UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8
Docket No. CAA-08-2011-0023

In the Matter of:	)	
	)	**JOINT MOTION TO AMEND**
EOG RESOURCES, INC.	)	**ADMINISTRATIVE COMPLAINT**
	)	**AND CONSENT AGREEMENT**
Respondent.	)	
	)	

COMES NOW EOG Resources, Inc. and the United States Environmental Protection Agency, Region 8 ("EPA" or "Complainant"), and file this Joint Motion to Amend the Administrative Complaint and Consent Agreement ("Joint Motion").

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 Final Order).

2. On November 3, 2011, pursuant to the terms of Paragraphs D.1.a and F.13 of the Agreement, the Parties filed a Joint Motion to Amend the Agreement, to include a Revised Appendix A, a corresponding modification of the penalty amount contemplated at Paragraph E.1, and a non-substantive correction to the Complainant's zip code information in Paragraph D.3.

3. On November 3, 2011, the Court approved the Parties' Motion to Amend the Agreement (see November 3, 2011 Order On Joint Motion to Amend Administrative Complaint and Consent Agreement).

4. Respondent and Complainant now file this second Joint Motion in order to seek minor revisions of the components of proposed future Emission Sources as listed in Appendix A, Tables A-2 through A-4. The requested revisions do not alter the total number of Emission Sources listed in Appendix A (i.e., 140 sources), and therefore, the corresponding penalty amount in Paragraph E.1 does

not change. Accordingly, no provisions of the Amended Agreement itself, approved on November 3, 2011, are proposed for revision. A complete version of the approved Amended Agreement, along with a proposed Appendix A incorporating all requested revisions (collectively "Second Amended Agreement"), is attached for the Court's consideration.

5. The Parties respectfully request that the Court approve and accept this Second Amended Agreement, which includes the following revisions pursuant to the terms of Paragraph F.12.

6. The Second Amended Agreement incorporates an amended Appendix A, Tables A-2, A-3, and A-4 ("Revised Appendix A"). Respondent respectfully requests that Appendix A be amended in order to address operational changes for the West Clarks Creek Pad (6 Well Facility), identified on the former Table A-2 as Emission Source No. 112. For reasons described below, the West Clarks Creek Pad source is now listed on revised Appendix A, Table A-4, as Emission Source No. 128.

7. The proposed operational changes that led to this revision include the addition of two production wells to the West Clarks Creek Pad facility, identified as EOG Wells 59 and 60 within Source No. 128 on the revised Table A-4. While this well pad will now consist of eight total wells instead of six, the West Clarks Creek Pad facility would continue to be permitted as a single Emissions Source as contemplated by the Parties under this Amended Agreement and under the applicable provisions of the Clean Air Act.

8. In order to commence construction of the West Clarks Creek Pad facility in a coordinated fashion—when all eight wells can be drilled at the same time—Respondent proposes to postpone construction of the source from the previous expected construction date of 12/2011, until 5/2012. Accordingly, such an adjustment causes the West Clarks Creek Pad to be reorganized within Appendix A, from Table A-2 to Table A-4 (for new sources commencing construction between April 1, 2012 and

June 30, 2012). The appropriate permit application for the West Clarks Creek Pad will be submitted to EPA as contemplated in Paragraph D.1.d. As an administrative matter as a result of this reorganization, the Emission Sources listed in Tables A-2 through A-4 have been renumbered accordingly, with the consecutive tally of sources continuing to reflect the grand total of 140 emission sources.

9. Next, Respondent respectfully requests minor revisions to the source originally named EOG Well 31, previously listed on Table A-3 as Emission Source No. 126. As a result of the revision to West Clarks Creek Pad described above, this EOG Well 31 facility is now listed (with additional revisions described below) as Emission Source No. 125, as shown in Table A-3 of the Revised Appendix A.

10. Again, for operational changes to its drilling program, Respondent proposes to add one well to the EOG Well 31 pad, i.e., new EOG Well 61. Emission Source No. 125 (previously Emission Source No. 126) in the Revised Appendix A is now identified as "Liberty 25-0107H Pad (2 Well Facility)," consisting of EOG Wells 31 and 61, to be located in Section 1, Township 151N, Range 90W. While this well pad will now consist of two wells instead of one, it would continue to be permitted as a single Emissions Source as contemplated by the Parties under this Amended Agreement and under the applicable provisions of the Clean Air Act. The appropriate permit application for the Liberty 25-0107H Pad will be submitted to EPA as contemplated in Paragraph D.1.d.

11. Finally, Respondent respectfully requests a minor reorganization of the wells between Emissions Sources No. 132 (Riverview 4-3031 Pad (3 Well Facility)) and No. 139 (EOG Well 51). Specifically, Respondent proposes to decrease the number of wells in Source No. 132 by one (1), by relocating EOG Well 56 from the Riverview 4-3031 Pad to the pad containing EOG Well 51. Ultimately, this reorganization maintains the same number of emissions sources and wells. However, as

a result, Source No. 139 would now be named "Riverview 3-3130 Pad (2 Well Facility)" and would consist of EOG Wells 51 and 56. In addition to the reorganization, the Section-Township-Range information for EOG Well 51 is corrected in the Revised Appendix A—it now reads "SEC 31-T152N-R94W" for both wells. While this well pad will now consist of two wells instead of one, it would continue to be permitted as a single Emissions Source as contemplated by the Parties under this Amended Agreement and under the applicable provisions of the Clean Air Act. The appropriate permit application for the Riverview 3-3130 Pad will be submitted to EPA as contemplated in Paragraph D.1.d.

PRAYER

For the above-mentioned reasons, good cause exists and Respondent and EPA respectfully request that the Court approve substitution of the attached Second Amended Agreement incorporating the Revised Appendix A, and grant an order filing the Second Amended Agreement as a final order, as described herein and attached to this motion.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8,
Complainant.

Date: January 30, 2012

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

EOG RESOURCES, INC.,
Respondent.

Date: JANVARY 20, 2012

By: Edward C. Lewis
Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Counsel for EOG Resources, Inc.

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 EOG Resources, Inc., Docket No. CAA-08-2011-0023, was filed with the Regional Hearing Clerk on January 30, 2012.

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 Edward C. Lewis, Fulbright & Jaworski LLP, counsel for EOG Resources, Inc., at 1301 McKinney, Suite 5100, Houston, TX 77010.

Date: January 30, 2012 David Rochlin

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

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8
Docket No. CAA-08-2011-0023

In the Matter of:	)	
	)	**ADMINISTRATIVE COMPLAINT**
EOG RESOURCES, INC.,	)	**AND CONSENT AGREEMENT**
	)	
Respondent.		

AUTHORITY

The United States Environmental Protection Agency, Region 8 (EPA or Complainant) is issuing this Administrative Complaint and Consent Agreement (Agreement) to EOG Resources, Inc. (Respondent) pursuant to Sections 113(a)(3) and 113(d)(1) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7413(a)(3) and § 7413(d)(1). The Administrator of the EPA has the authority to enter into this Agreement and that authority has been properly delegated to the undersigned EPA official.

A. STATUTORY AND REGULATORY BACKGROUND

1. On June 19, 1978, EPA promulgated the Prevention of Significant Deterioration (PSD) regulations pursuant to Subtitle I, Part C of the Act. 43 Fed. Reg. 26403. EPA revised the PSD regulations on several occasions including August 7, 1980 (45 Fed. Reg. 52676) and December 31, 2002 (67 Fed. Reg. 80186). These regulations are codified at 40 C.F.R. Part 52.

2. Terms used in this Agreement that are defined in the Act or in regulations promulgated pursuant to the Act shall have the meanings assigned to them therein, unless otherwise provided in this Agreement.

3. The emission sources to which this Agreement relates are in "Indian country" as defined at 18 U.S.C. §1151. The locations of the emission sources are identified in Appendix A.

4. Section 165(a) of the Act, 42 U.S.C. § 7475(a), and the PSD regulations implementing Part C at 40 C.F.R. § 52.21(a)(2)(iii), prohibit a major stationary source from commencing construction or major modification of a major stationary source without a permit which states that the major stationary source or modification would meet the requirements of 40 C.F.R. § 52.21(j) through (r).

5. 40 C.F.R. § 52.21(b)(5) defines a "stationary source" as, any building, structure, facility or installation which emits or may emit a regulated PSD pollutant.

6. 40 C.F.R. § 52.21(b)(1)(i)(b) defines a "major stationary source" as, among other things, any stationary source that emits, or has the potential to emit, 250 tons per year or more of any regulated PSD pollutant.

7. On July 1, 2011, EPA promulgated final rules titled "Review of New Sources and Modifications in Indian Country." (Tribal Minor NSR Rule) 76 Fed. Reg. 38748-808 (July 1, 2011) (to be codified at 40 C.F.R. Parts 49 and 51). The final rules are effective on August 30, 2011. 76 Fed. Reg. at 38748. Once

effective, the rules allow, among other things, for a synthetic minor source permit to be issued to an otherwise major source that has taken a restriction, enforceable as a legal and practical matter, so that the source's potential to emit is less than the amounts for major sources.

8. This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation, Termination or Suspension of Permits (Consolidated Rules) set forth at 40 C.F.R. Part 22. The U.S. Department of Justice has concurred with EPA Region 8's request for authorization to commence an administrative enforcement action in this matter.

9. This Agreement is voluntarily entered into by the EPA and the Respondent for the purpose of simultaneously commencing and concluding this matter, as authorized by 40 C.F.R. § 22.13(b), and executed pursuant to 40 C.F.R. § 22.18(b)(2) and (3) of the Consolidated Rules.

B. INTRODUCTORY PROVISIONS

1. This Agreement addresses a unique situation in that the Respondent is unable to obtain an effective synthetic minor source permit from EPA prior to commencing construction because, pursuant to the new Tribal Minor NSR Rule, the authority to issue such permits begins August 30, 2011.

2. This Agreement is entered into by EPA and Respondent to settle alleged violations and allow Respondents to comply as expeditiously as possible with the requirements of the CAA, specifically PSD, of certain Bakken Formation Oil and Gas Emission Sources (emission sources) owned and/or operated by Respondent, located within the exterior boundaries of the Fort Berthold Indian Reservation in North Dakota as described in Appendix A.

3. Respondent admits the jurisdictional allegations in this Agreement but does not admit the specific factual allegations or legal conclusions made by the Complainant herein.

4. Respondent waives its rights to a hearing before any tribunal and to contest any issue of law or fact set forth in this Agreement.

5. Complainant asserts that settlement of this matter is in the public interest. Complainant and Respondent agree that resolving this matter without further litigation and without adjudication of any issue of fact or law is appropriate.

6. This Agreement, which includes Appendices A and B, upon incorporation into a Final Order, applies to and is binding upon EPA and upon Respondent, and Respondent's officers, directors, employees, agents, successors and assigns.

7. This Agreement contains all terms of the settlement agreed to by the EPA and Respondent.

C. ALLEGED VIOLATIONS

1. Respondent is a Delaware corporation and therefore a "person" as defined in section 302(e) of the CAA, 42 U.S.C. § 7602(e).

2. Respondent owns and/or operates the emission sources described in Appendix A.

3. Complainant alleges that Respondent violated the CAA by constructing each of the major stationary sources identified in Appendix A, Table A-1 without first obtaining a PSD permit pursuant to 40 C.F.R. § 52.21.

D. REQUIREMENTS UNDER THIS AGREEMENT

The EPA and Respondent, by their undersigned representatives, hereby consent and agree as follows:

1. Permitting

   a. Within one year of the effective date of this Agreement, for all Existing Emission Sources listed in Appendix A, Table A-1, Respondent shall submit to EPA a complete synthetic minor source permit application under EPA's Tribal Minor NSR Rule. If Respondent determines that an emission source was incorrectly included in Appendix A, Table A-1, it may notify EPA of that fact by October 14, 2011. In this circumstance, Paragraph F.13 below shall apply.
   b. By October 1, 2011, Respondent shall submit to EPA a complete synthetic minor source permit application for New Emission Sources listed in Appendix A, Table A-2 that will commence construction during the period starting August 31, 2011, and ending December 31, 2011.
   c. By November 1, 2011, Respondent shall submit to EPA a complete synthetic minor source permit application for New Emission Sources listed in Appendix A, Table A-3 that will commence construction during the period starting January 1, 2012, and ending March 31, 2012.
   d. By January 1, 2012, Respondent shall submit to EPA a complete synthetic minor source permit application for New Emission Sources listed in Appendix A, Table A-4 that will commence construction during the period starting April 1, 2012, and ending June 30, 2012.
   e. Any emission sources for which construction will commence after June 30, 2012, are not subject to this Agreement and Respondent must obtain an effective synthetic minor source permit from EPA or comply with the provisions of 40 C.F.R. § 52.21 prior to commencing construction.
   f. Inclusion of an emission source listed in Appendix A, Table A-2, A-3 or A-4 does not preclude Respondent from commencing construction of that emission source after the date specified in the relevant Paragraph D.1.b,c, and d above However, all such emission sources must commence construction prior to June 30, 2012.
   g. If those emission sources listed in Appendix A, Tables A-2, A-3, and/or A-4 do not commence construction by June 30, 2012, then they are therefore not subject to Section D of this Agreement.

2. Control Requirements

   a. For all Existing Emission Sources listed in Appendix A, Table A-1, the Respondent shall comply with the requirements of Appendix B by no later than December 1, 2011.
   b. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, and A-4 the Respondent shall comply with the requirements of Appendix B upon start-up of production. Emission sources that receive an effective synthetic minor source permit before commencing construction are not subject to the requirements of this Agreement.

3. Notification

Respondent shall notify the EPA on the last business day of each month of all of the emission sources subject to this Agreement that commence construction in the previous month. Respondent shall also notify the EPA whether those emission sources are meeting the control requirements as required by Appendix B and whether they have received an effective synthetic minor source permit. This notice shall also include a list of emissions sources that are removing a 98% control device and using a 90% control device as outlined in Appendix B.

Unless otherwise specified herein, whenever Respondent's notification, submissions, or communication are required by this Agreement, they shall be made electronically or mailed to the following:

Cynthia J. Reynolds, Director
U.S. EPA Region 8 (8ENF-AT)
Air & Toxics Technical Enforcement Program
1595 Wynkoop St.
Denver, CO 80202-1129
reynolds.cynthia@epa.gov

E. CIVIL PENALTY

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 $ 420,000.00.

2. Respondent consents to the issuance of a Final Order and consents for the purpose of settlement to the payment of the civil penalty in the manner described below in this paragraph:

   a. Payment is due within 90 calendar days from the date of the Final Order, to be issued by the EPA's Regional Judicial Officer, that adopts this Administrative Complaint and Consent Agreement. If the due date falls on a weekend or legal federal holiday, then the due date

becomes the next business day. The date the payment is made is considered to be the date processed by the Bank described below. Payments received by 11:00 AM are processed on the next business day.

b. The payment shall be made by remitting a cashier's or certified check, including the name and docket number of this case, for the calculated amount, payable to "Treasurer, United States of America," to:

CHECK PAYMENT:
US Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

OVERNIGHT MAIL:
U.S. Bank
1005 Convention Plaza
Mail Station SL-MO-C2GL
St. Louis, MO 63101
Contact: Natalie Pearson
314-418-4087

WIRE TRANSFER:
Wire Transfers should be directed to the Federal Reserve Bank of New York
Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read AD 6801727 Environmental Protection Agency

ACH (also known as REX or remittance express):
Automated Clearinghouse (ACH) for receiving US currency
PNC Bank
808 17th Street, NW
Washington, DC 20074
Contact B Jesse White 301-887-6548
ABA = 051036706, Transaction Code 22- checking
Environmental Protection Agency, Account 310006, CTX Format

ON-LINE PAYMENT:
There is now an On Line Payment Option, available through the Dept. of Treasury. This payment option can be accessed from the information below:
www.pay.gov

Enter sfo 1.1 in the search field. Open form and complete required fields.

A copy of the check, or wire transfer, shall be sent simultaneously to:

Alexis North (8ENF-AT) U.S. EPA Region 8 Technical Enforcement Program 1595 Wynkoop St. Denver, CO 80202-1129	and	Tina Artemis Regional Hearing Clerk (8RC) U.S. EPA Region 8 1595 Wynkoop St. Denver, CO 80202-1129

c. Payment of the penalty in this manner does not relieve Respondent of its obligation to comply with the requirements of the CAA and its regulations.

F. GENERAL PROVISIONS

1. The emissions controls required in Appendix B under this Agreement shall be considered "federally enforceable" and, as applicable, "legally and practicably enforceable" for purposes of calculating the potential to emit for the emission sources covered under this Agreement.

2. Failure by Respondent to timely apply for, and ultimately obtain, the synthetic minor permit for any emission source identified in this Agreement or to comply with the requirements of Section D and Appendix B shall render any release or satisfaction of liability afforded under this Agreement null and void as to that source.

3. Nothing in this Agreement shall be construed as a waiver by the EPA or any other federal entity of its authority to seek costs or any appropriate penalty associated with any collection action instituted as a result of Respondent's failure to perform pursuant to the terms of this Agreement.

4. Once the Respondent has received a synthetic minor source permit from EPA for the emission source identified in Appendix A, and that permit has become effective, the terms of that permit supersede this Agreement.

5. For all Existing Emission Sources listed in Appendix A, Table A-1, Respondent's submission of a complete synthetic minor source permit application will constitute compliance with the relevant CAA provisions during the period of this Agreement.

6. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, and A-4, compliance with the relevant CAA provisions requires that Respondent; a)obtains an effective synthetic minor source permit; b) is subject to an EPA approved Federal Implementation Plan which allows for a permit by rule; or c) complies with a new EPA applicable CAA regulation that removes them from PSD applicability

7. Notwithstanding the terms of this Agreement, the Respondent must meet any other applicable requirements of the Act or its implementing regulations.

8. Respondent agrees that for any emission source operated without the controls required by this Agreement, except for instances of malfunction, Respondent is in violation of this Agreement. Malfunction shall be defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner, caused by circumstances entirely beyond the control of the owner or operator, but shall not include failures that are caused in whole or in part by poor maintenance or careless operation.

9. Respondent agrees that any emission source whose actual emissions have exceeded 250 tons per year is not covered by this Agreement, including any emission source listed by the Respondent in Appendix A.

10. Each undersigned representative of the EPA and Respondents (Parties) to this Agreement certifies that he or she is fully authorized by the Party represented to bind the Party to the terms and conditions of this Agreement and to execute and legally bind that Party to this Agreement.

11. The Parties agree to submit this Agreement to the Regional Judicial Officer, with a request that it be incorporated into a Final Order.

12. The terms, conditions, and compliance requirements of this Agreement may not be modified or amended except upon the written agreement of both parties, and approval of a Regional Judicial Officer.

13. If the Respondent, pursuant to Paragraph D.1.a, above, wishes to amend the list of emission sources in Appendix A, Table A-1, it shall submit those suggested changes to EPA for approval. If EPA agrees with the suggested changes, the Parties will submit an amended Agreement to the Regional Judicial Officer for incorporation into a revised Final Order.

14. The effective date of this Agreement is the date that the Final Order is signed by the Regional Judicial Officer.

15. This Agreement, upon incorporation into a Final Order by the Regional Judicial Officer and full satisfaction by the Parties, shall be a complete, full and final settlement of the violations alleged in this Agreement.

16. Each Party shall bear its own costs and attorneys fees in connection with all issues associated with this Agreement.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8,
Complainant.

Date: January 30, 2012

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

EOG RESOURCES, INC.,
Respondent.

Date: 1-12-12

Kurt D. Doerr
Executive Vice President and General Manager,
Denver Division
EOG Resources, Inc.

EOG Resources, Inc.
Appendix A, Table A-1

EMISSION SOURCE INVENTORY

Table A-1 Existing Emission Sources (commenced construction by August 30, 2011)

No.	Source Name	Latitude	Longitude	Section-Township-Range	Well site completion date	Casinghead gas controlled or captured	Casinghead gas control device	Tank control device	Tank control device install date
1	Bear Den 4-20H	47.7905220	102.7297940	SEC 20-T150N-R94W	03/04/2011	Flare	Utility Flare	Combustor	03/04/2011
2	Bear Den 7-17H	47.8050970	102.7309530	SEC 17-T150N-R94W	01/06/2011	Flare	Utility Flare	Pit Flare	01/06/2011
3	Clarks Creek 3-0805H	47.9075140	102.7291830	SEC 8-T151N-R94W	06/04/2011	Flare	Enginered TCI to Combustor	Combustor	06/04/2011
4	Clarks Creek 12-0719H	47.9058920	102.7515110	SEC 7-T151N-R94W	08/09/2011	Flare	Pit Flare	Combustor	08/09/2011
5	Detienne 1-07H	47.9931780	102.2422590	SEC 7-T152N-R90W	04/04/2008	Sales	NA	Combustor	04/04/2008
6	Evans 1-13H	47.9913940	102.1477610	SEC 13-T152N-R90W	02/07/2008	Sales	NA	Combustor	02/07/2008
7	Evenson 1-18H	47.9908910	102.2555560	SEC 18-T152N-R90W	05/27/2008	Sales	NA	Combustor	05/27/2008
8	Fertile 2-1H	47.9332710	102.1490320	SEC 1-T151N-R90W	08/06/2009	Sales	NA	Combustor	08/07/2009
9	Fertile 4-3H	47.9207250	102.1781190	SEC 3-T151N-R90W	08/04/2009	Sales	NA	Combustor	08/07/2009
10	Fertile 5-4H	47.9331080	102.2133340	SEC 4-T151N-R90W	08/05/2009	Sales	NA	Combustor	08/07/2009
11	Fertile 6-5H	47.9207720	102.2158630	SEC 5-T151N-R90W	07/24/2008	Sales	NA	Combustor	07/24/2008
12	Fertile 7-06H	47.9333330	102.2516290	SEC 6-T151N-R90W	08/25/2009	Sales	NA	Combustor	08/07/2009
13	Fertile 9-08H	47.9063120	102.2200970	SEC 8-T151N-R90W	08/23/2009	Sales	NA	Combustor	08/07/2009
14	Fertile 10-9H	47.9190780	102.2133140	SEC 9-T151N-R90W	08/12/2009	Sales	NA	Combustor	08/07/2009
15	Fertile 11-10H	47.9190030	102.1919000	SEC 10-T151N-R90W	06/07/2010	Sales	NA	Combustor	06/07/2010
16	Fertile 13-18H	47.8920850	102.2375490	SEC 18-T151N-R90W	09/12/2009	Sales	NA	Combustor	09/12/2009
17	Fertile 14-17H	47.8919750	102.2201300	SEC 17-T151N-R90W	05/02/2010	Sales	NA	Combustor	05/03/2010
18	Fertile 16-20H	47.8773960	102.2156630	SEC 20-T151N-R90W	07/04/2010	Sales	NA	Combustor	07/05/2010
19	Fertile 17-21H	47.5324490	102.1234670	SEC 21-T151N-R90W	07/07/2010	Sales	NA	Combustor	07/08/2010
20	Fertile 18-30H	47.8633360	102.2411950	SEC 30-T151N-R90W	06/12/2010	Sales	NA	Combustor	06/13/2010
21	Fertile 19-29H	47.8633980	102.2159630	SEC 29-T151N-R90W	06/26/2011	Sales	NA	Combustor	06/26/2011
22	Fertile 23-19H	47.8896040	102.2556530	SEC 19-T151N-R90W	09/22/2009	Sales	NA	Combustor	09/22/2009
23	Fertile 29-27H	47.8631810	102.1730400	SEC 27-T151N-R90W	10/19/2010	Flare	Pit Flare	Combustor	10/19/2010
24	Fertile 30-28H	47.8630400	102.1991590	SEC 28-T151N-R90W	05/07/2010	Sales	NA	Combustor	05/08/2010
25	Fertile 32-33H	47.8612750	102.2131080	SEC 33-T151N-R90W	06/16/2010	Sales	NA	Combustor	06/17/2010
26	Fertile 34-31H	47.8610380	102.2507410	SEC 31-T151N-R90W	06/09/2010	Sales	NA	Combustor	06/10/2010
27	Fertile 35-32H	47.8484290	102.2174080	SEC 32-T151N-R90W	09/18/2009	Sales	NA	Combustor	09/01/2009
28	Fertile 37-07H	47.9061700	102.2373730	SEC 7-T151N-R90W	05/18/2010	Sales	NA	VRU	05/20/2010
29	Fertile 38-20H	47.8901008	102.2351000	SEC 28-T151N-R90W	07/04/2010	Sales	NA	Combustor	07/05/2010
30	Fertile 45-29H	47.8758140	102.2312940	SEC 29-T151N-R90W	06/14/2011	Sales	NA	Combustor	06/14/2011
31	Fertile 101-04H	47.9207830	102.2058690	SEC 4-T151N-R90W	04/22/2010	Sales	NA	Combustor	04/23/2010
32	GDR 1-7H	47.9932958	102.1136499	SEC 7-T152N-R89W	03/26/2008	Sales	NA	Combustor	03/26/2008
33	Geving 1-9H	47.9930110	102.1998700	SEC 9-T152N-R90W	08/12/2007	Sales	NA	Combustor	08/12/2007
34	HG 1-14H	47.9903110	102.1693500	SEC 14-T152N-R90W	01/28/2008	Sales	NA	Combustor	01/28/2008
35	Hovda 1-8H	47.9936720	102.2208280	SEC 8-T152N-R90W	09/10/2008	Sales	NA	Combustor	03/18/2010
36	Liberty 2-11H	47.9065450	102.2798500	SEC 11-T151N-R91W	12/23/2009	Sales	NA	Combustor	01/04/2010
37	Liberty 3-14H	47.8924920	102.2797410	SEC 14-T151N-R91W	12/22/2010	Sales	NA	VRU	12/22/2010
38	Liberty 4-13H & Liberty 103-13H	47.9047650	102.2778080	SEC 13-T151N-R91W	08/24/2010	Sales	NA	VRU	08/24/2010
39	Liberty 05-24H	47.8898430	102.2741380	SEC 24-T151N-R91W	09/08/2010	Sales	NA	VRU	09/08/2010
40	Liberty 6-25H	47.8758420	102.2766370	SEC 25-T151N-R91W	05/21/2010	Sales	NA	VRU	05/22/2010
41	Liberty 8-01H	47.9337090	102.2770430	SEC 1-T151N-R91W	07/21/2010	Sales	NA	VRU	07/21/2010
42	Liberty 09-23H	47.8896210	102.2793890	SEC 23-T151N-R91W	09/14/2010	Sales	NA	VRU	09/14/2010
43	Liberty 10-36H & Liberty LR 16-36H	47.8589560	102.2737510	SEC 36-T151N-R91W	2/11/2011-2/22/2011	Sales	NA	Combustor/VRU	02/11/2011
44	Liberty 23-12H & Liberty 101-12H	47.9067980	102.2594880	SEC 12-T151N-R91W	08/31/2010	Sales	NA	Combustor	08/31/2010
45	Liberty 100-26H	47.8631410	102.2819240	SEC 26-T151N-R91W	08/17/2010	Sales	NA	Combustor	08/17/2010
46	Liberty 102-01H	47.9337110	102.2752890	SEC 1-T151N-R91W	11/12/2010	Sales	NA	Combustor	11/12/2010
47	Liberty LR 14-23H	47.8883910	102.2904980	SEC 23-T151N-R91W	04/07/2011	Sales	NA	Combustor	04/07/2011
48	Liberty LR 17-11H	47.9081470	102.2812930	SEC 11-T151N-R91W	06/16/2011	Sales	NA	Pit Flare	06/16/2011
49	Liberty LR 19-23H	47.8798870	102.2879570	SEC 23-T151N-R91W	03/02/2011	Sales	NA	Combustor	03/02/2011
50	Liberty LR 21-36H	47.8497940	102.2730200	SEC 36-T151N-R91W	07/18/2011	Sales	NA	Combustor	07/18/2011

EOG Resources, Inc.
Appendix A, Table A-1

No.	Source Name	Latitude	Longitude	Section-Township-Range	Well site completion date	Casinghead gas controlled or captured	Casinghead gas control device	Tank control device	Tank control device install date
51	Mandaree 1-10H	47.7448580	102.7045000	SEC 10-T149N-R94W	09/01/2010	Flare	Utility Flare	Combustor	09/01/2010
52	Mandaree 2-09H	47.7454030	102.7248610	SEC 9-T149N-R94W	08/08/2010	Flare	Utility Flare	Combustor	08/08/2010
53	Mandaree 4-15H	47.7186970	102.6865690	SEC 15-T149N-R94W	08/13/2010	Flare	Utility Flare	Combustor	08/13/2010
54	Mandaree 5-16H	47.7298690	102.7248610	SEC 16-T149N-R94W	10/16/2010	Flare	Utility Flare	Combustor	10/16/2010
55	Mandaree 6-20H	47.7169390	102.7471860	SEC 20-T149N-R94W	09/23/2010	Flare	Utility Flare	Combustor	09/23/2010
56	Mandaree 7-17H	47.7310830	102.7483890	SEC 17-T149N-R94W	09/27/2010	Flare	Utility Flare	Combustor	09/27/2010
57	Mandaree 9-04H	47.7594500	102.7157420	SEC 4-T149N-R94W	03/17/2011	Flare	Utility Flare	Combustor	03/17/2011
58	Mandaree 10-05H	47.7603140	102.7459970	SEC 5-T149N-R94W	10/02/2010	Flare	Utility Flare	Combustor	10/02/2010
59	Mandaree 12-07H	47.7333610	102.7507280	SEC 7-T149N-R94W	11/19/2010	Flare	Utility Flare	Combustor	11/19/2010
60	Model 10-7H	47.9933000	102.1206860	SEC 7-T152N-R89W	07/09/2009	Sales	NA	Combustor	07/30/2009
61	Model 100-19H	47.9640810	102.1136840	SEC 19-T152N-R89W	10/04/2009	Sales	NA	Combustor	11/01/2009
62	Parshall 3-19H	47.9642610	102.2425020	SEC 19-T152N-R90W	08/14/2009	Sales	NA	Combustor	08/07/2009
63	Parshall 4-20H	47.9643060	102.2188820	SEC 20-T152N-R90W	08/01/2008	Sales	NA	Combustor	03/18/2010
64	Parshall 5-21H	47.9641160	102.1989490	SEC 21-T152N-R90W	07/15/2008	Sales	NA	Combustor	03/18/2010
65	Parshall 6-22H	47.9642130	102.1748820	SEC 22-T152N-R90W	10/25/2008	Sales	NA	Combustor	10/25/2008
66	Parshall 7-23H	47.9766310	102.1701970	SEC 23-T152N-R90W	05/06/2008	Sales	NA	Combustor	05/06/2008
67	Parshall 8-24H	47.9767970	102.1479010	SEC 24-T152N-R90W	11/01/2008	Sales	NA	Combustor	11/01/2008
68	Parshall 9-30H	47.9621450	102.2508300	SEC 30-T152N-R90W	11/15/2008	Sales	NA	Combustor	11/15/2008
69	Parshall 10-29H	47.9620310	102.2309110	SEC 29-T152N-R90W	08/10/2009	Sales	NA	Combustor	08/07/2009
70	Parshall 11-28H	47.9619880	102.2133130	SEC 28-T152N-R90W	12/12/2008	Sales	NA	Combustor	03/18/2010
71	Parshall 12-27	47.9626790	12.1907510	SEC 27-T152N-R90W	07/12/2009	Sales	NA	Combustor	03/18/2010
72	Parshall 13-26H	47.9627330	102.1694130	SEC 26-T152N-R90W	10/18/2008	Sales	NA	Combustor	10/18/2008
73	Parshall 15-31H	47.9480390	102.2560780	SEC 31-T152N-R90W	08/08/2009	Sales	NA	Combustor	08/07/2009
74	Parshall 16-32H	47.9352440	102.2166390	SEC 32-T152N-R90W	08/28/2009	Sales	NA	Combustor	08/07/2009
75	Parshall 17-33H	47.9350650	102.1988120	SEC 33-T152N-R90W	08/20/2009	Sales	NA	Combustor	08/07/2009
76	Parshall 18-34H	47.9472690	102.1912140	SEC 34-T152N-R90W	08/21/2009	Sales	NA	Combustor	08/07/2009
77	Parshall 19-35H	47.9353870	102.1555190	SEC 35-T152N-R90W	08/06/2009	Sales	NA	Combustor	08/07/2009
78	Parshall 100-22H	47.9544420	102.1842190	SEC 22-T152N-R90W	05/05/2010	Sales	NA	Combustor	04/29/2010
79	Riverview 1-32H	47.9478690	102.7467080	SEC 32-T152N-R94W	11/15/2010	Flare	Utility Flare	Combustor	11/15/2010
80	Roberta 1-16H	47.8919850	102.1979590	SEC 16-T151N-R90W	08/29/2009	Sales	NA	Combustor	08/07/2009
81	Roger 1-15H	47.9909610	102.1912860	SEC 15-T152N-R90W	03/21/2008	Sales	NA	Combustor	03/21/2008
82	Ruud 1-18H	47.9911120	102.1269200	SEC 18-T152N-R89W	10/24/2010	Sales	NA	Combustor	10/24/2010
83	Sampson 1-12H	47.9934440	102.1331430	SEC 12-T152N-R90W	08/31/2007	Sales	NA	Combustor	08/31/2007
84	School 1-16H	47.9912190	102.2126640	SEC 16-T152N-R90W	03/02/2008	Sales	NA	Combustor	03/02/2008
85	Shirley 1-17H	47.9914440	102.2322080	SEC 17-T152N-R90W	09/25/2008	Sales	NA	Combustor	09/25/2008
86	Van Hook 1-13H	47.9909210	102.2771070	SEC 13-T152N-R91W	06/10/2008	Sales	NA	Combustor	08/07/2009
87	Van Hook 2-24H	47.9640000	102.2578640	SEC 24-T152N-R91W	07/08/2009	Sales	NA	VRU	08/07/2009
88	Van Hook 3-25H	47.9498080	102.2588810	SEC 25-T152N-R91W	07/10/2009	Sales	NA	VRU	08/07/2009
89	Van Hook 4-36H	47.9474860	102.2773540	SEC 36-T152N-R91W	08/27/2009	Sales	NA	Combustor	08/07/2009
90	Van Hook 5-11H	47.9930500	102.2834390	SEC 11-T152N-R91W	07/05/2009	Sales	NA	VRU	08/07/2009
91	Van Hook 6-14H	47.9788440	102.2836720	SEC 14-T152N-R91W	12/18/2008	Sales	NA	VRU	08/07/2009
92	Van Hook 7-23H	47.9768610	102.2983560	SEC 23-T152N-R91W	05/30/2010	Sales	NA	VRU	05/31/2010
93	Van Hook 8-36H	47.9475280	102.2758440	SEC 26-T152N-R91W	08/02/2010	Sales	NA	VRU	08/02/2010
94	Van Hook 13-35H	47.9352140	102.2809170	SEC 35-T152N-R91W	06/19/2010	Sales	NA	VRU	06/20/2010
95	Van Hook 15-15H	47.9914770	102.3153660	SEC 15-T152N-R91W	09/11/2010	Sales	NA	VRU	09/11/2010
96	Van Hook 16-35H	47.9350770	102.2883630	SEC 35-T152N-R91W	08/19/2011	Sales	NA	Combustor	08/19/2011
97	Van Hook 17-23H	47.9758860	102.2983310	SEC 23-T152N-R91W	07/04/2011	Flare	Pit Flare	Combustor	07/04/2011
98	Van Hook 100-15H	47.9787560	102.3065920	SEC 15-T152N-R91W	11/11/2009	Sales	NA	VRU	03/18/2010
99	Bear Den 5-31H	47.7905220	102.7297940	SEC 20-T150N-R94W	10/06/2011	Sales	NA	Combustor	10/01/2011
100	Fertile 43-2821H	47.8664580	102.1950890	SEC 28-T151N-R90W	09/02/2011	Sales	NA	Combustor	09/02/2011
101	Horse Camp 2-11H & Horse Camp 101-11H	47.7449780	102.5545360	SEC 11-T149N-R93W	09/30/2011	Flare	Engineered Flare	Combustor	10/01/2011
102	Horse Camp 3-16H & Horse Camp 102-16H	47.7307940	102.5865060	SEC 16-T149N-R93W	10/21/2011	Flare	Engineered Flare	Combustor	09/27/2011
103	Fertile 40-1718H	47.8919390	102.2261390	SEC 17-T151N-R90W	08/26/2011	Sales	Engineered Flare	Combustor	08/26/2011

EOG Resources, Inc.
Appendix A, Table A-2

EMISSION SOURCE INVENTORY (Con't.)

Table A-2 New Emission Sources (commencing construction between August 31, 2011 and December 31, 2011)

No.	Source Identification	Additional Information (If Multiwell Production Facility)	Section-Township-Range	Expected Commence Construction Date
104	Fertile 41-3328H		SEC 33-T151N-R90W	09/2011
105	Liberty LR 13-14		SEC 14-T151N-R91W	09/2011
106	Liberty LR 18-14H		SEC 14-T151N-R91W	09/2011
107	Mandaree 10-05 Pad (2 Well Facility)	Mandaree 10-05H [See A-1]	SEC 5-T149N-R94W	10/02/2010
		EOG Well 1	SEC 5-T149N-R94W	09/2011
108	Clarks Creek Sec 7 Central #1 (6 Well Facility)	Clark's Creek 12-0719H	SEC 7-T151N-R94W	09/2011
		EOG Well 2	SEC 7-T151N-R94W	09/2011
		EOG Well 3	SEC 7-T151N-R94W	09/2011
		EOG Well 5	SEC 18-T151N-R94W	09/2011
		EOG Well 6	SEC 18-T151N-R94W	09/2011
		EOG Well 7	SEC 18-T151N-R94W	09/2011
109	Clarks Creek Sec 7 Central #2 (2 Well Facility)	EOG Well 4	SEC 8-T151N-R94W	09/2011
		EOG Well 57	SEC 8-T151N-R94W	09/2011
110	Clarks Creek Sec 7 Central #3 (2 Well Facility)	Clarks Creek 103-17H	SEC 17-T151N-R94W	09/2011
		EOG Well 58	SEC 17-T151N-R94W	09/2011
111	Clarks Creek 3-0805 Pad (2 Well Facility)	Clarks Creek 3-0805H [See A-1]	SEC 8-T151N-R94W	06/04/2011
		EOG Well 8	SEC 18-T151N-R94W	09/2011
112	Mandaree 9-04 Pad (2 Well Facility)	Mandaree 9-04H [See A-1]	SEC 4-T149N-R94W	03/17/2011
		EOG Well 11	SEC 4-T149N-R94W	12/2011
113	Mandaree 6-20 Pad (2 Well Facility)	Mandaree 6-20H [See A-1]	SEC 20-T149N-R94W	09/23/2010
		EOG Well 12	SEC 20-T149N-R94W	12/2011
114	EOG Well 13		SEC 9-T151N-R90W	09/2011
115	EOG Well 14		SEC 25-T151N-R91W	09/2011
116	EOG Well 15		SEC 26-T151N-R91W	09/2011
117	EOG Well 16		SEC 26-T151N-R91W	10/2011
118	EOG Well 17		SEC 11-T151N-R91W	11/2011

EOG Resources, Inc.
Appendix A, Table A-3

EMISSION SOURCE INVENTORY (Con't.)

Table A-3 New Emission Sources (commencing construction between January 1, 2012 and March 31, 2012)

No.	Source Identification	Additional Information (If Multiwell Production Facility)	Section-Township-Range	Expected Commence Construction Date
119	Bear Den Sec 21 Eastern Central (4 Well Facility)	EOG Well 22	SEC 21-T150N-R94W	03/2012
		EOG Well 23	SEC 21-T150N-R94W	03/2012
		EOG Well 36	SEC 21-T150N-R94W	03/2012
		EOG Well 37	SEC 21-T150N-R94W	03/2012
120	Bear Den Sec 21 Western Central (4 Well Facility)	EOG Well 24	SEC 16-T150N-R94W	03/2012
		EOG Well 25	SEC 16-T150N-R94W	03/2012
		EOG Well 34	SEC 16-T150N-R94W	03/2012
		EOG Well 35	SEC 16-T150N-R94W	03/2012
121	Hawkeye 100-2501 Pad (2 Well Facility)	EOG Well 26	SEC 25-T152N-R95W	03/2012
		EOG Well 27	SEC 25-T152N-R95W	03/2012
122	EOG Well 28		SEC 7-T151N-R90W	03/2012
123	EOG Well 29		SEC 30-T151N-R90W	03/2012
124	EOG Well 30		SEC 32-T151N-R90W	03/2012
125	Liberty 25-0107H Pad (2 Well Facility)	EOG Well 31	SEC 1-T151N-R91W	03/2012
		EOG Well 61	SEC 1-T151N-R91W	03/2012
126	EOG Well 32		SEC 16-T152N-R90W	03/2012
127	EOG Well 33		SEC 9-T152N-R90W	03/2012

EOG Resources, Inc.
Appendix A, Table A-4

EMISSION SOURCE INVENTORY (Con't.)

Table A-4 New Emission Sources (commencing construction between April 1, 2012 and June 30, 2012)

No.	Source Identification	Additional Information (If Multiwell Production Facility)	Section-Township-Range	Expected Commence Construction Date
128	West Clarks Creek Pad (8 Well Facility) [Formerly No. 112, from Table A-2]	EOG Well 9	SEC 24-T151N-R95W	05/2012
		EOG Well 10	SEC 24-T151N-R95W	05/2012
		EOG Well 18	SEC 24-T151N-R95W	05/2012
		EOG Well 19	SEC 24-T151N-R95W	05/2012
		EOG Well 20	SEC 24-T151N-R95W	05/2012
		EOG Well 21	SEC 24-T151N-R95W	05/2012
		EOG Well 59	SEC 24-T151N-R95W	05/2012
		EOG Well 60	SEC 24-T151N-R95W	05/2012
129	Bear Den 7-17 (4 Well Facility)	Bear Den 7-17 [See A-1]	SEC 17-T150N-R94W	01/06/2011
		EOG Well 38	SEC 17-T150N-R94W	05/2012
		EOG Well 39	SEC 17-T150N-R94W	05/2012
		EOG Well 40	SEC 17-T150N-R94W	05/2012
130	Hawkeye 102-2501 Pad (2 Well Facility)	EOG Well 41	SEC 25-T152N-R95W	05/2012
		EOG Well 42	SEC 25-T152N-R95W	05/2012
131	Bear Den 4-20 Central (4 Well Facility)	Bear Den 4-20 Central [See A-1]	SEC 20-T150N-R94W	03/04/2011
		EOG Well 53	SEC 20-T150N-R94W	06/2012
		EOG Well 54	SEC 20-T150N-R94W	06/2012
		EOG Well 55	SEC 20-T150N-R94W	06/2012
132	Riverview 4-3031 Pad (2 Well Facility)	EOG Well 43	SEC 30-T152N-R94W	06/2012
		EOG Well 44	SEC 30-T152N-R94W	06/2012
133	EOG Well 45		SEC 16-T151N-R90W	04/2012
134	EOG Well 46		SEC 30-T151N-R90W	04/2012
135	EOG Well 47		SEC 11-T152N-R90W	05/2012
136	EOG Well 48		SEC 17-T152N-R90W	06/2012
137	EOG Well 49		SEC 29-T152N-R90W	06/2012
138	EOG Well 50		SEC 30-T152N-R90W	06/2012
139	Riverview 3-3130 Pad (2 Well Facility)	EOG Well 51	SEC 31-T152N-R94W	04/2012
		EOG Well 56	SEC 31-T152N-R94W	06/2012
140	EOG Well 52		SEC 14-T152N-R91W	05/2012

APPENDIX B

EMISSION CONTROL REQUIREMENTS

A. Applicability

These requirements apply to existing and new emission sources associated with oil production from the Bakken Formation on the Fort Berthold Indian Reservation in North Dakota and target the control of casinghead gas emissions (also known as treater gas) and emissions from oil and produced water storage tanks (tanks).

B . Control Requirements

All casinghead gas and tank emissions must be controlled or captured upon start of production. If gas gathering infrastructure is in place, casinghead gas shall be routed to a gas gathering pipeline as soon as practicable. When a pipeline is not available, casinghead gas is required to be routed to a control system or device in the Control System List below. The Control System List also applies to emissions from oil and produced water storage tanks. Capture or control devices shall be operated at all times when emissions may be vented to them.

The owner/operator shall maintain and operate all air pollution control equipment, and all equipment employed to contain and collect vapors and transport them to the emission control system or device, in accordance with the manufacturer's recommendations and in a manner consistent with good air pollution control practice for minimizing emissions.

Control System List

1. A ground pit flare (including, but not limited to pit flares, shop built flares or other similar oilfield type flares) or other 90% or greater DRE device. If a ground pit flare is utilized, a 90% DRE to be assumed. This is considered the minimum level of control for tank and treater gas emissions at all times.

2. A vapor recovery unit or oil stabilizer that is designed and operated to reduce the mass content of VOC and total hazardous air pollutant (HAP) emissions in the vapors vented to the device by at least 95% by weight.

3. An enclosed combustion device appropriately sized for the site's operating parameters and for which the manufacturer represents will achieve a destruction efficiency of at least 95% of the VOCs with respect to the volumetric flow and BTU content of the site's waste gas stream. An enclosed combustion device is operated including, but not limited to the following:

    - This device should be operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours; Method 22 of 40 CFR Appendix A shall be used to determine the compliance with this visible emission provision.

- Owner/operator shall install an appropriate, reliable temperature sensor/transmitter that indicates continuous ignition of the pilot flame on the control device. The sensor/transmitter will be connected to the site's Supervisory Control and Data Acquisition (SCADA) System. The SCADA system will record temperature readings at a specified frequency and will be programmed to trigger an alarm if temperatures outside of a pre-programmed range are detected. For the purpose of this paragraph, "continuous" monitoring equipment shall measure and record values at least once every hour.

4. A utility flare (using an open flame without enclosure) that is designed and operated to reduce the mass content of VOC and total HAP emissions in the vapors vented to the device by at least 98% by weight. A utility flare is any flare that is designed and operated in accordance with the requirements of 40 C.F.R § 60.18. Requirements of 40 C.F.R § 60.18 include, but are not limited to the following:

    - Flare shall be designed and operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours; Method 22 of 40 CFR Appendix A shall be used to determine the compliance with this visible emission provision;
    - Flare shall be operated with a flame present at all times;
    - An owner/operator has the choice of adhering to either the heat content specifications in paragraph 40 C.F.R. § 60.18(c)(3)(ii) and the maximum tip velocity specifications in paragraph (c)(4) or adhering to the requirements in 40 C.F.R. § 60.18(c)(3)(i);
    - Flares used to comply with this section shall be steam-assisted, air-assisted or nonassisted;
    - Owners/operators of flares shall monitor the control devices to ensure that they are operated and maintained in conformance with their designs;
    - The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame. Continuous checks by an operator to verify the existence of a visible flame or to verify proper operation of the igniter may be used in lieu of a physical device. For the purpose of this paragraph, "continuous" monitoring equipment shall measure and record values at least once every hour.
    - For safety and air pollution control purposes: each flare must be equipped and operated with an automatic ignitor or a continuous burning pilot, which must be maintained in good working order. This is required even if the flare is used for emergency purposes only.

5. Control devices other than those listed above may be utilized upon approval from the EPA.

C. Recordkeeping Requirements

1. Owner/operator shall maintain control device temperature logs for three years.