

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
DOCKET NO.: CAA-08-2011-0019

2011 OCT 27 PM 2:35

IN THE MATTER OF: )

SLAWSON EXPLORATION COMPANY, INC. )

RESPONDENT. )

FILED  
EPA REGION VIII  
HEADING CLERK  
**REVISED ORDER ON JOINT  
MOTION TO AMEND  
ADMINISTRATIVE COMPLAINT  
AND CONSENT AGREEMENT**

On October 27, 2011, Respondent filed a Joint Motion to Amend Administrative Complaint and Consent Agreement. The Motion requests, pursuant to paragraphs D.1.a and F.13 of the Agreement, that the Complaint and Consent Agreement be amended to include a Revised Appendix A and modification of the penalty.

The Revised Appendix A substitutes the original Appendix A by deleting one source that was incorrectly included, aggregating two sources to constitute one source and aggregating an additional three sources to a constitute one source. This amendment reduces the number of existing emission sources from 93 to 60 and thereby, reduces the penalty to \$273,000 as contemplated by paragraph E.1 of the original Administrative Complaint and Consent Agreement.

The court hereby approves the Motion to Amend to include the Revised Appendix A and the modification to paragraph E.1 based on the terms of the Complaint and Consent Agreement and for good cause shown pursuant to 40 C.F.R. §§22.14(c), 22.16(c) and 22.18(b)(2). The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement, which was effective on August 29, 2011 by Final Order.

SO ORDERED THIS 27<sup>th</sup> DAY OF October, 2011.



Elyana R. Sutin  
Regional Judicial Officer

2011 OCT 27 PM 2:35

Monday, October 24, 2011

EPA REGION VIII  
HEARING CLERK

Tina Artemis  
Regional Hearing Clerk  
U.S. EPA-Region 8 (8RC)  
1595 Wynkoop Street  
Denver, CO 80202-1129  
*Via Hand Delivered Courier and Email*

**Re:** Joint Motion to Amend Administrative Complaint and Consent Agreement

Dear Ms. Artemis,

Attached for filing is a Joint Motion to Amend Administrative Complaint and Consent Agreement filed by Slawson Exploration Company, Inc. and the U.S. Environmental Protection Agency in connection with the Administrative Complaint and Consent Agreement filed in this matter on August 29, 2011.

Please contact me if you have questions or need further information. I would be grateful if you would send me a copy of the related order upon approval of the motion.

If you need any further information regarding this issue, please contact me at (801) 799-5956 or via email at [mbdurrant@hollandhart.com](mailto:mbdurrant@hollandhart.com).

Sincerely,



Marie Bradshaw Durrant  
HOLLAND & HART LLP  
222 S. Main Street, Suite 2200  
Salt Lake City, UT 84101  
**801-799-5956**  
**Attorney for Slawson Exploration Company, Inc.**

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8  
1595 WYNKOOP STREET  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

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RECORDING CLERK

DOCKET NO.: CAA-08-2011-0019

In the Matter of: )  
)  
Slawson Exploration Company, Inc. ) **JOINT MOTION TO AMEND**  
) **ADMINISTRATIVE COMPLAINT**  
Respondent. ) **AND CONSENT AGREEMENT**  
)  
)

Respondent, Slawson Exploration Company, Inc. ("Slawson"), and Complainant, United States Environmental Protection Agency ("EPA") hereby file this joint motion to amend the Administrative Complaint and Consent Agreement:

1. On August 29, 2011, the Court approved an Administrative Complaint and Consent Agreement ("Agreement") in this matter (see August 29, 2011 Order Granting Filing of An Electronic Consent Agreement and Final Order).

2. Pursuant to the terms of Paragraphs D.1.a and F.13 of the Agreement, the purpose of this Motion is to request that the Court approve a revised and amended Appendix A to the Agreement ("Revised Appendix A") and approve a revision to Paragraph E.1 of the Agreement to reflect the revised and amended Appendix A.

3. Respondent seeks to substitute Revised Appendix A for the original Appendix A to reflect the following changes:

a. the deletion of an incorrectly included emission source in Table A-1 (Armada Federal 2-14-13II);

b. aggregation of two emission sources in Table A-1 to constitute a single emission source for 52 (fifty-two) original emission sources, which are now 26 (twenty-six) emission sources;

c. aggregation of three emission sources in Table A-1 to constitute a single emission source for 9 (nine) original emission sources, which are now 3 (three) emission sources;

d. based on the above changes, revision of the total number of existing emission sources in Table A-1 from 93 to 60.

4. To reflect the deletion of the incorrectly included emission source and the aggregation of 61 sources into 29 sources in Table A-1, Respondent seeks to revise Paragraph E.1 of the Agreement to reduce the penalty amount to reflect the net deletion of 33 (thirty-three) emission sources. As proposed, revised Paragraph E.1 would read in its entirety as follows:

"1. Pursuant to an analysis of the facts and circumstances of this case with the statutory factors described in section 113(d)(1)(B) of the CAA, 43 U.S.C. §7413(d)(1)(B), EPA has determined that an appropriate civil penalty to settle this action is the amount of \$3,000 per emission source listed in Appendix A for a total of Two Hundred Seventy Three Thousand Dollars (\$273,000)."

5. Pursuant to the terms of Paragraph F.13 of the Agreement, EPA approves the proposed changes to Paragraph E.1 and Revised Appendix A of the Agreement as set forth in paragraphs 3 and 4 of this Motion.

#### REQUEST

For the above-mentioned reasons, Respondent and Complainant respectfully request that the Court approve the revision of Paragraph E.1 and approve substitution of Revised Appendix A into the Agreement.

Respectfully submitted,


Slawson Exploration Company, Inc.  
Respondent.

October 24, 2011  
Date

Marie Bradshaw Durrant  
Marie Bradshaw Durrant  
HOLLAND & HART LLP  
222 S. Main Street, Suite 2200  
Salt Lake City, UT 84101  
**801-799-5956**  
ATTORNEY FOR SLAWSON EXPLORATION  
COMPANY, INC.

United States Environmental Protection  
Agency, Region 8  
Complainant.

10/25/11  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
for Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance and  
Environmental Justice

## **MODIFICATION TO PARAGRAPH E.1 AND REVISED APPENDIX A**

### **Paragraph E.1:**

1. Pursuant to an analysis of the facts and circumstances of this case with the statutory factors described in section 113(d)(1)(B) of the CAA, 43 U.S.C. §7413(d)(1)(B), EPA has determined that an appropriate civil penalty to settle this action is the amount of \$3,000 per emission source listed in Appendix A for a total of Two Hundred Seventy Three Thousand Dollars (\$273,000).

REVISED APPENDIX A: Table A-1

Facility Name	Latitude	Longitude	Section, Township, Range	Well Site Completion	Casinghead gas controlled or captured	Casinghead gas control device	Tank control device	Tank control device install date
Alamo 2-19-18H	48 52 38.80	103 30 42.94	Sec 19-151N-92W	5/23/2011	captured	N/A	Ground Flare	5/23/2011
Spyder 1-17H & Spyder 2-17H & Spyder 3-17H	47 59 30.11	102 29 02.63	Sec 8-152N-92W	8/30/2011	captured	N/A	Ground Flare	8/30/2011
Payara 2-21H & Prowler 2-16H	47 58 73.24	102 19 29.51	Sec 21-152N-91W	1/21/2011	captured	N/A	Ground Flare	1/21/2011
Tarantula 1-16H	47 58 51.30	102 27 05.07	Sec 28-152N-91W	3/28/2010	captured	N/A	Ground Flare	3/28/2010
Night Crawler 2-17H	47 58 43.74	102 21 30.81	Sec 17-152N91W	5/24/2011	captured	N/A	Ground Flare	5/24/2011
Sauger Federal 2-22H	47 58 37.06	102 18 17.74	Sec 22-152N-91W	3/1/2011	captured	N/A	Ground Flare	3/1/2011
Genesis 2-13H & Loon Federal 1-24-25H	47 58 36.99	102 23 35.78	Sec 24-152N-92W	5/5/2011	captured	N/A	Ground Flare	5/5/2011
Phoenix 1-18H & Vixen Federal 1-19-30H	47 58 36.80	102 22 12.86	Sec 19-152N-91W	2/3/2011	captured	N/A	Ground Flare	2/3/2011
Cannonball Federal 2-27-34H, Cannonball Federal 3-27-34H, & Sauger Federal 3-22H	47 57 51.60	102 18 37.12	Sec 22-152N-91W	8/1/2011	captured	N/A	Ground Flare	8/1/2011
Howitzer 2-25H & Skybolt Federal #2-24H	47 57 50.13	102 31 09.55	Sec 24-152N-93W	6/15/2011	captured	N/A	Ground Flare	6/15/2011
Bandit 2-29H & Mamba 2-20H	47 57 45.87	102 21 35.40	Sec 29-152N-91W	2/18/2011	captured	N/A	Ground Flare	2/18/2011
Lunker Federal 1-33-4H & Voyager 2-28H	47 56 53.61	102 19 38.85	Sec 33-152N-91W	7/17/2010	captured	N/A	Ground Flare	7/17/2010
Jughead Federal 2-26H & Wizard 2-35H	47 56 52.95	102 32 20.44	Sec 35-152N-93W	8/19/2011	captured	N/A	Ground Flare	8/19/2011
Atlantis Federal 1-34-35H	47 56 26.18	102 26 56.75	Sec 34-152N-92W	6/28/2010	captured	N/A	Ground Flare	6/28/2010
Sniper Federal 1-6-7H & Whirlwind 1-31H	47 56 01.27	102 29 57.92	Sec 6-151N-92W	5/28/2010	captured	N/A	Ground Flare	5/28/2010
Stallion 2-1-12H & Zephyr Federal 2-36H	47 56 00.85	102 31 58.95	Sec 1-151N-93W	8/1/2011	captured	N/A	Ground Flare	8/1/2011
Shad Federal 1-2-3H	47 55 53.01	102 16 48.50	Sec 2-151N-91W	9/5/2010	captured	N/A	Ground Flare	9/5/2010
Pike Federal 1-3-2H	47 55 25.12	102 26 57.40	Sec 3-151N-92W	9/24/2010	captured	N/A	Ground Flare	9/24/2010
Hunter Federal 1-8-17H & Hunter Federal 2-8-17H	47 55 13.90	102 28 38.02	Sec 6-151N-92W	7/25/2011	captured	N/A	Ground Flare	7/25/2011
Badger 1-9H	47 55 08.83	102 27 20.58	Sec 9-151N-92W	7/26/2010	captured	N/A	Ground Flare	7/26/2010
Periscope Federal 1-10-11-12H	47 54 30.81	102 26 19.89	Sec 10-151N-92W	8/15/2011	captured	N/A	Ground Flare	8/15/2011
Moray Federal 1-10H & Neptune 1-15H	47 54 17.72	102 26 31.60	Sec 15-151N-92W	8/26/2010	captured	N/A	Ground Flare	8/26/2010
Neptune 2-15H & Armada Federal 1-14-13H	47 54 16.62	102 25 53.38	Sec 15-151N-92W	8/1/2011	captured	N/A	Ground Flare	8/1/2011
Cruiser 2-16-9H & Diamondback 2-21H	47 53 25.50	102 28 00.23	Sec 21-151N-92W	6/29/2011	captured	N/A	Ground Flare	6/29/2011
Crusader 1-16H & Diamondback 1-21H	47 53 25.10	102 27 21.89	Sec 21-151N-92W	8/30/2010	captured	N/A	Ground Flare	8/30/2010
Mustang 2-22H	47 53 24.69	102 26 42.20	Sec 22-151N-92W	8/1/2011	captured	N/A	Ground Flare	8/1/2011
Submariner Federal 1-23-24H	47 53 16.04	102 25 39.58	Sec 23-151N-92W	8/13/2011	captured	N/A	Ground Flare	8/13/2011
Alamo 1-19-18H	47 52 38.81	102 29 56.12	Sec 19-151N-92W	8/18/2010	captured	N/A	Ground Flare	8/18/2010
Mustang 1-22H	47 52 38.80	102 26 02.81	Sec 22-151N-92W	5/22/2011	captured	N/A	Ground Flare	5/22/2011
Mole 1-20H & Silencer 1-29H	47 52 38.31	102 28 38.70	Sec 20-151N-92W	12/12/2010	captured	N/A	Ground Flare	12/12/2010
Muskrat Federal 1-28-33H	47 52 32.72	102 27 57.18	Sec 28-151N-92W	1/8/2011	captured	N/A	Ground Flare	1/8/2011
Muskrat Federal 2-28-33H	47 52 32.53	102 27 18.12	Sec 28-151N-92W	7/15/2011	captured	N/A	Ground Flare	7/15/2011
Osprey Federal 1-26-25-30H	47 51 56.09	102 25 01.12	Sec 26-151N-92W	8/10/2010	captured	N/A	Ground Flare	8/10/2010
Vagabond 1-24H & Water Moccasin 4-34TFH	47 51 47.00	102 26 01.45	Sec 27-151N-92W	4/8/2011	captured	N/A	Ground Flare	4/8/2011
Revolver 1-35H & Goblin 1-26H	47 51 46.33	102 25 23.02	Sec 26-151N-92W	11/4/2010	captured	N/A	Ground Flare	11/4/2010
Jaguar 2-32H	47 51 40.65	102 29 25.96	Sec 32-151N-92W	7/7/2011	captured	N/A	Ground Flare	7/7/2011
Jaguar 1-32H	47 51 40.43	102 28 37.71	Sec 32-151N-92W	12/24/2010	captured	N/A	Ground Flare	12/24/2010
Peacemaker 1-8H	48.0064	102.3516	Sec 8-152N-91W	11/19/2008	captured	N/A	Ground Flare	11/19/2008
Meerkat 1-12H & Meerkat 1-7H	47.9959	102.3880	Sec 12-152N-92W	8/21/2009	captured	N/A	Ground Flare	8/21/2009
Prowler 1-16H	47.9915	102.3381	Sec 16-152N-91W	9/3/2008	captured	N/A	Ground Flare	9/3/2008
Night Crawler 1-17H	47.9817	102.3450	Sec 17-152N91W	5/21/2009	captured	N/A	Ground Flare	5/21/2009
Orca Federal 1-23-26H & Tempest 1-14H	47.9788	102.4148	Sec 28-152N-91W	7/26/2011	captured	N/A	Ground Flare	7/26/2011
Genesis 1-13H	47.9786	102.4020	Sec 13-152N-92W	9/5/2009	captured	N/A	Ground Flare	9/5/2009
Payara 1-21H	47.9768	102.3370	Sec 21-152N-91W	8/28/2008	captured	N/A	Ground Flare	8/28/2008
Mamba 1-20H	47.9642	102.3500	Sec 20-152N-91W	7/3/2009	captured	N/A	Ground Flare	7/3/2009
Howitzer 1-25H & Skybolt 1-24H	47.9642	102.5304	Sec 24-152N-93W	1/17/2010	captured	N/A	Ground Flare	1/17/2010
Ripper 1-22H	47.9642	102.4454	Sec 22-152N-92W	2/9/2010	captured	N/A	Ground Flare	2/9/2010
Cougar Federal 1-30H & Machete 1-19H	47.9628	102.5095	Sec 30-152N-92W	3/7/2010	captured	N/A	Ground Flare	3/7/2010
Cannonball Federal 1-27-34H & Sauger 1-22H	47.9628	102.3160	Sec 27-152N-91W	5/15/2010	captured	N/A	Ground Flare	5/15/2010
Fox 1-28H & Zulu 1-21H	47.9627	102.4665	Sec 28-152N-92W	11/8/2009	captured	N/A	Ground Flare	11/8/2009
Bandit 1-29H	47.9627	102.3489	Sec 29-152N-91W	5/27/2009	captured	N/A	Ground Flare	5/27/2009
Wombat 1-25H	47.9626	102.1448	Sec 25-152N-90W	5/5/2009	captured	N/A	Ground Flare	5/5/2009
Voyager 1-28H	47.9626	102.3371	Sec 28-152N-91W	10/30/2008	captured	N/A	Ground Flare	10/30/2008
Bazooka 1-20H & Minx 1-29H	47.9625	102.4876	Sec 20-152N-92W	11/8/2009	captured	N/A	Ground Flare	11/8/2009
Holst 1-33H	47.9483	102.4665	Sec 33-152N-92W	1/11/2009	captured	N/A	Ground Flare	1/11/2009
Jughead Federal 1-26H & Wizard 1-35H	47.9481	102.5515	Sec 35-152N-93W	4/4/2010	captured	N/A	Ground Flare	4/4/2010
Prospector 1-36H	47.9353	102.1350	Sec 36-152N-90W	7/10/2008	captured	N/A	Ground Flare	7/10/2008
Stallion 1-1-12H & Zephyr 1-36H	47.9339	102.5195	Sec 1-151N-93W	2/2/2010	captured	N/A	Ground Flare	2/2/2010
Coyote 1-32H, Jericho 1-5H, & Jericho 2-5H-TF	47.9337	102.4785	Sec 5-151N-92W	5/25/2010	captured	N/A	Ground Flare	5/25/2010
Wolf 1-4H	47.9206	102.4513	Sec 4-151N-92W	7/2/2009	captured	N/A	Ground Flare	7/2/2009





## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached Joint Motion to Amend Administrative Complaint and Consent Agreement in the matter of Slawson Exploration Company, Inc., Docket No. CAA-08-2011-0019, was filed with the Regional Hearing Clerk on October 27, 2011.

Further, the undersigned certifies that a true and correct copy of the document was hand-delivered to Cynthia Reynolds, Director, EPA Air & Toxics Technical Enforcement Program, 1595 Wynkoop Street, Denver, CO 80202 and mailed by first-class U.S. mail to Marie Bradshaw Durrant, counsel for Slawson Exploration Company, Inc., at Holland & Hart, LLP, 222 S. Main Street, Suite 2200, Salt Lake City, UT 84101.

Date: October 27, 2011

David Rochlin

David Rochlin  
Senior Enforcement Attorney  
U.S. Environmental Protection Agency

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **REVISED ORDER ON JOINT MOTION TO AMEND ADMINISTRATIVE COMPLAINT AND CONSENT AGREEMENT** in the matter of **SLAWSON EXPLORATION COMPANY, INC.**, **DOCKET NO.: CAA-08-2011-0019** was filed with the Regional Hearing Clerk on October 27, 2011.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, David Rochlin, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on October 27, 2011, to:


Marie Bradshaw Durrant  
Holland and Hart, LLP  
222 S. Main Street, Suite 2200  
Salt Lake City, UT  
mbdurrant@hollandhart.com

E-mailed to:

Honorable Elyana R. Sutin  
Regional Judicial Officer  
U. S. Environmental Protection Agency  
1595 Wynkoop Street (8RC)  
Denver, CO 80202

Elizabeth Whitsel  
U. S. Environmental Protection Agency  
Cincinnati Finance Center  
26 W. Martin Luther King Drive (MS-0002)  
Cincinnati, Ohio 45268

October 27, 2011

  
Tina Artemis  
Paralegal/Regional Hearing Clerk