



## REGION 6

DALLAS, TX 75270

June 11, 2025

Transmitted Via Email

Canaan Ferguson  
Production Operations Manager  
NuCera Solutions, LLC  
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RE: Underground Injection Control Emergency Permit No. 06SOKO6P9006  
Osage County, Oklahoma

Dear Mr. Ferguson:

EPA Region 6 received on June 3, 2025, both NuCera Solutions, LLC's (NuCera) request for an emergency permit and a UIC permit renewal application. Due to extenuating circumstances, NuCera currently does not have UIC permit coverage and is seeking temporary emergency authorization to inject because of an imminent and substantial endangerment to human health. The EPA approves NuCera's request for an emergency permit and is currently reviewing the UIC permit renewal application.

NuCera's facility in Barnsdall, Osage County, Oklahoma, has two retention ponds which currently hold the intended injected water. The composition of the injected water is approximately 90% rainwater and 10% process water. This process water does not contain the solvent or other chemicals that attributed to the toxicity from previous operations. NuCera has not injected since December 2024, and due to excessive rainfall, the retention ponds are near capacity. One of the retention ponds is at freeboard, while the other is approximately two feet from freeboard. If the ponds overflow, the contaminated water may discharge into Bird Creek.

The threat of water overflowing the impoundments constitutes an imminent and substantial endangerment to the health of persons. Regulations at 40 C.F.R. Section 144.34 provide for issuance of emergency permits to avoid an imminent and substantial endangerment to the health of persons. As such, in accordance with the provisions of those regulations, an emergency permit and authorization to inject are issued to NuCera for injection into well number 1, located at 1340' FSL, 583' FEL, SE/4, Sec. 18, T24N, R11E in Osage County, Oklahoma.

As permittee, NuCera is authorized to inject fluids not defined as hazardous under 40 C.F.R. Part 261 of the Resource Conservation and Recovery Act for disposal under the following conditions:

1. Mechanical integrity of the well must be demonstrated, to the satisfaction of the EPA, prior to injection and at least annually during the duration of the emergency permit. The well passed its last mechanical integrity test on October 24, 2022, and is hereby authorized to inject.
2. The permittee is authorized to inject into the Roubidoux Sandstone at an injection interval depth of 2858 to 2924 feet below land surface.
3. Injection shall not result in the movement of fluid into an Underground Source of Drinking Water. The operating injection pressure at the wellhead shall not exceed 500 psig.
4. Injection volume shall be limited to a maximum of 123,420 barrels per month.
5. During the emergency authorization period, the permittee shall comply with UIC regulations at 40 C.F.R. Parts 144, 146, and the additional requirements at Part 147, Subpart III.

A permit application to reissue the expired permit has been submitted and is currently being reviewed. As such, emergency authorization to inject shall remain in effect until the EPA issues a final decision on the permit application. Failure to abide with the above requirements is a violation of the Safe Drinking Water Act and may result in enforcement action.

If you have any questions or would like to discuss this emergency permit, please contact the permit writer, Christopher Tingey of my staff at 214-665-8364.

Sincerely,

Troy C. Hill, P.E.  
Director  
Water Division

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