



Re: BP America Production Company Supplemental Comments to United States Environmental Protection Agency on Clean Air Act Title V Operating Permit Renewal Application for Florida River Compression Facility 

Carl Daly to: Conrad, Jeffrey C

11/09/2010 11:58 AM

Cc: "Breer, Charlie", "Robert, Rebecca", Sara Laumann

Mr. Conrad,

Thank you for your email transmitting redacted versions of exhibits T, U, and V to BP's Supplemental Comments on Florida River Plant Renewal Title V Operating Permit, received by EPA on February 18, 2010. These redacted versions along with your cover email and the email from Sam Maynes (on behalf of Red Cedar) will be placed in the docket for the Florida River permit action.

Just to clarify an item in your email, we do not currently have a FOIA request for the exhibits. We do refer to these exhibits in our response to comments document, and therefore, we want to have releasable versions of the exhibits in the docket that contain the information we considered in developing a response.

Carl Daly 303-312-6416

"Conrad, Jeffrey C" Mr. Daly, BP America Production Company's ("...

11/05/2010 11:43:44 AM

From: "Conrad, Jeffrey C" <Jeffrey.Conrad@bp.com>
To: Carl Daly/R8/USEPA/US@EPA
Cc: "Robert, Rebecca" <Rebecca.Robert@bp.com>, "Breer, Charlie" <Charlie.Breer@dgslaw.com>
Date: 11/05/2010 11:43 AM
Subject: BP America Production Company Supplemental Comments to United States Environmental Protection Agency on Clean Air Act Title V Operating Permit Renewal Application for Florida River Compression Facility

Mr. Daly,

BP America Production Company's ("BP") supplemental comments to the United States Environmental Protection Agency ("EPA") on the Clean Air Act Title V operating permit renewal application for the Florida River Compression Facility designated certain gathering agreements (Exhibits T, U, and V) as Confidential Business Information ("CBI") pursuant to 40 CFR 2.203. BP understands that the EPA has received a Freedom of Information Act request for the release of those materials marked as CBI. BP is willing to release its CBI claim with respect to the attached portions of those agreements, which have been redacted to maintain BP's CBI claims with respect to other portions of those agreements. BP does not release its claims of CBI with respect to any materials other than those attached to this email.

Please call me if you have questions (281-455-6440).

Jeff Conrad

Attorney

BP America Production Company

<<Exhibit T.PDF>> <<Exhibit U.PDF>> <<Exhibit V.PDF>>



BP America Production Company Supplemental Comments to United States Environmental Protection Agency on Clean Air Act Title V Operating Permit Renewal Application For Florida River Compression Facility
Sam W. Maynes

to:

Carl Daly

11/05/2010 04:27 PM

Cc:

"Brown, Albert", "Breer, Charlie"

Show Details

History: This message has been replied to.

2 Attachments



Exhibit T.pdf Exhibit V.pdf

Mr. Daly,

On behalf of our client, Red Cedar Gathering Company, I am writing to confirm that Red Cedar does not object to EPA's release of the attached portions of exhibits T and V to BP America's supplemental comments to the EPA on the Clean Air Act Title V operating permit renewal application for the Florida River Compression Facility. It is our understanding that BP has released its business confidentiality claim for the attached portions of those exhibits and it is at BP's request to Red Cedar that I am contacting you.

Please contact me if you have any questions.

Sam

Sam W. Maynes

Maynes, Bradford, Shipp & Sheftel, LLP

835 E. Second Avenue, Suite 123

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#183139

Gerry

FIRM GAS GATHERING, COMPRESSION AND TREATING
AGREEMENT

DATED April 14, 2005

EFFECTIVE AS OF JANUARY 1, 2005

between

RED CEDAR GATHERING COMPANY

and

BP AMERICA PRODUCTION COMPANY

CBI Claim Waived by Company in
Communication Dated 11/5/2010

Confidential
Business Information

EXHIBIT V

“Plant” means one or more of the amine-treating plants that Red Cedar owns, operates, or has contractual rights to deliver gas to be treated for the removal of CO₂, and that are used by Red Cedar to provide services to Producer under this Agreement.

2.18. Florida Delivery Points.

(a) If Red Cedar does not have enough capacity in its facilities to treat and redeliver Producer’s gas to the Delivery Points under this Agreement in any Day, Red Cedar will redeliver Producer’s Daily Nominated Volumes to either, or a combination, of (upon mutual agreement of Red Cedar and Producer) the following alternate points: (i) the inlet of Producer’s Florida River Plant located in the Southwest ¼ of Section 25, Township 34 North, Range 9 West in the La Plata County, Colorado; and (ii) the Salvador ECBM Delivery Point located in Section 28, Township 33 North, Range 7 West in La Plata County, Colorado (collectively, the *“Florida Delivery Points”*). Red Cedar will use its commercially reasonable efforts to deliver Producer’s non-confirmed gas to the Florida Delivery Points. Any deliveries to the Florida Delivery Points

under this Section 2.18(a) will be subject to the curtailment priorities set forth in Article 10 and the capacity in Red Cedar’s Gathering System; except that, Red Cedar must maintain sufficient capacity to the Florida Delivery Points to allow redelivery of an amount of gas equal, on a daily basis, to the amount of gas Producer delivers to Red Cedar from Producer’s Area 6 West Production (the *“Minimum Florida Capacity”*). Notwithstanding the foregoing, if, in Red Cedar’s sole determination reasonably exercised, the integrity of any of Red Cedar’s Gathering System used to provide delivery to the Florida Delivery Points is compromised for any reason, Red Cedar will send Producer written notice describing the integrity issue and Red Cedar’s estimate of the cost required to restore the integrity of its Gathering System. Producer will have the option to require Red Cedar to take the actions described in its notice to restore the integrity of its Gathering System by notifying Red Cedar in writing within 10 Business Days after receipt of Red Cedar’s notice. If Producer exercises such right, Producer shall reimburse Red Cedar for one hundred percent (100%) of the actual reasonable costs and expenses incurred by Red Cedar to restore the integrity of its Gathering System. If Producer does not exercise its right described in this Section 2.18 within 10 Business Days, Red Cedar may derate or abandon any of such pipelines and related facilities, will not be required to replace such pipelines and related facilities and will be relieved of its obligations to maintain the Minimum Florida Capacity to the extent prevented by such integrity issue.



Midstream
One Williams Center
Tulsa, Oklahoma 74172

P.O. Box 645, MD WRC 3-7
Tulsa, Oklahoma 74101-0645
918-573-3138

January 22, 2010

Bill Thames
BP America Production Company
501 Westlake Park Boulevard
Room 4.122B
Houston, Texas 77079

Re: Gathering System Interconnections

Dear Mr. Thames:

BP America Production Company ("BP") and Williams Four Corners LLC ("Williams") are parties to a natural gas gathering and processing agreement, the contents of which are considered confidential and proprietary. However, Williams does confirm that points of interconnection between BP's and Williams' gathering systems exist at the (i) Wolf Point Exchange CDP, and the (ii) Vastar Treating Site #7B, both of which are located in La Plata County, Colorado.

Best regards,

A handwritten signature in black ink that reads "Charles R. Brown".

Charles R. Brown
Commercial Manager