

**United States Environmental Protection Agency
Region III
POLLUTION REPORT**

Date: Thursday, March 11, 2004

From: Robert Kelly

Subject: Initiation of Oil Activation/Temporary Containment

Ohio River Wells

Route 2, St. Marys, WV

Latitude: 39.4397000

Longitude: -81.1553000

POLREP No.:	1	Site #:	752
Reporting Period:		D.O. #:	
Start Date:	3/11/2004	Response Authority:	OPA
Mob Date:		Response Type:	Emergency
Demob Date:		NPL Status:	
Completion Date:		Incident Category:	
CERCLIS ID #:		Contract #	
RCRIS ID #:		Reimbursable Account #	
FPN#	E04309		

Site Description

Site encompasses 4 wells along the banks of the Ohio River in St. Marys, Pleasants County, WV.

Current Activities

On March 10, 2004, WVDEP Office of Oil and Gas (WVDEP-OOG) Inspector Dave Belcher reported these wells as leaking into the Ohio River to the NRC (#715658)

Federal removal response activities commence to mitigate the effects of a discharge of crude oil and to eliminate the substantial threat of additional discharges of crude oil from entering the navigable waters of the United States (Ohio River) or its adjoining shorelines.

Responsible Party (RP) Information: Visual observations of the abandoned Oil Production Facility indicate that the Facility may have been abandoned pre-1929. Preliminary RP search conducted by WVDEP-OOG indicates that Well #80105 and Well #80106 have a potential Owner/Operator. The search for an RP on the remaining two wells (#80107 & #80108) indicates that there does not appear to have an RP. WVDEP-oog will continue the RP search, but as of this date, there are no apparent records available which reveal the identity of the RP (owner/operator of the Facility immediately prior to abandonment)

On March 11, 2004, Region 3 OSC Bob Kelly opened the fund for the amount of \$10,000 in order to inspect the wells.

WELL #1-80105 and #2-80106: Although there is no crude oil in the water of the Ohio River, the location of the leaking wells is on the eastern shore of the Ohio River approximately 15-20 feet in the river from the shoreline. These wells are also on the immediate flood plain of the Ohio River and therefore the OSC has determined that a discharge to the navigable water had occurred. Through a deed search, it appears that these wells are owned by the Army Corps of Engineers. These wells will not be addressed by the PRFA as this is another federal Agency. It is covered in 40 CFR 300.335(e) which states "The funding of a response to a discharge from a federally owned, operated, or supervised facility or vessel is the responsibility of the owning, operating, or supervising agency if it is a responsible party". WVDEP-OOG will be using their own funding mechanism to take containment measures and will be contacting the Corps to take appropriate action on this well. The OSC has determined that these wells continue to pose a substantial threat to the navigable waters or adjoining shorelines of the United States (Ohio River). WELL #3-80107 and Well #4-80108: Although these wells are not leaking at this time, the location of the well is approximately 100 feet from the Ohio River and in the flood plain. Due to the locational, geographical aspects, and the proximity to the Ohio River, the OSC had determined these wells pose a substantial threat to discharge into the navigable waters or adjoining shorelines of the the United States (Ohio River)

OSC Kelly informed WVDEP-OOG that the incident met the federal removal criteria, required removal response action and that funding for such removal response activities could be obtained through the OSLTF. OSC Kelly and Inspector Belcher discussed and formulated a removal plan of action (immediate containment and control, cleaning out and plugging the wells as prioritized; recover and arrange for the disposition of crude oil and production fluids; remove and arrange for the disposition of oil-contaminated soils and debris, etc) OSC Kelly and Inspector Belcher concurred that it would be more cost effective and expeditious for the State of West Virginia to perform the removal response under a PRFA.

OSC Kelly accessed the OSLTF, via CANAPs. An initial ceiling of \$10,000 for EPA Cost Reimbursement and to take immediate containment actions was obligated. FPN E04309 was assigned to the Case. The incident location is within the USCG 8th District Command.

Planned Removal Actions

WVDEP-OOG will take immediate action to provide containment to Wells 3 and 4 under a PRFA issued by OSC Kelly on this date for the amount of \$8,000.

Next Steps

Since the OSC cannot request funding over \$50,000 through CANAPs, the OSC will contact the Case Officer and request an additional \$60,000 to address removal response actions for these two wells.

The OSC will issue a TDD to the contractor to provide written and photodocumentation of Site activities as well as compile all documentation for Cost Reimbursement package to the Coast Guard.

The WVDEP-OOG will continue to conduct a PRP search and oversee Site operations.

The OSC will continue to coordinate Site operations with the WVDEP-OOG Site Inspector.

response.epa.gov/OhioRiverWells