

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
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
Date

Andrew M. Gaydosh
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.

....

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.

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 Rochlin
David Rochlin

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 ADMINISTRATIVE 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