



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN - 8 2013

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Clark
Michigan Safety & Environmental Regulatory Compliance
Whiting Oil and Gas Corporation
West Branch Gas Plant
2251 Simmons Road, West Branch
Ogemaw County, MI 48661

Jagadeesan Sethuraman
Principal Engineer
Whiting Oil and Gas Corporation
1700 Broadway, Suite 2300
Denver, CO 80290-2300

Dear Messrs. Clark and Sethuraman:

This is to advise you that the U.S. Environmental Protection Agency has determined that the Whiting Oil and Gas Corporation's facility at 2251 Simmons Road, West Branch, Michigan ("facility," "Whiting," or "you") is in violation of the Clean Air Act (CAA) and associated state implementation plan. A list of the requirements violated is provided below. We are today issuing to you a Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

Section 111 of the Act requires EPA to implement the New Source Performance Standards (NSPS) program. The NSPS are nationally uniform emission standards for new or modified stationary sources falling within industrial categories that significantly contribute to air pollution. As discussed more fully in the enclosed NOV/FOV, Whiting is subject to and in violation of the Standards of Performance for Equipment Leaks of Volatile Organic Compounds (VOC) From Onshore Natural Gas Processing Plants at 40 C.F.R. Part 60, Subpart KKK (NSPS Subpart KKK) and the National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities at 40 C.F.R. Part 63, Subpart HH (MACT HH).

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. To attain and maintain these standards, each state is required to develop an implementation plan. Among other things, each implementation plan must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are

achieved. The State of Michigan has incorporated such a permitting program into its State Implementation Plan (SIP).

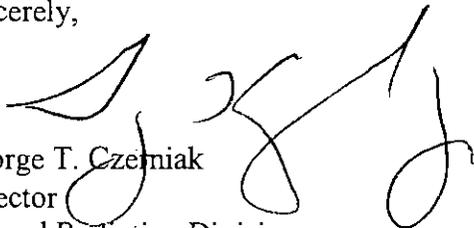
We find that you are in violation of the terms of the NSPS Subpart KKK; the NSPS General Provisions at 40 C.F.R. Part 60, Subpart A; the MACT Subpart HH; and Whiting Petroleum Permits to Install Conditions established in accordance with Rule 336.1201 of the Michigan SIP; at your West Branch, Michigan facility.

Section 113 of the Act, 42 U.S.C. § 7413, gives EPA several enforcement options. The options include issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

We are offering you the opportunity to request a conference with us about the violations alleged in the NOV/FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Michelle Heger. You may call her at (312) 886-4510 if you wish to request a conference. EPA hopes that this NOV/FOV will encourage Whiting's compliance with the requirements of the CAA.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

cc: Thomas Hess, Enforcement Unit Chief
Michigan Department of Natural Resources & Environment, Air Quality Division

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Whiting Oil and Gas Corporation
West Branch Gas Plant
West Branch, Michigan**

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. §§ 7401 et seq.

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**NOTICE OF VIOLATION and
FINDING OF VIOLATION**

EPA-5-13-MI-02

NOTICE AND FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Whiting Oil and Gas Corporation (you) violated requirements promulgated under the Clean Air Act (CAA or Act), including New Source Performance Standards (NSPS) for Equipment Leaks of Volatile Organic Compounds (VOC) From Onshore Natural Gas Processing Plants at 40 C.F.R. Part 60, Subpart KKK (NSPS Subpart KKK); the NSPS General Provisions at 40 C.F.R. Part 60, Subpart A; the National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities at 40 C.F.R. Part 63, Subpart HH (MACT Subpart HH); and Whiting Oil and Gas Corporation Permit to Install Permit Conditions established in accordance with Rule 336.1201 of the Michigan State Implementation Plan (Michigan SIP) at your central processing facility for produced natural gas and natural gas liquids (NGLs or "condensate") at 2251 Simmons Road, West Branch, Michigan (Facility) as follows.

STATUTORY AND REGULATORY BACKGROUND

Michigan SIP

1. Section 110(a)(1) of the Act, 42 U.S.C. § 7410(a)(1), requires each state to adopt and submit to EPA for approval a State Implementation Plan (SIP) that provides for the implementation, maintenance, and enforcement of the National Ambient Air Quality Standards (NAAQS). Under Section 110(a) of the Act, 42 U.S.C. § 7410(a), each SIP must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are achieved. Pursuant to Section 113(a) and (b) of the CAA, 42 U.S.C. § 7413(a) and (b), upon EPA approval, SIP requirements are federally enforceable under Section 113. Under 40 C.F.R. § 52.23, any permit limitation or condition contained within a permit issued under an EPA-approved program that is incorporated in a SIP, is a requirement of the SIP, and is federally enforceable under Section 113 of the Act.

2. On May 6, 1980, EPA approved Michigan Rule 336.1201, "Permits to Install," as part of the federally enforceable SIP for the State of Michigan. 45 Fed. Reg 29790 (May 6, 1980).

NSPS Subpart KKK

3. On June 24, 1985, EPA promulgated the Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants. 50 Fed. Reg. 26124 (June 24, 1985). Since then, EPA has amended these standards at 51 Fed. Reg. 2702 (January 21, 1986), at 65 Fed. Reg. 61773 (October 17, 2000), and at 77 Fed. Reg. 49542 (August 16, 2012). These standards are codified at NSPS Subpart KKK.
4. 40 C.F.R. § 60.630 of NSPS Subpart KKK applies to: a) affected facilities which commence construction, reconstruction, or modification after January 20, 1984, and on or before August 23, 2011, including a compressor in VOC service or in wet gas service, and the group of all equipment except compressors (defined in 40 C.F.R. § 60.631) within a process unit, and b) a compressor station, dehydration unit, sweetening unit, underground storage tank, field gas gathering system, or liquefied natural gas unit located at an onshore natural gas processing plant.
5. 40 C.F.R. § 60.632(a) of NSPS Subpart KKK states that each owner or operator subject to the provisions of this subpart shall comply with the requirements of 40 C.F.R. §§ 60.482-1 (a), (b), and (d) and 60.482-2 through 60.482-10, except as provided in 40 C.F.R. § 60.633, as soon as practicable, but no later than 180 days after initial startup.
 - a. 40 C.F.R. § 60.482-10(b) of NSPS for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry, 40 C.F.R. Part 60, Subpart VV (NSPS Subpart VV), as referenced in NSPS Subpart KKK at 40 C.F.R. § 60.632(a) states that vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, whichever is less stringent.
 - b. 40 C.F.R. § 60.482-10(d) of NSPS Subpart VV, as referenced in NSPS Subpart KKK at 40 C.F.R. § 60.632(a), states that flares used to comply with this subpart shall comply with the requirements of 40 C.F.R. § 60.18.
 - c. 40 C.F.R. § 60.482-10(e) of NSPS Subpart VV, as referenced in NSPS Subpart KKK at 40 C.F.R. § 60.632(a), states that owners or operators of closed vent systems and control devices used to comply with provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.
 - d. 40 C.F.R. § 60.482-10(m) of NSPS Subpart VV, as referenced in NSPS Subpart KKK at 40 C.F.R. § 60.632(a), states that closed vent systems and control devices shall be operated at all times when emissions may be vented to them.

6. 40 C.F.R. § 60.632(d) of NSPS Subpart KKK states that each owner or operator subject to the provisions of this subpart shall comply with the monitoring and testing provisions of 40 C.F.R. § 60.485.
7. 40 C.F.R. § 60.632(e) of NSPS Subpart KKK states that each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping and reporting provisions of 40 C.F.R. §§ 60.486 and 60.487.
 - a. 40 C.F.R. § 60.486(i) of NSPS Subpart VV, as referenced in NSPS Subpart KKK at 40 C.F.R. §§ 60.632(e) and 60.635(a), states that an analysis demonstrating design capacity of the affected facility shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in 40 C.F.R. § 60.480(d).
8. 40 C.F.R. § 60.633(g) of NSPS Subpart KKK states that flares used to comply with this subpart shall comply with the requirements of 40 C.F.R. § 60.18.
 - a. 40 C.F.R. § 60.18(c)(1) states that flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
 - b. 40 C.F.R. § 60.18(c)(2) states that flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).
 - i. 40 C.F.R. § 60.18(f)(2) states that the presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device.
 - c. 40 C.F.R. § 60.18(d) states that owners or operators of flares shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.
 - d. 40 C.F.R. § 60.18(e) states that flares shall be operated at all times when emissions may be vented to them.
9. 40 C.F.R. § 60.635(a) of NSPS Subpart KKK states that each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of 40 C.F.R. § 60.635(b) and (c) of this section in addition to the requirements of 40 C.F.R. § 60.486.
10. 40 C.F.R. § 60.636(a) of NSPS Subpart KKK states that each owner or operator subject to the provisions of this subpart shall comply with the reporting requirements of paragraphs (b) and (c) of this section in addition to the requirements of 40 C.F.R. § 60.487.
11. The NSPS General Provisions, at 40 C.F.R. § 60.11(d), require that at all times, including periods of startup, shutdown, and malfunction, owners and operators must, to the extent practicable, maintain and operate any affected facility including associated air pollution

control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

MACT Subpart HH

12. On June 17, 1999, EPA promulgated the National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities at MACT Subpart HH). 64 Fed. Reg. 32628 (June 17, 1999) and as amended at 66 Fed. Reg. 34550 (June 29, 2001), at 72 Fed. Reg. 36 (January 3, 2007), and at 77 FR 49568 (August 16, 2012).
13. 40 C.F.R. § 63.760 of MACT Subpart HH states that the affected facility to which this subpart applies includes oil and natural gas production facilities that are area sources of hazardous air pollutants (HAP) as defined in 40 C.F.R. § 63.761 including facilities that process, upgrade, or store hydrocarbon liquids or facilities that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. 40 C.F.R. § 63.760(b)(2) of MACT Subpart HH states that for area sources of this type, the affected source includes each triethylene glycol (TEG) dehydration unit located at the facility.
 - a. 40 C.F.R. § 63.760(f) states that the compliance date for an owner or operator of an affected area source that is not located in an Urban-1 county, as defined in § 63.761, the construction or reconstruction of which commences on or after July 8, 2005, is immediately upon startup or January 3, 2007, whichever date is later.
14. 40 C.F.R. § 63.764(d)(2) states that for each owner or operator of an area source not located in a UA plus offset and UC boundary shall determine the optimum glycol circulation rate using the specified equation and operate the TEG dehydration unit such that the actual glycol circulation rate does not exceed the optimum glycol circulation rate as determined per 63.764(d)(2)(i).
15. The exception at § 63.774(f) states that the owner or operator of an area source not located within a UA plus offset and UC boundary must keep a record of the calculation used to determine the optimum glycol circulation rate in accordance with § 63.764(d)(2).
16. 40 C.F.R. § 63.775(c) states that an owner or operator of a source that is not located within any UA plus offset and UC boundaries, shall submit the information listed within 40 C.F.R. § 63.775(c)(1)(i)-(v) and (c)(7) including an initial notification and all information as specified in 40 C.F.R. § 63.775(c)(7).

Whiting West Branch facility

17. Whiting Oil and Gas Corporation is a “person,” as that term is defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).
18. Whiting Oil and Gas Corporation currently owns and operates the facility located at 2251 Simmons Road, West Branch, Michigan (“the facility”).

19. The facility is a central processing facility for produced gas and is engaged in the extraction of natural gas liquids (NGLs or "condensate") from field gas, fractionation of mixed natural gas liquids to natural gas products or both.
20. The facility meets the definition of a "natural gas processing plant" (gas plant) within the definition of 40 C.F.R. § 60.631.
21. The following equipment is located at the facility: compressors, heaters, storage tanks, glycol dehydration unit, and flare.
22. The group of all equipment and dehydration unit (except compressors) at the facility are affected facilities as defined in 40 C.F.R. §§ 60.630 and 60.631.
23. The facility is an area source of hazardous air pollutants (HAPs).
24. The facility's TEG dehydration unit is an affected facility as defined in 40 C.F.R. § 63.760 and is subject to the requirements of MACT Subpart HH.
25. Whiting is not located in an Urban-1 county nor is it located in a UA plus offset or UC boundary.
26. The Michigan Department of Natural Resources Air Quality Division issued a Permit to Install (Permit No. 529-87) dated July 30, 1987 for the facility in response to a permit application from the Marathon Oil Company (MOC).
27. Permit No. 529-87 states that the facility is a "One turbo expander/stabilization-type natural gas processing facility designed to recover and stabilize natural gas liquids from a natural gas inlet stream of up to 50 MMSCFPD. The facility will be sized initially for an inlet of 20 MMSCFPD and be expandable to 50 MMSCFPD as the surrounding field develops."
28. MOC commenced construction of the facility on or about 18 months following July 30, 1987.
29. On October 31, 1988, the Michigan Department of Environmental Quality (MDEQ) Air Quality Division signed a Permit to Install application for the facility to Marathon Pipeline Company for a truck unload and storage facility. (Permit No. 544-88). According to Permit No. 544-88, "condensate is pumped into a 20,000 barrel above ground storage tank. The tank has a fixed roof and will be tied into the gas plant flare system. The tank will be equipped with a pressure/vacuum vent and an emergency vent."

Permit No. 529-87

30. Permit No. 529-87 contains the following conditions for the facility:
 - a. Special Condition 14 states that there shall be no visible emissions from the natural gas processing facility.

- b. Special Condition 15 states that there shall be no visible emissions from the flare, except as provided for in NSPS Subpart KKK.
- c. Special Condition 16 states that monitoring and recording of emissions and operating information is required to comply with the Federal Standards of Performance for New Stationary Sources as specified in 40 CFR, Part 60, Subparts A and KKK.
- d. Special Condition 17 states that the applicant shall not operate the equipment unless the leak detection and maintenance plan pursuant to the NSPS Subpart KKK specified in Appendix A of the permit has been implemented and is maintained.
- e. Appendix A, Preliminary Leak Detection and Maintenance Plan, II. Leak Detection, H. Control Devices states that “the flare will be operated with a flame present at all times, and be designed for and operated with no visible emissions except for periods not to exceed a total of five minutes during any two consecutive hours. The flare will also comply with exit velocity limitations specified in 40 CFR 60.18 during normal operations.”

Permit No. 544-88

- 31. Permit No. 544-88 contains the following conditions for the facility:
 - a. Special Condition 14 states that there shall be no visible emissions from the condensate storage tank or flare.
 - b. Special Condition 16 states that the applicant shall not operate the equipment unless the flare is installed and operating properly.
- 32. On December 16, 1996, the MDEQ Air Quality Division approved a Permit to Install (Permit No. 709-96) for the facility in response to a permit application from MOC.
- 33. Construction commenced for the TEG dehydrator on or about December 11, 1996.
- 34. The facility’s TEG dehydration unit is an affected facility as is defined in 40 C.F.R. § 63.760 and is subject to the requirements of MACT Subpart HH
- 35. On or about September 15, 2000, MOC sold the facility to RSEC, LLC.
- 36. In a letter dated November 20, 2002, from Whiting Petroleum Corporation to MDEQ, Whiting states that it purchased the Gas Plant from RSEC and began operating it on September 1, 2002. The November 20, 2002 letter states that “Whiting requests that the permit for this facility be transferred to Whiting and that Whiting accepts the responsibility for compliance with permit conditions effective September 1, 2002.”

37. On or about March 16, 2004, Whiting Petroleum Corporation changed its name to Whiting Oil and Gas Corporation.
38. Construction commenced for the TEG dehydrator on or about December 11, 1996.

Permit No. 709-96

39. Permit No. 709-96 contains the following conditions for the facility:
 - a. Special Condition 13 states that emissions compliance determined by monitoring the fuel consumption of on-site equipment, crude oil/condensate throughput to the tanks, gallons per minute of glycol circulated through gas dehydrators, and hydrocarbon material trucked from the site, and by using this data and the emission factors established in Appendix A of the permit of these conditions to calculate emissions.
 - b. Special Condition 15 states that Whiting shall calculate the actual emission levels for CO, NO_x, VOC and HAPs from the oil and gas facility based on a 12 month period rolled monthly using Appendix A of the permit.
 - c. Special Condition 16 states that the owner or operator of the oil and gas facility shall monitor, record, and maintain records of the glycol circulated through the dehydrator, in gallons per minute (gpm).
 - d. Special Condition 19 states that the owner or operator of the source shall conduct all necessary maintenance and make all necessary attempts to keep all components of the process equipment in proper operating condition at all times.
 - e. Special Condition 20 states that the facility shall not operate the tank(s) unless the pollution control equipment is installed and operating properly.
40. On April 4, 2012, EPA conducted a CAA investigation of the facility hereafter referred to as "April 2012" Inspection.
41. During the April 2012 Inspection, EPA personnel observed the following:
 - a. visible emissions from the Whiting flare that exceeded five consecutive minutes;
 - b. hydrocarbons venting through the flare when the pilot light was not lit using the FLIR® infrared camera and recorded a video of the occurrence.
42. After the April 2012 Inspection, EPA issued an information request dated August 9, 2012 to Whiting.

43. Whiting submitted a response to the information request on or about September 3, 2012, September 21, 2012, and October 15, 2012.

VIOLATIONS

44. Since at least October 5, 2009, Whiting has not conducted leak detection monitoring and Method 21 testing required by 40 C.F.R. §§ 60.482-1(a), (b), (d), 60.482-2 through 60.482-10, and 60.485, as referenced in 40 C.F.R. §§ 60.632(a), (d), and Permit No. 529-87 Special Condition 20.
45. Since at least October 5, 2009, the facility has not maintained records required by 40 C.F.R. § 60.486, as referenced in 40 C.F.R. §§ 60.632(e) and 60.635.
46. Since at least October 5, 2009, the facility has not submitted reports as required in 40 C.F.R. § 60.487, as referenced in 40 C.F.R. §§ 60.632(e) and 60.636.
47. According to Whiting's response to Question #14(f) of EPA's August 9, 2012 Request for Information, Whiting operates a vapor condenser on the glycol dehydrator reboiler with an estimated 80% efficiency. Since the installation of the vapor condenser, on or about December 11, 1996, to the present, Whiting has operated in violation of the 95% efficiency requirement at 40 C.F.R. § 60.482-10(b) as referenced in 40 C.F.R. § 60.632(a).
48. On at least April 4, 2012, visible emissions from the flare at the Facility lasted longer than 5 minutes in violation of 40 C.F.R. § 60.18(c)(1), Permit No. 529-87 Special Conditions 14 and 15, Permit No. 544-88 Special Condition 14.
49. According to Whiting's response to Question #44 of EPA's August 9, 2012 Request for Information, Whiting's thermocouple is not operational and the Facility has not been monitoring the presence of a pilot light continuously. From at least July 2007 to the present, Whiting has operated in violation of 40 C.F.R. § 60.18(f)(2) and Permit No. 709-96 Special Condition 19.
50. On at least April 4, 2012, emissions were routed to the flare when the pilot light was not lit, in violation of 40 C.F.R. § 60.18(e), Permit No. 529-87 Special Condition 17, Permit No. 544-88 Special Condition 16, and Permit No. 709-96 Special Condition 20.
51. According to Whiting's response to Questions #33, 34, 36, 37, 38 of EPA's August 9, 2012 Request for Information, "Whiting does not measure the heating value of individual gas streams routed to the flare, nor does Whiting meter the volume of gas from each stream contributing to the total flare vent stream. As such, Whiting has been unable to identify a reasonably accurate means of estimating the average heating value of the gas streams routed to the flare..." Whiting is unable to determine the net heating value of the gas, the actual exit velocity, and the maximum permitted velocity of the flare as required by 40 C.F.R. §§ 60.18(f)(3), (4), and (6). As such, since 2007 to the present, Whiting has operated in violation of 40 C.F.R. §§ 60.18(c)(3) and (5).

52. From at least July 2007 to the present, Whiting has not operated and maintained the flare in accordance with good air pollution control practices, as required by 40 C.F.R. § 60.18(d).
53. From at least July 2007 to the present, the Whiting facility has been in violation of NSPS General Requirements for flares at 40 C.F.R. § 60.18, as referenced in NSPS Subpart KKK at 40 C.F.R. § 60.632(a) per § 60.482-10(d) and § 60.633(g).
54. Since at least December 11, 1996, Whiting has not maintained records as required and in violation of 40 C.F.R. § 63.774(f) of the MACT HH.
55. According to Whiting's response to Question #17 of EPA's August 9, 2012 Request for Information, since at least December 11, 1996, Whiting has not submitted an initial notification as required and in violation of 40 C.F.R. §§ 63.775(c)(1) and (c)(7)(i)-(v) of the MACT HH.
56. According to Whiting's response to Question #15 of EPA's August 9, 2012 Request for Information, states "Whiting does not meter and record (on a daily basis) the TEG recirculation flow rate or the TEG make-up flow rate." Whiting is in violation of Permit No. 709-96 Special Conditions 13 and 16 which require monitoring of the gpm of glycol circulated through the dehydrator.
57. From at least July 2007 to the present, for emissions calculations of the naturally aspirated compressor engine unit Cat 3408 (449 Hp), the Whiting facility used the emission factor listed in Permit No. 709-96 Appendix A for the low emissions compressors instead of the naturally aspirated compressor factor, resulting in an underestimation of emissions. From at least July 2007 to the present, Whiting has been in violation of Permit No. 709-96 Special Condition 15.
58. From at least July 2007 to the present, the Whiting facility used incorrect source counts of component types when calculating emissions from fugitive sources (valves, seals, flanges, connectors, etc.) resulting in an underestimation of emissions from valves, flanges, and connectors. From at least July 2007 to the present, the Whiting facility has been in violation of Permit No. 709-96 Special Condition 15.

ENFORCEMENT

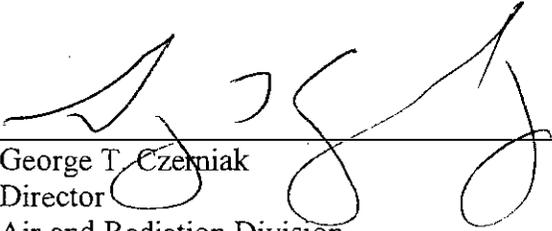
59. Section 113(a) of the Act, 42, U.S.C. § 7413(a), provides that at any time after the expiration of 30 days following the date of the issuance of a Notice of Violation, the Administrator may, without regard to the period of violation, issue an order requiring compliance with the requirements of the state implementation plan or permit, issue an administrative penalty order pursuant to Section 113(d), or bring a civil action pursuant to Section 113(b) for injunctive relief and/or civil penalties.

ENVIRONMENTAL IMPACT OF VIOLATIONS

60. These violations have caused or can cause excess emissions of VOC. VOC emissions increase ground-level (tropospheric) ozone (smog). Ground-level ozone irritates lung airways and can cause wheezing, coughing, painful or difficult breathing, especially in people with respiratory problems. Repeated exposure can lead to more serious health problems like asthma, reduced lung capacity, and increased susceptibility to pneumonia or bronchitis. In addition, ground-level ozone inhibits the ability of plants to produce and store food, leading to ecological damage.

Date

1/8/13



George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-13-MI-02, by Certified Mail, Return Receipt Requested, to:

Jim Clark
Michigan Safety & Environmental Regulatory Compliance
Whiting Oil and Gas Corporation
West Branch Gas Plant
2251 Simmons Road, West Branch
Ogemaw County, MI 48661
CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7674 0500

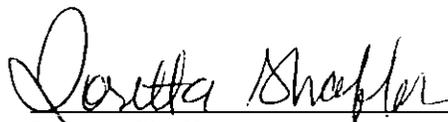
and

Jagadeesan Sethuraman
Principal Engineer
Whiting Oil and Gas Corporation
1700 Broadway, Suite 2300
Denver, CO 80290-2300
CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7674 0517

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first-class mail to:

Thomas Hess
Enforcement Unit Chief
Michigan Department of Natural Resources &
Environment
Air Quality Division
P.O. Box 302
Lansing, Michigan 48909

On the 9 day of January 2012.



Loretta Shaffer
Administrative Program Assistant
AECAB, Planning and Administration Section