

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 92846 / September 1, 2021

ADMINISTRATIVE PROCEEDING
File No. 3-20163

In the Matter of

Covia Holdings Corp. and
Fairmount Santrol Holdings Inc.,
now known as Bison Merger Sub I,
LLC

SECOND EXTENSION ORDER

Respondents.

The Division of Enforcement (“Division”) has requested an extension of time until January 31, 2022 to submit a Proposed Plan of Distribution under Rule 1101(a) of the Commission’s Rules on Fair Fund and Disgorgement Plans, 17 C.F.R. § 201.1101(a).

On December 8, 2020, the Commission issued an Order Instituting Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933 and Section 21C of the Securities Exchange Act of 1934, Making Findings, and Imposing a Cease-and-Desist Order (the “Order”)¹ against Covia Holdings Corp. and Fairmount Santrol Holdings Inc., now known as Bison Merger Sub I, LLC (collectively, the “Respondents”). In the Order, the Commission found that from 2014 to March 2018, Fairmount, a provider of sand-based products used by oil and gas exploration and production companies for fracking, misled investors by overstating the performance and commercial potential of high-margin proppant products it was developing and selling, PowerProp, Propel SSP and Propel SSP 350. Among other things, in the Order, the

¹Securities Act Rel. No. 10897 (Dec. 8, 2020).

Commission ordered the Respondents to pay a \$17 million civil penalty, on a joint and several basis, which shall be deemed satisfied by a cash payment from Covia in the amount of \$1 million pursuant to Covia Holdings Corporation and its Debtor Affiliates' confirmed Chapter 11 plan or an order of the bankruptcy court allowing such claim and authorizing such payment. The Commission also created a Fair Fund, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so the penalty collected can be distributed to investors harmed by the Respondents' conduct described in the Order.

The Fair Fund consists of the \$1,000,000.00 paid by the Respondents. The Fair Fund has been deposited in an interest-bearing account at the U.S. Department of the Treasury's Bureau of the Fiscal Service, and any accrued interest will be for the benefit of the Fair Fund.

On February 11, 2021, the Secretary, pursuant to delegated authority, issued an order extending the Division's time until August 31, 2021 to submit a proposed plan of distribution.² The Division now believes an additional five months of time is needed. In its request for an extension of time, the Division states that additional time is needed to draft the proposed plan of distribution.

Accordingly, for good cause shown, IT IS HEREBY ORDERED that the Division's request for an extension of time until January 31, 2022 to submit a Proposed Plan of Distribution is granted.

For the Commission, by the Division of Enforcement, pursuant to delegated authority.³

Vanessa A. Countryman
Secretary

²Exchange Act Rel. No. 91103 (Feb. 11, 2021).

³ 17 C.F.R. § 200.30-4(a)(21)(i).