



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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7/22/2022

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Received by
EPA Region VIII
Hearing Clerk

July 22, 2022
Ref: 8ENF-AT

VIA EMAIL

Mr. Clay Gaspar
President & Chief Operating Officer
WPX Energy, Inc.
3500 One Williams Center
Tulsa, Oklahoma 74172-0172
(counsel: Lisa.decker@dvn.com)

Mr. William M. Westler
BU Vice President, Powder River and Williston Basins
Devon Energy Corp.
333 W. Sheridan Ave.
Oklahoma City, Oklahoma 73102

Re: Notice of Violation and Opportunity to Confer to WPX Energy, Inc. CAA-08-2022-0008

Dear Messrs. Gaspar and Westler:

The U.S. Environmental Protection Agency is issuing WPX Energy, Inc. (WPX) the enclosed Notice of Violation (NOV) and offering an opportunity to confer regarding alleged violations of the Clean Air Act (the Act) and its implementing regulations.

Specifically, the EPA alleges WPX has violated or is violating:

1. The Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015, 40 C.F.R. part 60, subpart OOOOa (NSPS OOOOa) for oil and natural gas production facilities;
2. The Federal Implementation Plan for Oil and Natural Gas Production Facilities, Fort Berthold Indian Reservation (Mandan, Hidatsa and Arikara Nation), North Dakota (Fort Berthold FIP), 40 C.F.R. §§ 49.4161-4168;
3. The Federal Minor New Source Review (NSR) Program in Indian Country, 40 C.F.R. §§ 49.151-165; and
4. Part C of Title I of the Act, 42 U.S.C. §§ 7470-92, and its implementing regulations for the Prevention of Significant Deterioration (PSD), at 40 C.F.R. § 52.21; and Section 502(b) of the Act, 42 U.S.C. §§ 7661-7661f, and its implementing regulations for Federal Operating Permits (Title V Permits), at 40 C.F.R. Part 71.

If WPX is interested in a conference with the EPA to discuss the alleged violations, please have your counsel call or email Ms. Lauren Hammond, Senior Assistant Regional Counsel for EPA Region 8 at (303) 312-7081 or Hammond.lauren@epa.gov within 30 days of receipt of this NOV.

Sincerely,

Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

Enclosure

cc (w/Encl.): Chairman Mark Fox, MHA Nation
Lisa Lone Fight, Senior Science Advisor, MHA Nation
Edmund Baker, Director, MHA Environmental Programs
Carson Hood, Director, MHA Energy
Kenny Lyson, Deputy Director, MHA Energy
Sal Beston, Compliance Manager, MHA Energy
JoDell Mizoue, Environmental Manager, WPX Energy
Lisa Decker, Senior Counsel, Devon Energy
Colin Harris, Partner, Faigre Drinker Biddle & Reath LLP, Counsel for WPX Energy, Inc.