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

August 28, 2012

Ms. Shanda Caldwell
Field Environmental Advisor
BP America Production Company
P.O. BOX 157
Wamsutter, WY 82336

RE: Notice of Violation

Dear Ms. Caldwell:

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 emission control device for the Frewen 8-1, 2, 3 facility located in Sweetwater County, Wyoming. This violation of permit CT-4457 was observed by Mr. Jeff Wendt on June 5, 2012.

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

Steven A. Dietrich
Administrator
Air Quality Division

cc: Robert Gill
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. 5050-12**
MS. SHANDA CALDWELL,	)	
FIELD ENVIRONMENTAL ADVISOR	)	
PO BOX 157	)	
WAMSUTTER, WY 82336	)	

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 CT-4457 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 Frewen Unit 8-1, 2, 3 facility located in Sweetwater 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-4457 was issued to BP America Production Company on November 21, 2006. Permit CT-4457 dictates control of vent vapors from through condition 5 as follows:

Condition 5 states:

> "Vapors from the one (1) 400-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..."

5. On June 5, 2012, Mr. Jeff Wendt, Air Quality Division Engineer/Inspector, observed venting vapors from leaking thief hatches on condensate tanks. Venting vapors from thief hatches and not routing vapors to the emission control device is a violation of condition 5 of permit CT-4457.

6. Said violation consists of venting vapors from thief hatches and not routing vapors to the emission control device. This is a violation of condition 5 of permit CT-4457.

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 28th day of AUGUST, 2012.

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.)