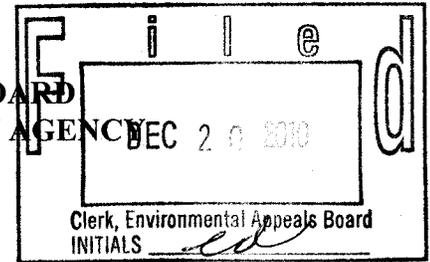


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

BP America Production Co.,)
Florida River Compression Facility)

Permit No. V-SU-0022-05.00)

CAA Appeal No. 10-04

**ORDER GRANTING MOTION TO PARTICIPATE
AND RESPOND TO PETITION FOR REVIEW**

By motion filed December 10, 2010, BP America Production Company (“BP”) seeks leave to participate and to respond to the petition for review filed by WildEarth Guardians on November 18, 2010. *See* BP’s Motion for Leave to Participate in Appeal CAA 10-04 and to Respond to the Petition. The petition challenges the Renewal Title V Operating Permit that U.S. Environmental Protection Agency (“EPA”) Region 8 issued to BP for its Florida River Compression Facility, which is located on the Southern Ute Indian Reservation in La Plata County, Colorado. *Id.* at 1. As the holder of the Title V permit, BP possesses a direct and substantial interest in this matter that is independent of the interests of the Region and may not be adequately represented by the Region. *Id.* at 1-2. BP’s financial and contractual interests could be affected by the disposition of this matter. *Id.* BP states that it would respond on the schedule established by the Board for the Region. *Id.* at 2.

Accordingly, for good cause shown, BP’s motion to participate in this matter and to file a response is hereby **GRANTED**. Earlier today, the Board granted the Region an extension of

time to file its response, establishing a deadline of **Thursday, February 24, 2011**. BP is directed to file its own response to the petition on or before that same date.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: December 20, 2010

By: Kathie A. Stein
Kathie A. Stein
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Motion to Participate and Respond to Petition for Review** in the matter of *BP America Production Company, Florida River Compression Facility*, CAA Appeal No. 10-04, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

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By EPA Pouch Mail:

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Date: DEC 20 2010


Annette Duncan
Secretary