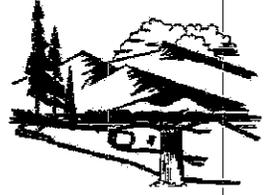




Department of Environmental Quality

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



Matthew H. Mead, Governor

John Corra, Director

December 7, 2011

Mr. Don Brooks
FEC/EMS Coordinator Jonah Operations
BP America Production Company
P.O. BOX 270
Farson, WY 82932

RE: Notice of Violation

Dear Mr. Brooks:

Enclosed you will find a Notice of Violation (NOV) issued to BP America Production Company by the Department of Environmental Quality, Air Quality Division, for failing to comply with the permit requirement for routing vapors to the combustor for the Cabrito 5-25 PAD facility located in Sublette County, Wyoming. This violation of permit MD-11118 was observed by Ms. Jennifer Frazier on October 20, 2011.

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 307-777-3774 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 Ms. Karen Godman.

Sincerely,

Steven A. Dietrich
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 BP AMERICA PRODUCTION COMPANY,) DOCKET NO.4933-11
MR. DONALD BROOKS,)
FEC/EMS COORDINATOR JONAH OPERATIONS)
PO BOX 270)
FARSON, WY 82932)**

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-11118 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 Cabrito 5-25 PAD 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-11118 was issued to BP America Production Company on November 29, 2010. Permit MD-11118 dictates control of vent vapors from tanks through condition 13 as follows:

Condition 13 states:

"Vapors from the condensate tanks, including tank flash and S/W/B vapors, shall be routed to a combustion device to reduce the mass content of VOCs and HAPs in the tank vapors by at least ninety-eight percent (98%) by weight..."

5. On October 20, 2011, Ms. Jennifer Frazier, Air Quality Division Engineer/Inspector, observed venting vapors from a thief hatch. Venting vapors from the thief hatch and not routing vapors to the combustion device are violations of condition 13 of permit MD-11118.

6. Said violation consists of venting vapors from a thief hatch and not routing vapors to emission control devices. This is a violation of conditions 13 of permit MD-11118.

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.

BP America Production Company
Notice of Violation
Page Two

DATED this 8th day of DECEMBER, 2011.



Steven A. Dietrich
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

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