



2011 OCT 14 AM 9:14

FILED  
EPA REGION VIII  
HEARING CLERK

October 12, 2011

*Via Overnight Mail*

Tina Artemis, Regional Hearing Clerk  
EPA Region 8, 8RC  
1595 Wynkoop Street  
Denver, CO 80202-1129

Re: In the Matter of: XTO Energy Inc., Docket No.: CAA-08-2011-0018;  
Unopposed Motion to Amend Administrative Complaint and Consent Agreement

Dear Ms. Artemis:

Please find enclosed for filing the original and two copies of the above-referenced motion. Please time stamp one copy and return it to my attention in the self-addressed envelope.

Please contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher W. Armstrong'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Christopher W. Armstrong

cc: Cynthia Reynolds, EPA  
David Rochlin, Esq., EPA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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Docket No.: CAA-08-2011-0018

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In the Matter of:

XTO ENERGY INC.

Respondent.

)  
)  
) **UNOPPOSED MOTION TO AMEND**  
) **ADMINISTRATIVE COMPLAINT**  
) **AND CONSENT AGREEMENT**  
)  
)

**AUTHORITY**

COMES NOW XTO Energy Inc. and files this Unopposed Motion to Amend the Administrative Complaint and Consent Agreement.

1. On August 26, 2011, the Court approved an Administrative Complaint and Consent Agreement ("Agreement") in this matter (see August 26, 2011 Order Granting Filing of An Electronic Consent Agreement Final Order).

2. Pursuant to the terms of Paragraph F.13 of this Agreement, the purpose of this Motion is to request that the Court approve a revised and amended Appendix A to the Agreement ("Revised Appendix A"). Respondent does not seek any changes to the Agreement, other than the substitution of Revised Appendix A for the original Appendix A submitted with the Agreement.

3. The changes to Revised Appendix A are minor, and include an increase of 1 well listed in Table A-3 and 2 wells listed in Table A-4.

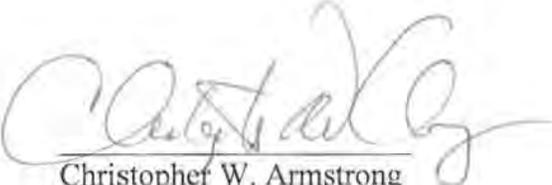
4. Respondent has conferred with the Environmental Protection Agency, Region 8 ("EPA") with respect to this Motion, and EPA confirmed that it has no objection to Respondent's proposed changes to Revised Appendix A.

**PRAYER**

For the above-mentioned reasons, Respondent respectfully requests that the Court approve substitution of Revised Appendix A into the Agreement.

XTO Energy Inc.  
Respondent.

Date: October 12, 2011

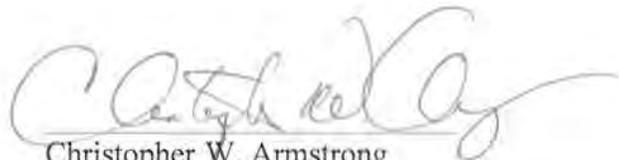
  
Christopher W. Armstrong  
Counsel for XTO Energy Inc.

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached Unopposed Motion to Amend Administrative Complaint and Consent Agreement in the matter of XTO Energy Inc.; Docket No.: CAA-08-2011-0018, was filed with the Regional-Hearing Clerk on October 12, 2011.

Further, the undersigned certifies that a true and correct copy of the document was mailed to Cynthia Reynolds, Director, Air & Toxics Technical Enforcement Program, and David Rochlin, Enforcement Attorney, U.S. EPA -Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129.

Date: October 12, 2011



Christopher W. Armstrong  
Counsel for XTO Energy Inc.

## APPENDIX A

TABLE A-1 (Existing Emission Sources - Commenced construction by August 30, 2011)

WELL NAME	LAT/LONG	SECTION	TOWNSHIP	RANGE	COUNTY	CASING HEAD GAS CONTROLLED	CASINGHEAD GAS CONTROL DEVICE	TANK BATTERY CONTROL DEVICE	TANK BATTERY CONTROL DEVICE INSTALL DATE (on or about)	WELL SITE SPUD DATE	WELL COMPLETION (on or about)	DATE OF FIRST PRODUCTION	GROUPED WELLS ON SINGLE PAD
FBR Baker 34X-25	47.69275 N, 102.39343 W	25	149N	92W	Dunn	Yes	VRU/Flare	VRU/Flare	1/15/2011	12/19/2010	1/15/2011	7/12/2011	Yes
FBR Walker 34X-25	47.69275 N, 102.39342 W	25	148N	92W	Dunn	Yes	VRU/Flare	VRU/Flare	2/15/2011	1/7/2011	2/15/2011	7/13/2011	Yes
FBR Bird 31X-19	47.71619 N, 102.374297 W	19	149N	91W	Dunn	Yes	VRU/Flare	VRU/Flare	7/15/2011	3/23/2011	7/15/2011	8/8/2011	Yes
FBR Stephen 31X-19	47.716767 N, 102.374297 W	19	149N	91W	Dunn	Yes	VRU/Flare	VRU/Flare	7/15/2011	3/29/2011	7/15/2011	8/10/2011	Yes

**TABLE A-2 (New Sources - Commence construction between August 31, 2011 and December 31, 2011)**

WELL NAME	SECTION	TOWNSHIP	RANGE	COUNTY	WELL SITE SPUD DATE	GROUPED WELLS ON SINGLE PAD
FBIR Smith 11X-10	10	149N	92W	Dunn	7/3/2011	No
FBIR IronWoman 21X-10	10	148N	92W	Dunn	6/27/2011	Yes
FBIR YellowWolf 21X-10	10	148N	92W	Dunn	6/30/2011	
FBIR Darcie 34X-14	14	148N	92W	Dunn	8/21/2011	No
FBIR HuntsMedicine 24X-8	8	149N	91W	Dunn	9/17/2011	Yes
FBIR Beaks 24X-8	8	149N	91W	Dunn	9/20/2011	
FBIR WalterPacksWolf 31X-12	12	149N	92W	Dunn	10/2/2011	No
FBIR GoesEverywhere 31X-11	11	149N	92W	Dunn	11/12/2011	No
FBIR GuyBlackHawk 24X-27	27	149N	92W	Dunn	12/10/2011	No
FBIR YoungBear 31X-9	9	148N	92W	Dunn	12/25/2011	No

**TABLE A-3 (New Sources - Commence construction between January 1, 2012 and March 31, 2012)**

WELL NAME	SECTION	TOWNSHIP	RANGE	COUNTY	WELL SITE SPUD DATE	GROUPED WELLS ON SINGLE PAD
FBIR Lawrence 24X-26	26	149N	92W	Dunn	1/22/2012	No
FBIR HeadlessTurtle 44X-32	32	149N	91W	Dunn	2/6/2012	No
FBIR Grinnell 34X-33	33	149N	91W	Dunn	3/5/2012	No
FBIR BlackMedicine 24X-21	21	149N	91W	Dunn	3/20/2012	No
FBIR Grinnell 41X-1	1	148N	92W	Dunn	3/24/2012	No

**TABLE A-4 (New Sources - Commence construction between April 1 2012 and June 30, 2012)**

WELL NAME	SECTION	TOWNSHIP	RANGE	COUNTY	WELL SITE SPUD DATE	GROUPED WELLS ON SINGLE PAD
FBIR HuntsAlong 31X-31	2	148N	92W	Dunn	5/2/2012	No
FBIR GeorgeBlackHawk 21X-6	6	148N	91W	Dunn	5/30/2012	No
FBIR Smith 11X-10 (2)	10	149N	92W	Dunn	6/14/2012	No
FBIR Nellie Old Mouse 13X-13	13	148N	92W	Dunn	6/18/2012	No
Thorris Federal 24X-12	12	147N	95W	Dunn	5/29/2012	No



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2 Pursuant to the terms of Paragraph F.13 of this Agreement, the purpose of this Motion is to request that the Court approve a revised and amended Appendix A to the Agreement ("Revised Appendix A"). Respondent does not seek any changes to the Agreement, other than the substitution of Revised Appendix A for the original Appendix A submitted with the Agreement.

3 The changes to Revised Appendix A are minor, and include an increase of 1 well listed in Table A-3 and 2 wells listed in Table A-4.

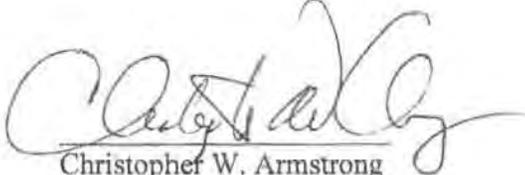
4. Respondent has conferred with the Environmental Protection Agency, Region 8 ("EPA") with respect to this Motion, and EPA confirmed that it has no objection to Respondent's proposed changes to Revised Appendix A.

**PRAYER**

For the above-mentioned reasons, Respondent respectfully requests that the Court approve substitution of Revised Appendix A into the Agreement.

XTO Energy Inc.  
Respondent.

Date: October 12, 2011

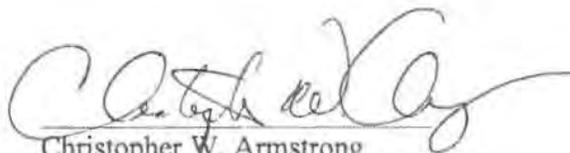
  
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FBR Walker 34X-25	47.68275 N. 102.39045 W	25	148N	92W	Dunn	Yes	VRU/Flare	VRU/Flare	2/15/2011	1/7/2011	2/15/2011	7/13/2011	Yes
FBR Bnd 31X-19	47.71619 N. 102.37428 W	19	149N	91W	Dunn	Yes	VRU/Flare	VRU/Flare	7/15/2011	3/23/2011	7/15/2011	8/8/2011	Yes
FBR Stephen 31X-19	47.71619 N. 102.37428 W	19	149N	91W	Dunn	Yes	VRU/Flare	VRU/Flare	7/15/2011	3/29/2011	7/15/2011	8/10/2011	Yes

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