

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

**IN THE MATTER OF THE NOTICE OF VIOLATION
ISSUED TO BP AMERICA PRODUCTION COMPANY,
MR. DONALD BROOKS,
FEC/EMS COORDINATOR JONAH OPERATIONS
PO BOX 270
FARSON, WY 82932**

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) **DOCKET NO. 4468-09**
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NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found BP America Production Company to be in violation of permit MD-7478 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 Stud Horse Butte 16-15 facility 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 MD-7478 was issued to BP America Production Company on May 7, 2008. Permit MD-7478 dictates control of vent vapors from tanks through conditions 19 & 20 as follows:

Condition 19(A.) states:

"Upon the First Date of Production of an additional well at the Stud Horse Butte 16-15 or upon the date production associated with a well from a separate location is tied into the Stud Horse Butte 16-15 the following emission control requirements and control installation deadlines shall be met: 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 and HAPs in the gases vented to the devices by at least ninety-eight percent (98%) by weight, and shall meet the requirements of the Chapter 6, Section 2 Oil and Gas Production Facilities Permitting Guidance."

Condition 20 states:

"Emission control devices installed under condition nineteen (19) including the VOC and HAP emission control systems or devices, reboiler overheads condensers and all vent lines, connections, fittings, valves, relief valves, hatches or any other appurtenance employed to contain and collect vapors and transport them to the emission control system or device, shall be maintained and operated during any time the well is producing such that the emissions are controlled at all times. Records shall be maintained noting dates and durations of times during such operation when any VOC or HAP emissions control system or device or the associated containment and collection equipment is not functioning to control emissions as required by this permit."

5. On November 12, 2008, Ms. Jennifer Frazier, Air Quality Division Engineer/Inspector, observed an open thief hatch. Venting vapors from the thief hatch and not routing vapors to the combustion device are violations of conditions 19 & 20 of permit MD-7478.

6. Said violation consists of venting vapors from the open thief hatch and not routing vapors to emission control devices. This is a violation of conditions 19 & 20 of permit MD-7478.

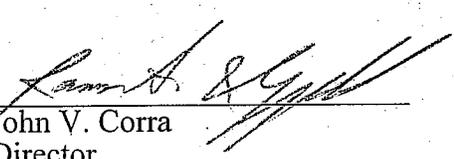
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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 26th day of March, 2009.



David A. Finley
Administrator
Air Quality Division



John V. 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.)