



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Safe Drinking Water Act Enforcement: U.S. Environmental Protection Agency Final Administrative Order to Osage County, Oklahoma, Class II Injection Well Operator

08/26/2022

The United States Environmental Protection Agency (“EPA”) issued a Final Administrative Order (“Order”) to McCann Resources, Inc. (“MRI”) for alleged violations of the Safe Drinking Water Act (“SDWA”) Underground Injection Control (“UIC”) regulations. See Docket No. SDWA-06-2022-1114.

MRI is stated to be subject to the UIC program requirements set forth at 40 C.F.R. Part 147, Subpart GGG, which are authorized under Section 1421 of the SDWA. Such regulations include requirements applicable to Class II injection wells.

EPA is stated to have issued a UIC permit for the MRI injection well.

The Order provides that the injection well failed mechanical integrity tests on February 28 and November 16, 2006. Further, MRI is stated to have reported fluid level at the surface of the injection well tubing and annulus for the reporting period April 2018 through March 2019, which is stated to have indicated a loss of mechanical integrity.

The Order alleges that MRI violated regulations that include 40 C.F.R. §§ 147.2903(b), 147.2920(b) and Part I. B. of the permit. This is stated to include maintaining the injection well in a manner that could allow the movement of fluid that contains contaminants into an underground source of drinking water and by failing to demonstrate mechanical integrity.

The Order requires that MRI:

- Cease use of the injection well for the unauthorized underground injection of fluids, and
- Take one of the following actions:
- Repair the injection well and successfully demonstrate mechanical integrity according to regulations at 40 C.F.R. § 147.2920 and Part I. B. of the permit within ninety (90) days after the effective date of this Final Administrative Order; or
- Complete proper plugging and abandonment in accordance with 40 C.F.R. § 147.2905, within ninety (90) days after the effective date of this Final Administrative Order; or
- Convert the injection well to production use within ninety (90) days after the effective date of this Final Administrative Order.

The Order can be appealed to the Federal District Court pursuant to Section 1423(c)(6) of the SDWA.

A copy of the Order can be downloaded [here](#).