

U.S. ENVIRONMENTAL PROTECTION AGENCY  
POLLUTION/SITUATION REPORT  
Yoho Run 1 - Removal Polrep  
Initial Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region III

**Subject:** POLREP #1  
Initial Report - Preliminary Assessment  
Yoho Run 1  
Z3NV  
Friendly, WV  
Latitude: 39.5085000 Longitude: -81.0725000

**To:**  
**From:** Michael Towle, On-Scene Coordinator  
**Date:** 11/17/2016  
**Reporting Period:** 11/16/2016 through 11/17/2016

## 1. Introduction

### 1.1 Background

<b>Site Number:</b>	<b>Contract Number:</b>
<b>D.O. Number:</b>	<b>Action Memo Date:</b>
<b>Response Authority:</b> OPA	<b>Response Type:</b> Time-Critical
<b>Response Lead:</b> EPA	<b>Incident Category:</b> Removal Assessment
<b>NPL Status:</b> Non NPL	<b>Operable Unit:</b>
<b>Mobilization Date:</b>	<b>Start Date:</b> 11/16/2016
<b>Demob Date:</b>	<b>Completion Date:</b>
<b>CERCLIS ID:</b>	<b>RCRIS ID:</b>
<b>ERNS No.:</b>	<b>State Notification:</b>
<b>FPN#:</b> E17302	<b>Reimbursable Account #:</b>

#### 1.1.1 Incident Category

The Site is the location of a minor discharge of oil into the Ohio River.

#### 1.1.2 Site Description

The Site consists of what appears to be an oil well (component to an onshore oil production facility) which is discharging oil into the Ohio River. The extent of the facility is not presently known. The source of the discharge is likely to be an abandoned oil well component to an oil production facility, however additional assessment is necessary to verify this information.

##### 1.1.2.1 Location

The discharge originates directly from what appears to be an oil well located in the waters of the Ohio River. The oil discharges onto the Ohio River from a point positioned approximately 200 feet downriver (south) of the mouth of Yoho Run which is south of the town of Friendly in Tyler County, West Virginia. The well is approximately 25 feet from the shoreline. The approximate coordinates are 39.5085 N and -81.0725 W.

At this time, the OSC can't determine the property parcel from which the discharge originates. Based solely upon an aerial photograph analysis, discussion with a nearby property owner, and tax parcel maps, it appears to be positioned very near to a property line that would extend out into the River. A survey may be required to verify the appropriate property upon which the source is located.

##### 1.1.2.2 Description of Threat

An actual discharge of oil has created a sheen upon the Ohio River. The oil sheen was observed 11/16/16 along with a petroleum odor. The sheen is approximately 10 feet wide and extends at least approximately 300 feet upriver from its source (further evaluation was not possible due to access limitations). The sheen originates from what appears to be an oil well located in the waters of the Ohio River and the OSC believes that the source of the discharge is an abandoned oil well component to an abandoned oil facility. The amount of oil that is discharging is likely to be small (e.g., 1 gallon or less), but unknown. It is unknown if the discharge is continuous or intermittent. The OSC presently has very little information about oil production or oil facilities in the subject area. As such, the severity of the threat can not presently be determined. However, discussion with a nearby property owner indicates that the subject discharge has

been previously observed to suggest that there is indeed a substantial threat of additional discharge from the subject likely abandoned facility. The size classification of the discharge is expected to remain minor.

### **1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results**

Oil has discharged from what appears to be an abandoned oil well which is component to an on-shore oil production facility which presently is not fully characterized or defined. The subject source (likely abandoned oil production well) is located about 25 feet from the West Virginia shoreline of the Ohio River and about 200 feet downriver of the mouth of Yoho Run which is just south of the town of Friendly, Tyler County, West Virginia. The subject well is located in about 1 foot of water. Oil emerges from the subject source in an unknown manner (speculatively originating from within surface casing) and for unknown reasons and discharges directly into the Ohio River. The oil has created a sheen on the Ohio River which is about 10 feet wide and extends at least 300 feet upriver from the source due to light winds from the southwest. The sheen is not presently impacting the shoreline.

The OSC, and inspectors from the State of West Virginia DEP, attempted to identify an owner of an oil production facility that includes the subject probable well after discussion with a nearby property owner and initial review of records in the Tyler County courthouse on 11/16/16. The parcel upon which the well may be located is not presently determined. Such facility owner or operator is not presently identified.

Additional assessment is required to determine the magnitude and/or severity of threat posed by the Site. Additional information is also necessary to identify potential Responsible Parties and the means to gain proper access to the area of the discharge. The WVDEP and OSC accessed the location through a property and its consenting property owner, but it is not known if the well is located on that property. Additionally, railroad tracks must be crossed (over what appears to be an old crossing). At this time, without specific and additional knowledge of the source, the property upon which it is located, proper access procedures with the railroad, the threat posed, and any sensitive receptors which may be harmed by actions necessary to install defensive actions at the source, the OSC concluded that defensive removal actions to address the oil sheen were not practical on 10-16-16.

## **2. Current Activities**

### **2.1 Operations Section**

#### **2.1.1 Narrative**

A preliminary assessment is underway. Activity to identify potential responsible parties is underway.

#### **2.1.2 Response Actions to Date**

No response actions are taken at this time. Preliminary Assessment is underway.

#### **2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)**

At this time, the OSC is actively trying to identify potential Responsible Parties. A potential RP is not yet identified. The current activity is summarized below.

The parcel upon which the well is located is not yet determined so the OSC opted to evaluate several parcels along the Ohio River surrounding the location of the discharge. The OSC and WVDEP went to the Tyler County Courthouse to try and determine ownership of the well (facility). Documents reviewed included aerial photographs with tax parcels located thereon, deeds, and leases. The documents are not yet copied. Additional work is required.

The ownership of the submerged land upon which the well/facility is located is not yet certain. The tax parcel map does not show property parcels extending into the Ohio River and the property descriptions on the deed are not clear relating to ownership of land under the waters of the Ohio River. The parcels are also subject to easements by the U.S. Government necessary to raise pool levels of the Ohio River. Additional work is required to identify the owner of the land (submerged land) upon which the well/facility may be located.

The OSC has found that the area was once part of 350 acres of land (J. White) which was partitioned by the White heirs in 1910 into numerous lots inclusive of lots along the Ohio River (the well was once located on one of these lots before the River level was raised). The mineral rights under the subject partitioned land were not themselves partitioned and were under lease at the time of the sale of the land to J. White (1897) and the 1910 land partition. In response to court orders, certain land parcels were sold. These conveyances indicate that only the "surface" of the land was conveyed - the mineral rights were reserved and excepted. At this time, the OSC is unable to determine the owner of the mineral rights. Additional work is required.

Examination of publicly available maps (e.g., USGS maps) indicates numerous wells drilled in the subject area. Many wells are depicted on early USGS maps and then not depicted on more recent maps. It is unknown if the subject well is depicted. Aerial photographs suggest an access road crosses the railroad tracks in the vicinity possibly in order to operate oil wells located along the River.

The OSC has found that the first oil well was likely drilled on the un-partioned land (350 acres) in the late 1890s. The lease was assigned numerous times thereafter and the OSC has not yet completed the determination of present day lessor authority. The OSC has identified the likely original owners of an oil facility spread amongst several parcels of land, but has not yet completed an evaluation of the heirs or assigns or entities to which a right to operate or possess the facility was transferred. It is unlikely that portions of the facility were operated after the 1960s (raising Ohio River pool level), but the date of abandonment is not known. Additional work is required.

**2.1.4 Progress Metrics**

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>

**2.2 Planning Section**

**2.2.1 Anticipated Activities**

Complete Preliminary Assessment and identification of RP.

**2.2.1.1 Planned Response Activities**

**2.2.1.2 Next Steps**

**2.2.2 Issues**

**2.3 Logistics Section**

No information available at this time.

**2.4 Finance Section**

No information available at this time.

**2.5 Other Command Staff**

No information available at this time.

**3. Participating Entities**

No information available at this time.

**4. Personnel On Site**

The EPA OSC and WVDEP oil and gas inspectors were on Site 11/16/16. The WVDEP inspectors were assessing several oil wells known to be located in or near the Ohio River near Friendly, WV.

**5. Definition of Terms**

No information available at this time.

**6. Additional sources of information**

No information available at this time.

**7. Situational Reference Materials**

No information available at this time.