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Supervisor for Texas Natural Gas and Oil Drilling Company Pleads Guilty in Oklahoma to Negligent Violation of Clean Water Act

WASHINGTON—Gabriel Henson, a supervisor for Integrated Production Services, Inc., a Houston-based natural gas and oil drilling contractor, pleaded guilty to a negligent violation of the Clean Water Act in federal court in Muskogee, Okla., the Department of Justice announced.

Henson was a crew supervisor for Integrated Production Services (IPS), which was performing hydraulic fracturing (also known as “fracking”) at the Pettigrew 18-3H well site, located in Atoka County, Oklahoma. IPS’s fracking operations included using hydrochloric acid to penetrate though bedrock and thousands of feet of substrata.

On May 24, 2007, a tank had leaked an estimated 400-700 gallons of hydrochloric acid onto the earthen pad surface of the well site. The earthen pad was also flooded with water from recent heavy rainfall. In order to remove the rainwater from the well site, Henson drove a pickup truck owned by IPS through an earthen berm, causing the rainwater contaminated with hydrochloric acid to flow off the well pad and down into Dry Creek, a tributary of Boggy Creek, a water of the United States under the Clean Water Act. Environmental damage to the creek was minimized by spill response crews that responded to the site.

“There is no question that the lawful exploration and development of sources of domestic energy is vital to the national interest,” said Assistant Attorney General Ignacia S. Moreno of the Justice Department’s Environment and Natural Resources Division. “With the increased use of hydraulic fracturing across the country, it is essential that we vigorously enforce all laws intended to protect the environment, as shown by this prosecution involving the discharge of acid into a stream.”

“The defendant's discharge of hydrochloric acid waste into a tributary of Boggy Creek threatened public health and the environment, and required a costly emergency response to minimize harm,” said Ivan Vikin, Special Agent in Charge of EPA’s criminal enforcement program in Oklahoma. “Today’s guilty plea demonstrates that those who negligently violate environmental laws will be held accountable for their actions.”

According to a plea agreement, Henson entered a plea of guilty to a negligent violation of the Clean Water Act. If his plea is accepted by the court, Henson faces a term of imprisonment up to one year and a criminal fine of \$100,000. The case was investigated by EPA Criminal Investigation Division and Oklahoma Attorney General's Office of the Inspector General. The case is a joint prosecution between U.S. Attorney's Office for the Eastern District of Oklahoma and the Environmental Crimes Section of the U.S. Department of Justice, Environment and Natural Resources Division.