UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

ATTENTION XTO Energy Inc.
(name of owner/operator)

NOTICE OF FEDERAL INTEREST IN AN OIL POLLUTION INCIDENT

This is to inform you that on or about February 15th 2018 a pollution incident has occurred or threatens to occur at XTO Energy Well Blowout at 52168 Cats Run Rd., Powhatan Point, OH, for which you may be financially responsible. Under Federal statutes, the United States Government has an interest in this incident and may take appropriate action to minimize damages which are threatened or which may be caused by this incident.

The discharge or the threat of discharge of a prohibited quantity of oil or a hazardous substance is a violation of the Federal Water Pollution Control Act, as amended, by the Oil Pollution Act, 1990, as amended, or the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA). Under these Acts, the owner/operator of the source may undertake removal actions. If the owner/operator refuses to take adequate removal action, that person may be financially responsible for actions taken by the Federal Government to remove the pollutant and adequately mitigate its effects. Removal is being done properly if it done in accordance with Federal and State statutes and regulations and the criteria of the National Contingency Plan. If you undertake removal actions, the adequacy of such actions shall be determined by the Federal On-Scene Coordinator. The On-Scene Coordinator for this incident is Andrew Kocher.

So long as you are taking adequate actions in this matter, Federal action will be limited to monitoring of the progress of your actions and provision of guidance as necessary. If it is determined that you are not taking prompt and appropriate actions to clean up, contain and remove the pollutant(s), Federal Response may be initiated. You may then be held responsible for costs to three times the cost incurred by the Federal Government, as set forth in the acts.

Should you require further information concerning this matter, you should contact the On-Scene Coordinator, or call 312/353-2318.

Sincerely,

Date: 2/18/18
Federal On-Scene Coordinator

Received and Acknowledged
Date: 2/19/18

Witness
2/19/18