



Whiting Petroleum Corporation
and its wholly owned subsidiary
Whiting Oil and Gas Corporation

1700 Broadway, Suite 2300, Denver, CO 80290-2300
Phone: 303.837.1661 | FAX: 303.861.4023

January 14, 2016

VIA FEDEX

Attn: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604



Re: **Whiting Oil and Gas Corporation**
Civil Penalty Payment
Docket No. CAA-05-2015-0030

To whom it may concern:

Pursuant to Paragraph 64 of the Consent Agreement and Final Order ("CAFO") in the above-captioned case, please find the enclosed, timely Supplemental Environmental Policy ("SEP") Completion Report. Pursuant to Paragraph 67, Whiting respectfully requests EPA notify Whiting in writing that:

- Whiting has satisfactorily completed the SEP; or
- There are deficiencies in the SEP as completed or in the SEP Completion Report; or
- Whiting has not satisfactorily completed the SEP or the SEP report.

Should you have any questions or concerns, please feel contact me via phone at (303) 842-7814 or via email at clay.taylor@whiting.com.

Regards,
Whiting Oil and Gas Corporation

R. Clay Taylor
Environmental Attorney

Enclosures

Cc: Compliance Tracker, Air and Radiation Division, U.S. EPA, Region V
Mark Palermo, Office of Regional Counsel, U.S. EPA, Region V
Regional Hearing Clerk, U.S. EPA, Region V
Michael A. Peters, Ryan Whaley Coldiron Jantzen Peters & Webber

Supplemental Environmental Project Compliance Report

In Matter of: Whiting Oil and Gas Corporation (“Whiting”)
Docket No.: CAA-05-2015-0030



In the above referenced matter, Whiting and EPA Region V (“EPA”) entered into a Consent Agreement and Final Order (“CAFO”), effective May 12, 2015, to settle alleged Clean Air Act violations. The CAFO requires Whiting complete a supplemental environmental project (“SEP”), and CAFO Paragraphs 60 and 61 provide that Whiting must replace “two mid-1990s model year diesel-powered school buses owned and operated by the West Branch Rose City Area Schools Transportation Department in West Branch, Michigan with two new diesel-powered school buses that meet 2014 or new emission standards” by November 8, 2015 (*i.e.*, within 180 days of the CAFO’s effective date). Whiting timely completed this SEP on October 26, 2015, as described more fully below.

CAFO Paragraph 64 requires Whiting submit a SEP completion report to EPA by February 6, 2016 (*i.e.*, within 180 days of the CAFO’s effective date) with the following information.

- a. Detailed description of the SEP as completed
- b. Description of any problems executing the SEP and the actions taken to correct the problems
- c. A certification from the SEP Recipient that the funds were spent in conformity with the SEP, with an itemized cost of goods and services used to complete the SEP documented by copies of invoices, purchase orders, or cancelled checks that specifically identify and itemize the individual cost of the goods and services
- d. Certification that Whiting has completed the SEP in compliance with the CAFO
- e. Description of the environmental and public health benefits resulting from the SEP with a quantification of benefits and pollution reductions, if feasible

Whiting considers this SEP completion report timely and complete.

Whiting provided for the replacement of two mid 1990’s model year diesel-powered school buses owned and operated. Whiting spent \$204,208, to meet the amount required by the SEP. *See* Exhibits 1, 2 and 3. Each retired diesel engine was permanently disabled using 40% Sodium Silicate solution on October 26, 2015. One hour following administering of the solution, neither bus would start or idle and cannot be reused or resold. *See* Ex. 4.

Completion of the SEP will result in further protection of public health through improvement in ambient air and reduction in environmental asthma triggers and adverse respiratory health conditions.

Finally, attached as exhibits are the following: a certification from a West Branch representative (Ex. 5) and a certification from Whiting Oil and Gas (Ex. 6).

a. Detailed Description of the SEP

As part of the CAFO, Whiting provided for the replacement of two mid 1990's model year diesel-powered school buses owned and operated by the West Branch Rose City Area Schools Transportation Department in West Branch, Michigan with two new diesel-powered school buses that meet 2014 or new emission standards. Whiting spent \$204,208, to meet the amount required by the SEP. *See* Exhibits 1, 2 and 3. Each retired diesel engine was permanently disabled using 40% Sodium Silicate solution on October 26, 2015. One hour following administering of the solution, neither bus would start or idle and cannot be reused or resold. *See* Ex. 4.

b. Description of Problems Executing the SEP

Whiting encountered no problems in executing the SEP.

c. Certification from SEP Recipient

See Exhibit 5.

d. Whiting's Certification of Completion

See Exhibit 6.

e. Description of Environmental and Public Health Benefits

The SEP, as described above, resulted in estimated emissions reductions as follows:

- 2,726 pounds per year NOx
- 307 pounds per year VOC, a Formaldehyde reduction of
- 23 pounds per year formaldehyde
- 499 pounds per year PM2.5

Being closest to the source, these significant emissions reductions most impact children, a population more sensitive to the health benefits borne of emissions reductions. Similarly, completion of the SEP has resulted in further protection of general public health through improvement in ambient air and reduction in environmental asthma triggers and adverse respiratory health conditions.

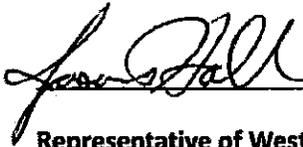
Supplemental Environmental Project Completion Report
01/14/2016

Exhibit 1
Receipt Agreement

Receipt Agreement

Pursuant to the Agreement to Replace School Buses ("Agreement") by and between Whiting Oil and Gas Corporation ("Whiting") and the West Branch-Rose City Area Schools ("WBRC Schools"), executed June 4, 2015, and attached herein as Attachment 1, Whiting tenders to WBRC Schools the amount of \$204,280 for the purchase of two new diesel-powered school buses meeting 2014 year or newer emissions standards and the destruction of the two of WBRC Schools existing diesel-powered school bus engines identified in Appendix 2 to the Agreement.

I hereby acknowledge Whiting tendered the amount of \$204,280 for the purposes identified above and further agree to provide affirmation of destruction of said school buses by executing the Appendix 1 to Agreement to Replace School buses and promptly return the same to Whiting upon such destruction.



Representative of West Branch-Rose City Area Schools

10-26-15

Date

Supplemental Environmental Project Completion Report
01/14/2016

Exhibit 2
Holland Bus Company Proposal #1

HOLLAND Bus Company

February 25, 2015

West Branch/Rose City Area Schools
Attn: Richard G. Hart
224 Thomas
West Branch, MI 48661

Butch,

Per your request, please find our proposal for a Blue Bird, 2016 83-passenger All-American Forward Engine

Quantity:	Two (2) each
Specifications:	Attached
Terms:	Net at delivery
Delivery:	90-110 days from receipt of Purchase Order

Dealer installed Equipment:	Fire Ext, Triangles, Flares, & First Aid Kit
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Dealer Supplied Equipment: (not installed)	Angeltrax Digital Video system with 3 cameras and VSM – GPS See II Sno Foil
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Price Per T3FE Unit:	\$102,143.00	F.O.B. West Branch, MI
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If you have any questions about the enclosed material, please feel free to contact me at (616) 566-5556 or ken@hollandbuscompany.com.

Regards,

Ken Haverkate
Ken Haverkate
School Bus Sales

Supplemental Environmental Project Completion Report
01/14/2016

Exhibit 3
Holland Bus Company Proposal #2

HOLLAND Bus Company

May 19, 2015

West Branch/Rose City Area Schools
Attn: Richard G. Hart
224 Thomas
West Branch, MI 48661

Butch,

Per your request, please find our proposal for a Blue Bird, 2016 83-passenger All-American Forward Engine

Quantity:	Two (2) each
Specifications:	Attached
Terms:	Net at delivery
Delivery:	90-110 days from receipt of Purchase Order

Dealer installed Equipment:	Fire Ext, Triangles, Flares, & First Aid Kit
-----------------------------	--

Dealer Supplied Equipment: (not installed)	Angeltrax Digital Video system with 3 cameras and VSM – GPS See II Sno Foil
---	---

Price Per T3FE Unit:	\$102,745.00	F.O.B. West Branch, MI
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If you have any questions about the enclosed material, please feel free to contact me at (616) 566-5556 or ken@hollandbuscompany.com.

Regards,

Ken Haverkate
Ken Haverkate
School Bus Sales

Supplemental Environmental Project Completion Report
01/14/2016

Exhibit 4
Destruction Confirmation

**West Branch-Rose City Area Schools
Transportation Department**

224 Thomas
West Branch, MI 48661
(989) 343.2240

Fax (989) 343.2249
Jason Hall, Transportation Supervisor
www.wbrc.k12.mi.us

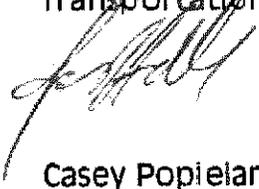
To whom it may concern,

On October 26, 2015 I Jason Hall along with John Keller and Casey Popielarz using 40% Sodium Silicate Solution ran two 1997 school buses with 5.9 Cummins engines numbered 97-3 & 97-4 to destruction.

One hour after administering the 40% Sodium Silicate Solution we attempted to restart the engines. Neither bus would start or idle. Batteries in both buses were fully charged

Thank you,

Jason Hall
Transportation Supervisor



Casey Popielarz
Mechanic

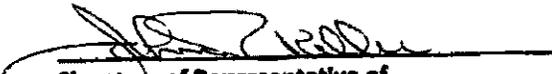


Supplemental Environmental Project Completion Report
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Exhibit 5
West Branch-Rose City Area Schools Certification

Appendix 1 to Agreement to Replace School Buses: To be signed and returned to Whiting.

I, Jason Hall, as a properly authorized representative of the West Branch-Rose City Area Schools ("WBRC Schools"), do hereby certify that WBRC Schools expended no less than \$204,280, the complete sum of which was provided by Whiting Oil and Gas Corporation as part of a Supplemental Environmental Project agreed to with the United States Environmental Protection Agency Region V to settle alleged violations of the Clean Air Act, for the sole purpose of replacing two (2) mid-1990's model year diesel-powered school buses ("old school buses") owned and operated by the WBRC Schools with two (2) new diesel-powered school buses that meet 2014 or newer emission standards and permanently disposing of the two (2) old school buses. I further certify each of the engines in the old school buses replaced was rendered permanently disabled and disposed of so that the old diesel engine configuration cannot be resold or reused by (method of destruction) Sodium Sulfate Run to Reseal


Signature of Representative of
Whiting Oil and Gas Corporation

10-26-2015
Date signed


Signature of Representative of
West Branch-Rose City Area Schools

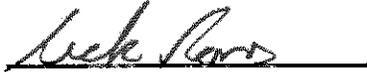
10-26-2015
Date signed

Supplemental Environmental Project Completion Report
01/14/2016

Exhibit 6
Whiting Oil and Gas Certification

West Branch SEP Completion—Whiting Oil and Gas

Pursuant to Paragraph 66 of the Consent Agreement and Final Order (CAFO) in case docket No. CAA-05-2015-0030, I certify that I am familiar with the information in the document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

A handwritten signature in cursive script, appearing to read "Rick Ross", is written over a solid horizontal line.

Rick Ross

Senior Vice President, Operations

Whiting Oil and Gas

ORIGIN: DENVER, CO 80290
 KTLA LIVINGSTON
 WHITING OIL & GAS
 1700 BROADWAY
 SUITE 2300
 DENVER, CO 80290
 UNITED STATES US

(303) 802-8366

SHIP DATE: 15 JAN 16
 ACTWGT: 6.10 LB
 CAD: 104407788NET3670

BILL SENDER

TO COMPLIANCE TRACKER

US EPA REGION 5

77 WEST JACKSON BLVD.

AE-17J

CHICAGO IL 60604

REF:

(312) 353-2000

DEPT:



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SUITE 2300
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UNITED STATES US

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ACTING ST: 0-10 LB
CAD: 104407788NET3670

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TO MICHAEL A. PETERS, ESQ.

RYAN WHALEY COLDFIRON SHANDY PLLC

900 ROBINSON RENAISSANCE

119 N. ROBINSON

OKLAHOMA CITY OK 73102

(405) 228-2137

REF:

PO:

DEPT:



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UNITED STATES US

(303) 802-8366

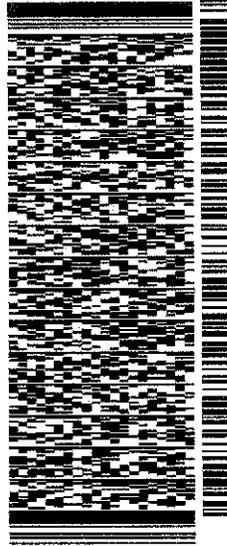
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ACTWGT: 0.101 LB
CAD: 104407788INETS970

BILL SENDER

TO **MARK PALERMO**
US EPA REGION 5
77 WEST JACKSON BLVD.
C-14J
CHICAGO IL 60604

REF: (312) 353-2000

PO: INVT DEPT:

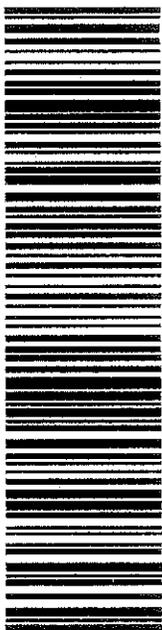


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