



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

Federal Criminal Enforcement: U.S. Department of Justice Announces Sentencing of Saltwater Disposal Well Operators for Alleged Safe Drinking Water Act Violations

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The United States Department of Justice (“DOJ”) announced in a November 27th news release that two saltwater disposal well operators had been sentenced in a Bismarck, North Dakota, Federal District Court for alleged Safe Drinking Water Act (“SDWA”) violations.

The two individuals sentenced for the alleged violations were:

- Jason A. Halek (sentenced to three years supervised release for three counts of alleged violations of SDWA)
- Nathan R. Garber (sentenced to three years supervised release for one count of alleged conspiracy to violate the SDWA and five counts for allegedly violating SDWA, along with two counts of allegedly making false statements, falsification of records, and concealment of a tangible object)

The saltwater disposal well is located in Stark County, North Dakota.

DOJ states that Halek admitted to injecting saltwater into the disposal well without first having the State of North Dakota witness a test of the well’s integrity. The individual is also stated to have admitted to injecting fluids down the “backside” of the well (which violated the permit) and failing to provide written notice to the State of North Dakota of the date of the first injection of the well.

Garber is stated to have admitted to conspiring with others in a number of coordinated and illegal acts. These are stated to have included:

- Injection of saltwater into the well without first having the State of North Dakota witness a test of the well’s integrity
- Causing a regulator to determine there was no assurance as to the integrity of the well

Garber is also alleged to have violated a February 2012 North Dakota Order requiring cessation of injection until a well integrity test was undertaken.

[A copy of the DOJ news release can be downloaded here.](#)