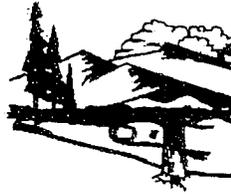




Department of Environmental Quality



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 13, 2007

Mr. Richard Wiederstein
EH & S Manager
Burlington Resources Oil and Gas Company, L.P.
PO BOX 51810
Midland, Texas 79710-1810

RE: Notice of Violation

Dear Mr. Wiederstein:

Enclosed is a Notice of Violation issued to Burlington Resources Oil and Gas Company, L.P. for the failure to operate the Madden Field Portable Compressor as represented in the permit application for waiver AP-0311.

As the Department and this Division consider the failure to comply with air quality permit/waiver requirements 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: Greg Meeker
Nancy Vehr



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

**IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED)
TO BURLINGTON RESOURCES OIL AND GAS COMPANY, L.P.,)
MR. RICHARD WIEDERSTEIN, EH & S MANAGER,)
PO BOX 51810,)
MIDLAND, TEXAS 79710-1810)**

DOCKET NO. 4041-07

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Burlington Resources Oil and Gas Company, L.P. (Burlington Resources) to be in violation of permit waiver AP-0311 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 in the operation of the Madden Field Portable Compressor located in Fremont County, Wyoming.

2. W.S. 35-11-801(c) states, "A permit to construct is required before the construction or modification of any industrial facility capable of causing or increasing air or water pollution in excess of standards established by the department is commenced."

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. Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations states, "Any person who plans to construct any new facility or source, modify any existing facility or source, or to engage in the use of which may cause the issuance of or an increase in the issuance of air contaminants into the air of this state shall obtain a construction permit from the State of Wyoming, Department of Environmental Quality, before any actual work is begun on the facility."

5. Air quality waiver AP-0311 was issued for the Madden Field Portable Compressor on or about November 19, 2002. This waiver was issued based on the emission rates represented in the permit application.

6. A review of the Air Quality Division records for the Madden Field Portable Compressor showed that Burlington Resources tested the Caterpillar G3408NA engine on or about August 14, 2006 with the resulting NOx emissions above those represented in the permit application for waiver AP-0311. The file records further indicate that Burlington Resources continued to operate this engine until the end of November 28, 2006 before repairs were made resulting in continued NOx emissions in excess of those represented in the permit application for waiver AP-0311.

7. Said violation consists of the failure to operate the Caterpillar G3408NA compressor engine at the Madden Field Portable Compressor as represented in the permit application for waiver AP-0311 resulting in an increase in emissions from the facility in violation of W.S. 35-11-801(c) of the Wyoming Environmental Quality Act and Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations.

8. 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.

