

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 WYNKOOP STREET DENVER, CO 80202-1129 Phone 800-227-8917 http://www.epa.gov/region08 2012 JUN 15 AM 8: 29



DOCKET NO.: CAA-08-2011-0019

IN THE MATTER OF:)	
SLAWSON EXPLORATION)	ORDER GRANTING FILING
	,	
COMPANY, INC.)	OF AN AMENDED
)	CONSENT AGREEMENT
Respondent)	AGREEMENT AND
)	FINAL ORDER
)	

On June 13, 2012, the Parties filed a "Joint Motion to Amend Administrative Complaint and Consent Agreement." The motion requests the court to substitute certain paragraphs of the Amended Agreement to reflect changes. The motion also requests that tables in the Appendix be updated to reflect the current sources impacted by the Amended Agreement. The Respondent is hereby **ORDERED** to comply with all of the terms of the Amended Agreement, effective immediately upon receipt by Respondent of this Amended Consent Agreement and Final Order.

SO ORDERED THIS Day of Dune 0, 2012

Elyana R. Sutin Regional Judicial Officer

UNITED STATES ENVIRONMENTAL PROTECTION AGENGY JUN 13 PM 2: 20 REGION 8

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DOCKET NO.: CAA-08-2011-0019

In the Matter of:)	
Slawson Exploration Company, Inc.	3	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. On October 27, 2011, the Court approved a Revised Order to Amend the Agreement ("Amended Agreement") (see October 27, 2011 Revised Order on Joint Motion to Amend Administrative Complaint and Consent Agreement).
- 3. Pursuant to Sections 113(a)(3) and 113(d)(I) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7413(a)(3) and § 7413(d)(I), and instructions from the EPA, the purpose of this Motion is to request that the Court approve the following changes to the Amended Agreement:
- a. Use the following specified paragraphs to replace paragraphs of the same number in the Amended Agreement:
- D.1.e. By June 15, 2012, Respondent shall submit to the EPA a complete synthetic minor permit application for new emissions sources listed in Appendix A, Table A-5, that will commence construction during the period starting July 1, 2012, and ending August 29, 2012. Any emission sources for which construction will commence after August 29, 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.

- D.1.f. Inclusion of an emission source listed in Appendix A, Table A-2, A-3, A-4, or A-5 does not preclude Respondent from commencing construction of that emission source after the date specified in the relevant Paragraph D.1.b, c, d, or e above. However, all such emission sources must commence construction prior to August 29, 2012.
- D.1.g. If those emission sources listed in Appendix A, Tables A-2, A-3, A-4, and/or A-5 do not commence construction by August 29, 2012, then they are therefore not subject to Section D of this Agreement.

. . . .

D.2.b. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, A-4, and A-5 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.

....

- E.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, 42 U.S.C. § 7413(d)(1)(B), EPA determined that an appropriate civil penalty to settle this action was the amount of \$3,000 per emission source listed in Appendix A. Based on initial determinations, Respondent remitted a total of Two Hundred Seventy Three Thousand Dollars (\$273,000) to EPA on October 13, 2011, covering all sources in Appendix A, Tables A-1, A-2, A-3 and A-4. Based on the removal of three sources from Table A-4, the removal of two sources from Table A-3, and the addition of Table A-5 with five sources, EPA has determined that no additional penalties are required to meet the requirements of this second amended Agreement.
- b. Remove the sources Simo #2-29-20H, Waterbond #2-27-34H, and Mooka #2-29-20H from Table A-4 in Appendix A.
- c. Remove the sources Fox #2-28H and Zulu #2-21H from Table A-3 in Appendix A.
- d. Add Table A-5 to Appendix A, which will include the following five additional sources: (1) Silencer #2-29-TMH; (2) Mole #2-20H; (3) Mooka Facility (4) Waterbond Facility; and (5) Fox/Zulu #2-#4.
- 4. EPA approves the proposed changes to the Amended Agreement as set forth in paragraph 3 of this Motion.

REQUEST

For the above-mentioned reasons, Respondent and Complainant respectfully request that the Court approve substitution of the identified paragraphs, subtraction of the identified sources from Table A-4 and Table A-3, and addition of Table A-5 with five additional sources into the Amended Agreement.

Respectfully submitted,

Slawson Exploration Company, Inc. Respondent

5/29/12

Date

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

June 12, 2012

Data

Andrew M. Gaydosh

Assistant Regional Administrator

Office of Enforcement, Compliance and

Environmental Justice

ATTACHMENT 1: MODIFIED PARAGRAPHS, MODIFIED TABLES A-3 AND A-4 AND ADDED TABLE A-5

- D.1.e. By June 15, 2012, Respondent shall submit to the EPA a complete synthetic minor permit application for new emissions sources listed in Appendix A, Table A-5, that will commence construction during the period starting July 1, 2012, and ending August 29, 2012. Any emission sources for which construction will commence after August 29, 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.
- D.1.f. Inclusion of an emission source listed in Appendix A, Table A-2, A-3, A-4, or A-5 does not preclude Respondent from commencing construction of that emission source after the date specified in the relevant Paragraph D.1.b, c, d, or e above. However, all such emission sources must commence construction prior to August 29, 2012.
- D.1.g. If those emission sources listed in Appendix A, Tables A-2, A-3, A-4, and/or A-5 do not commence construction by August 29, 2012, then they are therefore not subject to Section D of this Agreement.

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D.2.b. For all New Emission Sources listed in Appendix A, Tables A-2, A-3, A-4, and A-5 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.

....

E.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, 42 U.S.C. § 7413(d)(l)(B), EPA determined that an appropriate civil penalty to settle this action was the amount of \$3,000 per emission source listed in Appendix A. Based on initial determinations, Respondent remitted a total of Two Hundred Seventy Three Thousand Dollars (\$273,000) to EPA on October 13, 2011, covering all sources in Appendix A, Tables A-1, A-2, A-3 and A-4. Based on the removal of three sources from Table A-4, the removal of two sources from Table A-3, and the addition of Table A-5 with five sources, EPA has determined that no additional penalties are required to meet the requirements of this second amended Agreement.

	Table A-2	
Well Name	Section, Township, Range	Expected Commence Construction Date
Coyote #2-32H	S5-T152N-R92W	10/1/2011
Jericho #3-5H	S5-T151N-R92W	10/1/2011
Panzer #2-20H	S20-T151N-R94W	10/1/2011
Panzer #4-20TF	S20-T151N-R94W	10/1/2011
Panzer #1-20H	S20-T151N-R94W	10/1/2011
Sniper #2-6-7H	S6-T151N-R92W	10/15/2011
Whirlwind # 2-31H	S6-T151N-R92W	10/15/2011
Torpedo Federal Facility	S29-T152N-R91W	12/1/2011
	Table A-3	
Wolverine Federal #1-31-30H	IS31-T153N-R93W	2/1/2012
Wolverine Federal #4-31-30TFH	S31-T153N-R93W	2/1/2012
Ripper Federal #2-22H	S22-T152N-R92W	3/1/2012
Tarantula Federal #2-16H	S16-T152N-R92W	3/1/2012
Tarantula Federal #3-16H	S16-T152N-R92W	3/1/2012
	Table A-4	
Armada Federal #3-14-13H	S15-T151N-R92W	4/1/2012
Phoenix #2-18H	S18-T152N-R91W	4/15/2012
Vixen Federal #2-19-30H	S18-T152N-R91W	4/15/2012
Walleye #1-12-11H	S7-T152N-R93W	5/1/2012
River Rat Federal #1-23-14H	S23-T152N-R93W	5/22/2012
River Rat Federal #2-23-14H	S23-T152N-R93W	5/22/2012
Rebel Federal #1-32-5H	S33-T152N-R91W	6/1/2012
Rebel Federal #2-32-5H	S29-T152N-R91W	6/1/2012
Serpent Federal #1-36-31H	S35-T151N-R92W	6/15/2012
Loon Federal #2-24-25H	S24-T152N-R92W	6/20/2012
Tempest #2-14H	S23-T152N-R92W	6/25/2012
Orca Federal #2-23-36	S23-T152N-R91W	6/25/2012
MacCougar #2-30-19H	S30-T152N-R92W	6/29/2012
M. Carlotte and Ca	Table A-5	
Silencer #2-29-TMH	IS29-T151N-R92W	7/1/2012
Mole #2-20H	S20 T151N-R92W	7/1/2012
Mooka Facility	SWSE S29-T152N-R92W	7/15/2012
Waterbond Facility	NENW S27-T151N-R92W	7/15/2012
Fox/Zulu #2 - #4	SWSE S21-T152N-R92W	7/1/2012

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
June 13, 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 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: June 13, 2012 David Rockly

U.S. Environmental Protection Agency

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached ORDER GRANTING MOTION TO AMEND CONSENT AGREEMENT AND FINAL ORDER in the matter of SLAWSON EXPLORATION CO., INC.; DOCKET NO.: CAA-08-2011-0019, the JOINT MOTION TO AMEND ADMINSTRATIVE COMPLAINT AND CONSENT AGREEMENT was filed with the Regional Hearing Clerk on June 13, 2012; the FINAL ORDER was filed on June 15, 2012.

Further, the undersigned certifies that a true and correct copy of the document was 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 on June 15, 2012, to:

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

June 15, 2012

Tina Artemis

Paralegal/Regional Hearing Clerk