

POLREP 01
Malone #1 Abandoned Oil Well
Near Griffen Road
Near Schultz, Pleasants County, WV 26170

Lat. 39.34802
Long. -81.24593

FPN: E12314
Site ID: Z3LW
REPOSNE AUTHORITY: Oil Pollution Act (OPA)

Attn: EPA RRC3
WVDEP D. Gilbert
EPA G. Heston
USCG J. Hahn
USCG NPFC

I. SITUATION (as of 8/6/12)

EVENT: Preliminary Assessment and Initiation of Oil Removal Response Action

- A. The subject Site consists of one (1) abandoned and leaking oil well located in Pleasants County, West Virginia. The subject well has been reported to have discharged an unknown amount of oil and threatens to discharge an additional and unknown amount of oil into an unnamed tributary of Cow Creek which is a tributary of the Ohio River, a navigable waterway.
- B. West Virginia Department of Environmental Protection (WVDEP) Office of Oil and Gas conducted an initial inspection of the well on April 24, 2012. WVDEP observed the condition of the well and confirmed the potential of discharge of oil into Cow Creek.
- C. The subject well is located on privately owned land and was identified initially by the land owner upon which the well is located.
- D. WVDEP found that the well was not identified on any mapping available to WVDEP. WVDEP initiated a search for information about the well and any potentially responsible parties. WVDEP has conducted initial identification and evaluation of the potentially Responsible Party(ies) for the subject well within, among other places, the Pleasants County courthouse and the WVDEP Office of Oil and Gas. Records relating to the driller or likely last operator of the well were not specifically identified. There are no records specific to an oil facility at this property or location. The last operator of this well is not known to exist. The operator immediately prior to abandonment of the well is not specifically known. At this time, a Responsible Party is not indentified.
- E. On July 17, 2012, WVDEP identified this abandoned and leaking oil well to the EPA On-Scene Coordinator (OSC). The OSC requested continued monitoring of the well location and defensive actions as needed until an onsite inspection could be completed

and a search for a Responsible Party concluded. WVDEP requested the OSC to consider the subject well for federal response actions.

- F. On August 2, 2012, the OSC obtained initial funds from the OSLTF (via CANAPS). An initial project ceiling of \$6,000 was established and FPN E12314 was assigned to the case. For the purpose of the FPN, a discharge of 100 gallons was estimated.
- G. The well is located on private residential property. Access to such property has been approved by the property owner. The name of the property owner is not contained herein for privacy reasons. Through correspondence with the property owner, WVDEP obtained a key to the gate leading to that portion of the property where the leaking well is located. Access to the well is difficult due to steep terrain.
- H. Federal Removal Response actions commenced 8/6/12 with a preliminary assessment and on-scene inspection of the well site to evaluate the potential magnitude and severity of a discharge of oil from the well. The EPA OSC, WVDEP, and an EPA START contractor representative were present. The OSC and WVDEP assessed the feasibility of removal actions. WVDEP and EPA considered the extent of the search for a Responsible Party and agreed that such Responsible Party may not likely be found. A search for a potential Responsible Party preliminarily indicates that there are no records indicating that a well was ever drilled at this location. Such search will, however, continue.
- I. The OSC and WVDEP determined that the well appears to have previously discharged (based upon consideration of the appearance of vegetation downgradient to the well), that oil was at the time of the inspection at the lip of the visible casing, migrating from the casing and disappearing into the ground into a variety of cracks. It was also observed that gas was bubbling through the oil column in the well, and that the casing was likely bent and possibly broken. The well is located within the limits of a slide area. Oil discharged from the well would migrate immediately down a steeply sloped embankment of an unnamed tributary of Cow Creek. Cow Creek is a tributary of the Ohio River a navigable waterway. The OSC believes the well poses a substantial threat to discharge additional oil to threaten a navigable water of the United States. The amount of such discharge can not be definitively estimated. Similar situations evaluated by the WVDEP and OSC indicate that a discharge of 10 BBLs is plausible.
- J. WVDEP has a contract mechanism, but not the resources to conduct actions other than continued monitoring and defensive actions should a discharge occur. The OSC agreed to facilitate necessary actions to abate the substantial threat of discharge of oil posed by the Malone #1 abandoned oil well should the search for a viable Responsible Party indicate that such assistance is needed.
- K. Gathering/distribution lines were also discovered near Malone #1 and will be further evaluated. Three separate pipelines were identified during the assessment. However, after initially searching the area, personnel on scene could not identify any additional wells on the property.
- L. The current FPN Ceiling is insufficient for completion of actions at the Malone #1 Abandoned Oil Well Site.

II. ACTIONS

- A. On August 2, 2012, the OSC opened an FPN for the subject incident. The FPN is E12314. The name Malone #1 was assigned. A ceiling of \$6,000 was established for

initial actions including a continuing preliminary assessment and search for potentially Responsible Party.

- B. The well is located on private residential property. Access to such property has been approved by the property owner.
- C. WVDEP has conducted initial identification and evaluation of the potentially Responsible Party(ies) for the subject well. No records relating to the well or any production of oil on the subject land is yet identified. The operator immediately prior to abandonment of the well is not known.
- D. On August 6, 2012, the OSC met with WVDEP and the EPA START contractor at the subject site. The OSC conducted a preliminary assessment at the Malone #1 Well location. The well was audibly bubbling gas through a column of oil at and leaking over the surface of the ground-level casing. The ground slopes steeply from the well toward an unnamed tributary of Cow Creek, which is a tributary of the Ohio River. Oil had not reached flowing water at the time of the assessment. The Ohio River is a navigable waterway.
- E. The location of the potential discharge into Cow Creek was reported by WVDEP to be within 500 feet of a drinking water source. There are 10-20 people residing within 1,000 feet of the well. Based upon consideration of the location and geographical aspects of the well, its proximity to the obvious surface water pathway to the Ohio River, and its abandoned and leaking condition, the OSC determined that Malone Well #1 continues to pose a substantial threat of discharge of oil into the navigable waters of the United States.
- F. Discussion with WVDEP indicates that the size of any future discharge cannot be specifically determined. Previous discharge cannot be estimated. For the purpose of the threat assessment, the OSC determines that a 10 BBL discharge is likely to occur and threaten the waterway based upon the magnitude of discharges that have occurred from similarly located wells in the area. The size classification of this discharge is likely to be minor.
- G. The scope of a Removal Response Action deemed necessary for the site was discussed and agreed with the WVDEP. The WVDEP is able to contract the appropriate personnel and equipment necessary to mitigate the effects of the actual discharge and/or eliminate the threat substantial threats of discharges of oil from the well into the navigable waters. The action is expected to include activity at the Site and would include cleaning out and plugging the subject well. The OSC and WVDEP agreed that the pipelines that remain on Site were for former transfer of oil to oil storage tanks, etc., that could not be located. Therefore, the Removal Action will entail activities on the well identified, and the associated pipelines observed during the assessment, unless additional equipment/oil transfer materials are discovered during clean-up activities.
- H. The OSC discussed mobilization of equipment to the Site and the safety of the workers during Site activities with WVDEP. Due to the condition of the hillside, which the OSC, WVDEP, and START traversed and inspected, it was observed and determined that a potential landslide/shifting of grounds could occur during removal activities. WVDEP was tasked by the OSC to determine the safest course of action to select placement of access roads, rig/equipment entry, and placement of the rig to conduct the actions specified in the SOW. WVDEP will report these determinations to the OSC and receive approval of the actions prior to mobilization of the necessary equipment to the Site. All such actions will be conducted in accordance with and compliance with WVDEP

regulations and the documentation requirements of the EPA-USCG agreements as well as a PRFA anticipated by the OSC for this site.

- I. The OSC and WVDEP also agreed upon the necessity of finalizing identification of a Responsible Party, if any. However, preliminary indications are that such a party is unlikely to be quickly identified. As such, the OSC and WVDEP agreed upon the need for actions to abate the discharge and the substantial threats of discharge from the well, including cleaning-out and plugging the abandoned, leaking well upon conclusion of the search for a Responsible Party.
- J. The current FPN Ceiling is insufficient for completion of actions at the Malone #1 Abandoned Oil Well Site. The anticipated funding necessary to complete the above actions will exceed the existing FPN Ceiling. WVDEP provided a cost estimate to the OSC for operations required to properly plug this abandoned leaking oil well; the cost estimate was for \$75,205.

III. FUTURE ACTIONS

- A. Under direction from the OSC, START will immediately complement deed/title search activities for the Malone #1 Oil Abandoned Oil Well Site, already begun by WVDEP, to determine if a RP can be identified. If the research does not identify a RP, the OSC will request appropriate funds to complete oil removal response actions relating to the Malone #1 Abandoned Oil Well Site.
- B. The OSC will complete a PRFA and scope of work for WVDEP to implement response actions at the subject Site.
- C. The OSC will arrange for continued monitoring of the progress of the removal response actions at the subject Site.

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