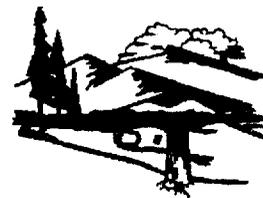


# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

February 8, 2007

Mr. Ronald D. Truelove  
Environmental Manager  
Devon Energy Production Company  
20 North Broadway, Suite 1500  
Oklahoma City, OK 73102

RE: Notice of Violation

Dear Mr. Truelove:

Enclosed you will find a Notice of Violation (NOV) issued to Devon Energy Production Company by the Department of Environmental Quality, Air Quality Division, for failing to comply with the permit requirement for routing vapors to the combustion device for the Yellow Point 9-1-28-109 PAD located in Sublette County, Wyoming. This violation of permit CT-4270 was observed by Ms. Jennifer Frazier on January 2, 2007.

Another issue, not currently addressed in this Notice of Violation, but of great concern was observed during this inspection. The tank combustor device was not operational, as no pilot flame was noted during the site visit. At this point, I'm deferring further action on this issue pending a review and proposal of measures to correct this type of problem by each Jonah/Pinedale operator.

As the Department and this Division consider the failure to comply with air quality permit conditions to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Mr. Robert Gill, Air Quality Compliance Program Manager, at 307-777-3774 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Mr. Robert Gill.

Sincerely,

David A. Finley  
Administrator  
Air Quality Division

cc: Robert Gill  
Jennifer Frazier  
Tony Hoyt  
Nancy Vehr  
Keith Guille



**BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION  
ISSUED TO DEVON ENERGY PRODUCTION COMPANY,  
MR. RONALD D. TRUELOVE,  
ENVIRONMENTAL MANAGER,  
20 NORTH BROADWAY, SUITE 1500,  
OKLAHOMA CITY, OKLAHOMA 73102**

**DOCKET NO. 4028-07**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Devon Energy Production Company to be in violation of permit CT-4270 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations at the Yellow Point 9-1-28-109 PAD located in Sublette County, Wyoming.

2. W.S. 35-11-801(a) states, "In granting permits, the Director may impose such conditions as may be necessary to accomplish the purpose of this act which are not inconsistent with the existing rules, regulations and standards."

3. Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permits to sources under Wyoming's construction and modification permitting program.

4. Permit CT-4270 was issued to Devon Energy Corporation on May 10, 2006. Condition 10 (A) states:

"Upon the First Date of Production of an additional well at the Yellow Point 9-1-28-109 facility or upon the date production associated with a well from a separate location is tied into the Yellow Point 9-1-28-109 facility, controls for emissions from all existing and new hydrocarbon liquid storage tanks and pressure vessels (flashing/standing/working/breathing losses and any separator flash gas not collected for sales) shall be installed and operational. Emission control systems or devices installed under this condition shall be designed and operated to reduce the mass content of VOCs in the gases vented to the by least ninety-eight percent (98%) by weight, and shall meet the requirement of the Chapter 6, Section 2 Oil and Gas Production Facilities Permitting Guidance."

5. On January 2, 2007, Ms. Jennifer Frazier, Air Quality Division Inspector, observed one of the Enardo valves propped open with a bolt. Not routing vapors from the condensate tanks to a combustion device is a violation of condition 10(A) of permit CT-4270.

6. Said violation consists of not routing vapors from the condensate tanks to the combustion device.

7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction.

8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 15<sup>th</sup> day of Feb., 2007.

  
\_\_\_\_\_  
David A. Finley  
Administrator  
Air Quality Division

  
\_\_\_\_\_  
John Corra  
Director  
Department of Environmental Quality

Please direct all inquiries to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)