility, one owned by Conoco Phillips which could possibly transport diesel fuel, one owned by Magellan which does not transport diesel, and one owned by Superior which does not transport diesel. Prior to the inspection, the landowner had reached out to all three pipeline companies, and all three had responded. ConocoPhillips sent an employee to the impacted well, but the employee stated the diesel did not come from their pipeline.

During the inspection, an employee of the ranch presented a video on his cell phone and stated it was red dye diesel being pumped out of the water well. The video was recorded October 9, 2023.

During the inspection, the Osage Nation DNR lab technician collected a grab sample from water which was being pumped from the contaminated well. At the time of this report, the results for the sample were not available.

Section III – AREAS OF CONCERN

The primary area of concern was the presumed diesel fuel which was present in the water well. At the time of the inspection there were no immediate indicators observed for a possible source of the contamination.

Section IV – FOLLOW UP

EPA Inspector will continue to cooperate with the landowner as well as tribal and state partners to try and identify the source of the contamination. EPA inspector will provide this inspection report to the EPA management team for possible referral to the EPA Criminal Investigation Division.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 3 photos taken 10/11/2023.

Appendix 1

Photograph Log 3 Photos



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 36.638695, -96.957352		
City: Ponca City	County/Parish: Osage	State: Oklahoma



Photo File Name: R0010220

Orientation: WSW

Date of Photo: 10/11/2023

Time of Photo: 2:31PM

Latitude: 36.63867

Longitude: -96.95726

Photographer: Matthew Allen

Description: This was a photo of the structure which housed the hand dug water well.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 36.638695, -96.957352		
City: Ponca City	County/Parish: Osage	State: Oklahoma



Photo File Name: R0010221

Orientation: WSW

Date of Photo: 10/11/2023

Time of Photo: 2:32PM

Latitude: 36.63864

Longitude: -96.95724

Photographer: Matthew Allen

Description: This was the water trough immediately adjacent to the contaminated water well. At the time of the inspection there was an estimated $\frac{1}{4}$ to $\frac{1}{2}$ inch thick layer which appeared to be diesel fluid floating atop the water in the trough. There was a strong smell of diesel fuel at the water tank.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 36.638695, -96.957352		
City: Ponca City	County/Parish: Osage	State: Oklahoma



Photo File Name: R0010222

Orientation: NA

Date of Photo: 10/11/2023

Time of Photo: 2:32PM

Latitude: 36.63863

Longitude: -96.95726

Photographer: Matthew Allen

Description: This was a photo of the diesel-like floating in the water trough. The yellow/brown color was an emulsion layer where the water and presumed diesel fluid met in the trough. The landowner stated this layer of diesel was red at the time of discovery on October 09, 2023.