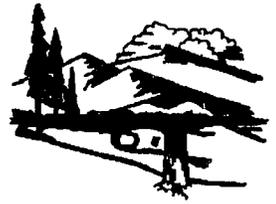




Department of Environmental Quality



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

September 23, 2009

Mr. Mike Pontiff
Regional Safety & Environmental Manager
Newfield Production Company
1001 17th Street, Suite 2000
Denver, CO 80202

RE: Notice of Violation

Dear Mr. Pontiff:

Enclosed you will find a Notice of Violation (NOV) issued to Newfield Production Company by the Department of Environmental Quality, Air Quality Division, for failing to comply with the permit requirement for routing vapors from condensate tanks to the combustor for the Rainbow 5-31 wet gas/condensate facility located in Sublette County, Wyoming. This violation of permit MD-1408 was observed by Ms. Jennifer Frazier on June 23, 2009.

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 Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 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 Ms. Karen Godman.

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 NEWFIELD PRODUCTION COMPANY,
MR. MIKE PONTIFF,
REGIONAL SAFETY & ENVIRONMENTAL MANAGER,
1001 17TH STREET, SUITE 2000
DENVER, CO 80202**

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) **DOCKET NO. 4570-09**
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)
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NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Newfield Production Company to be in violation of permit MD-1408 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 Rainbow 5-31 wet gas/condensate 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-1408 was issued to BP America Production on July 25, 2006. The facility was acquired by Newfield Production Company on February 22, 2008, at which time all previous permit requirements were transferred to Newfield Production Company. Condition 8 requires vapors from the 500-barrel condensate tank to be routed to a combustion device. Condition 8 states:

"Vapors from the 500-barrel condensate storage tank, including tank flash and S/W/B vapors, shall be routed to a combustion device to reduce the mass content of VOCs in the tank flash and S/W/B vapors vented to the device by at least ninety-eight percent (98%) by weight for at least one (1) year following the date of installation of the control device..."

5. On June 23, 2009, Ms. Jennifer Frazier, Air Quality Division Engineer/Inspector, observed continuous vapors venting from a thief hatch and both Enardo valves. Venting vapors from a thief hatch and Enardo valves and not routing vapors from the condensate tanks to the combustion device is a violation of condition 8 of permit MD-1408.

6. Said violation consists of venting vapors from a thief hatch and both Enardo valves and 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.

Newfield Production Company
Notice of Violation
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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 25 day of Sept., 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.)