

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

2012 JUL 18 AM 8:39

IN THE MATTER OF:	)	Docket No. CWA-08-2012-0014
	)	
BP America Production Company	)	<b>PUBLIC NOTICE STATUS UPDATE</b>
501 Westlake Park Boulevard	)	<b>AND REQUEST TO ISSUE FINAL ORDER</b>
Houston, TX 77079,	)	
	)	
Ford Gas Unit F FT-MV 1A Multi Well Site,	)	
	)	
Respondent.	)	

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Complainant United States Environmental Protection Agency, Region 8 (EPA), by and through its undersigned attorney, provides the following Public Notice Status Update and Request to Issue Final Order on behalf of the EPA and Respondent BP America Production Company (collectively referred to herein as the Parties) in support of the Parties' request that the Regional Judicial Officer incorporate the fully executed Combined Complaint and Consent Agreement filed with the Regional Hearing Clerk in this matter on May 22, 2012 into a Final Order.

1. Section 309(g)(4)(A) of the Clean Water Act, 33 U.S.C. §1319(g)(4)(A), requires that the EPA provide the public notice of and reasonable opportunity to comment on the proposed issuance of an order and, if a hearing is held, to be heard and present evidence, prior to assessing a civil penalty.
2. On June 6, 2012, the EPA posted public notice on its dedicated website at <http://www.epa.gov/region8/compliance/publicnotice> of the civil penalty agreed to by the Parties in the aforementioned Combined Complaint and Consent Agreement resolving an alleged Clean Water Act violations at Respondent's Ford Gas Unite F FT-MV 1A Multi Well Site. (See attached).
3. The public notice and opportunity for public comment was in effect for forty (40) days. Beginning the day after the public notice first was posted, the public notice period expired upon close of business July 17, 2012.
4. The public notice directed that written comments be submitted to Ms. Tina Artemis, Regional Hearing Clerk.
5. The undersigned confirmed with the Regional Hearing Clerk on July 18, 2012, that no written comments were received. No comments were provided to the undersigned or the Water Technical Enforcement Program.
6. Following the close of the public notice period and absent receipt of comments on the settlement proposed, including the civil penalty, the Parties request that the Regional Judicial Officer incorporate the Combined Complaint and Consent Agreement into a Final Order.

Respectfully submitted,

**UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8**  
Complainant.

Date: July 18, 2012

By:   
Amy Swanson, Senior Enforcement Attorney  
Legal Enforcement Program  
EPA Region 8  
1595 Wynkoop Street (8ENF-L)  
Denver, Colorado 80202-1129  
Telephone: (303) 312-6906

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the original and a copy of the preceding PUBLIC NOTICE STATUS UPDATE AND REQUEST FOR ISSUANCE OF FINAL ORDER were hand-carried to the Regional Hearing Clerk, EPA, Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202, and that a true copy of the same was sent ELECTRONICALLY to the following:

Jeff Conrad, Senior Legal Counsel  
BP America Inc.  
Jeffrey.Conrad@bp.com

Date: 7/18/2012

By: Judith M. McTernan  
Judith McTernan

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8  
1595 Wynkoop Street, Denver, CO 80202-1129**

**PUBLIC NOTICE  
OPPORTUNITY FOR PUBLIC COMMENT ON A  
COMBINED COMPLAINT AND CONSENT AGREEMENT BETWEEN  
BP AMERICAN PRODUCTION COMPANY AND THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
TO RESOLVE ALLEGED VIOLATIONS OF  
THE CLEAN WATER ACT**

**PURPOSE OF PUBLIC NOTICE**

The purpose of this notice is to solicit written comments on the Combined Complaint and Consent Agreement (CCCA) between BP American Production Company (Respondent), and the United States Environmental Protection Agency (EPA), bearing Docket # CWA-08-2012-0014. EPA alleged that the Respondent violated the requirements of the Clean Water Act (CWA) by discharging natural gas production wastewater from a failed gas eliminator valve at the Ford Gas Unit F FT-MV 1A Multi Well Site (the site) to "Waters of the United States". The Respondent utilized the EPA's policy entitled "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations" (April 11, 2000) (Audit Policy). The Respondent met the requirements of the Audit Policy granting that the gravity portion of the penalty be reduced by 75%. The CCCA is entered into by the parties for the purpose of simultaneously commencing and concluding this matter, as authorized by Title 40 of the Code of Federal Regulations (40 C.F.R.), Section 22.13(b) and executed pursuant to 40 C.F.R. § 22.18(b)(2) and (3). In the CCCA, Respondent agrees to pay a penalty of \$7,000. The Respondent also agreed to hire an engineering consultant to conduct a macroinvertebrate study for the Rock Creek watershed. The alleged violations took place at the site near Ignacio, Colorado. The CCCA is issued under the National Pollutant Discharge Elimination System (NPDES) provisions of the CWA. These regulations govern the discharge of wastewater to "Waters of the United States". The addresses of EPA and respondent are listed here.

Respondent: BP American Production Company, 501 Westlake Park Boulevard, Houston, TX 77079

EPA: Assistant Regional Administrator, Office of Enforcement, Compliance & Environmental Justice, EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

EPA desires to receive written comments from any interested party having knowledge of the alleged violations or who can provide any information useful to ensure that any penalty assessed is appropriate.

**PUBLIC COMMENTS**

Written comments on the CCCA are encouraged and will be accepted at the address listed below for a period of forty (40) days after the publication of this notice. Written comments submitted

by the public as well as information submitted by Respondent will be available for public review, subject to the provisions of law restricting the disclosure of confidential information. Any person submitting written comments has a right to participate in a hearing, if one is held. The complaint is available for review between 9:00 a.m. and 4:00 p.m. at the address listed below and on the internet at: [yosemite.epa.gov/oa/rhc/epaadmin.nsf](http://yosemite.epa.gov/oa/rhc/epaadmin.nsf) under Docket # CWA-08-2012-0014.

Please submit written comments to:

Tina Artemis (8RC)  
Regional Hearing Clerk  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Telephone: (303) 312-6765

**FOR FURTHER INFORMATION:** Persons wishing to receive a copy of other documents in this proceeding (such as the regulations in 40 C.F.R. part 22, which establish procedures for the hearing), or to comment upon the proposed penalty assessment or upon any other aspect of the matter, should contact the Regional Hearing Clerk identified above. No action will be taken by EPA to finalize a settlement in this matter until 30 days after this public notice.

**Region 8****Public Notices of Proposed Administrative Penalty Assessments**

Some federal laws require that the public be given notice prior to the assessment of civil administrative penalties for violations of environmental requirements. This website serves for such public notice. To view the regulations that govern such proceedings, see 40 C.F.R. Part 22.

You will need the free Adobe Reader to view some of the files on this page. See EPA's PDF page to learn more.

Public Notice and Opportunity to Comment on Proposed Penalty Order for Operation of an Underground Injection Control Class V Motor Vehicle Waste Disposal Well against D.K. Auto Collision

D.K. Auto Collision: docket SDWA-08-2012-0032, July 3, 2012

Public Notice and Opportunity to Comment on Proposed Penalty Order for Operation of an Underground Injection Control Class V Motor Vehicle Waste Disposal Well against North Routt Fire Protection District

North Routt Fire Protection District: docket SDWA-08-2012-0033, July 3, 2012

Public Notice and Opportunity to Comment on Proposed Combined Complaint and Consent Agreement to Resolve Alleged Violations of the Clean Water Act

BP American Production Company, Front Gas Unit: docket CWA-08-2012-0014, June 6, 2012

The public is invited to comment on the proposed penalty assessment, alleged violations, or any other aspect of the matter. Persons wishing to receive a copy of the Complaint, 40 C.F.R. Part 22, or other documents in the proceeding, or to comment on the matter, should contact the person named below.

**Tina Artemis**  
Regional Hearing Clerk (BRC)  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
303-312-6755  
artemis.tina@epa.gov

WC:MS  
Last updated on Tuesday, July 03, 2012

<http://www.epa.gov/region8/compliance/publicnotice/>