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## Compliance and Enforcement

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Information Submitted

# Report an Environmental Violation - Information submitted

**Thank you for submitting information on a possible environmental violation. The information will be reviewed by EPA enforcement personnel. This notice will be the only response you will receive regarding your submission. Due to the sensitive manner in which enforcement information must be managed by EPA, we can not provide status reports or updates regarding any submission we receive through the Report an Environmental Violation form.**

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Your Name:	LuAnne Kozma
Your Email:	luannekozma@gmail.com
Your Address:	9330 Boyne City Road
Your City:	Charlevoix
Your State:	Michigan
Your Zip:	49720
Your Phone:	231-547-2828
Suspected Violation Date:	5/30/2012
Suspected Violator Name:	Michigan Department of Environmental Quality
Suspected Violator Address:	525 W. Allegan
Suspected Violator City:	Lansing
Suspected Violator State:	Michigan
Suspected Violator Zip:	48909
Still Occurring:	no
Notified State DEP/DEQ/DEM:	yes
Department Contact:	Rick Henderson
Characterized incident as:	

Intent:	Unknown
Type:	Spill
Media:	Land
Media:	Water
Entity:	Government/Military
Description of incident or hazard:	<p>I am reporting a Michigan DEQ-permitted release of 954 bbls (or, about 40,068 gallons) of frack fluids from two horizontal frack wells located in Mackinac State Forest (State Excelsior 1-25HD1 and State Excelsior 1-13 HD1, for which the permittee is Encana), onto northern Michigan roads. The two wells are drilled, fracked, and are producing for the purpose of natural gas extraction. Two letters by DEQ senior geologist Ray Vugrinovich, provided to Ban Michigan Fracking, addressed to a company called Team Services LLC, with offices in Kalkaska, Michigan, indicate that Vugrinovich evaluated the test results of a sample of what he calls "brine" from the Excelsior 1-25 HD 1 well and approved it for dust and ice control on Michigan roads on May 14, 2012. A month later on June 13, 2012, the DEQ realized its error and revoked its permission, stating: "Since that time it has come to my attention the well is still producing so-called flowback water from hydraulic fracturing. Because of the unknown composition of the flow back water, the uncertainty regarding impacts to soil, groundwater and surface water, of the compounds used during hydraulic fracturing, use of brine [sic] from the State Excelsior 1-25 HD-1 must be discontinued immediately. Brine from the well that has been moved to a central holding site prior to use must be disposed of by injection into a disposal well." – Ray Vugrinovich, DEQ Senior Geologist, revoking permission he gave Team Services LLC a month prior, allowing massive use of flowback wastes on Michigan surface roads and landscapes. In an email on September 17, 2012, DEQ's Rick Henderson admitted that 954 bbls of frack fluids from two Excelsior wells were taken from the frack well during a two-week period and used on roads: "Yes. Between 5/30/12 and 6/13/12 954 bbls of flow back water &amp; brine from the Excelsior 1-25HD1 and the Excelsior 1-13HD1 were applied to roads." — Rick Henderson, DEQ It is unknown which roads received the 40,068 gallons of frack fluids. I have requested information of the MDEQ about this massive spill through Michigan's Freedom of Information Act, for documentation as to what cleanup DEQ has done, however, the department wants to charge me \$476 for the information before releasing the information. I have reported the incident on a public website: <a href="http://banmichiganfracking.org/?p=1082">http://banmichiganfracking.org/?p=1082</a> The two letters by Mr. Vugrinovich are available on the website as a download. I also reported the incident to the Michigan Natural Resources Commission at one of its public meetings and demanded an investigation of the incident. One road I suspect was "brined" with the frack fluids was Sunset Trail in the Mackinaw State Forest, located in the headwaters of the Manistee River.</p>
Specific Directions:	<p>Kalkaska County, Excelsior Township, near M-72, on Sunset Trail in the Mackinaw State Forest is the location of the two horizontal "State Excelsior" frack wells, 1-13 HD1 and 1-25 HD1. Nearest waterways are headwaters of the Manistee River, Grass Lake located in Boy Scout Camp Tampico, and Bear Lake in Bear Lake Township, Kalkaska County. Many other locations may be affected.</p>