

Section 311/Clean Water Act: U.S. Environmental Protection Agency and Wyoming Wellhead Operator Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Marathon Oil Company (“Marathon”) entered into a May 8th Consent Agreement (“CA”) addressing an alleged violation of Section 311 of the Clean Water Act. See Docket No. CWA-08-2019-0002.

The CA provides that Marathon is an owner and operator of the Circle Ridge Shoshone 66-25 wellhead (“Facility”) located within the exterior boundaries of the Wind River Indian Reservation in Wyoming.

The Facility is stated to constitute an onshore facility (“Onshore Facility”) within the meaning of Section 311(a)(10) of the Clean Water Act.

Approximately 446 barrels of crude oil and produced water are stated to have been released from a pipe assembly and a stub-out pipe at the Facility on or about March 10, 2015. Marathon is stated to have reported the discharge to the United States Coast Guard National Response Center on or about March 10, 2015 (at which point EPA learned of the discharge).

The previously referenced discharge is stated to have impacted Coal Draw, a perennial stream, which eventually flows to a traditional navigable water and an impoundment of Wind River. Such discharge is stated to have violated water quality standards, caused a film or sheen upon or discoloration of the surface of the water and/or its adjoining shorelines, and/or caused a sludge or emulsion to be deposited under the surface of the waters and/or upon the adjoining shorelines of Coal Draw.

The discharge is stated to have included oil within the meaning of Section 311 and in quantities as may be harmful within the previously referenced Section. As a result, the discharge is stated to have constituted a violation of Section 311(b)(3) of the Clean Water Act.

The CA assesses a civil penalty of \$99,000.

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