



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270

April 20, 2020

JoDell Mizoue, P.E.
Environmental Manager
WPX Energy Permian, LLC
1001 17th Street, Suite 1200
Denver, Colorado 80202

Sent via email: Jodell.Mizoue@wpxenergy.com

Re: Clean Air Act Notification of Violations

Dear Ms. Mizoue:

The United States Environmental Protection Agency, Region 6 ("EPA") has identified WPX Energy Permian, LLC ("WPX") as having violated the Clean Air Act ("CAA") and the regulations promulgated thereunder. This Notice of Violation ("Notice") is issued to WPX for violations of the CAA, 42 U.S.C. § 7401 *et seq.*, at the energy extraction facilities listed in the summary table in the Enclosure (the "Facilities"). Specifically, WPX¹ has violated the conditions of the Texas State Permits listed in the Enclosure. This Notice is issued pursuant to Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1), which requires the Administrator of the EPA to notify any person in violation of a State Implementation Plan or permit of the violation(s). The authority to issue this Notice has been delegated to the Director of the Enforcement and Compliance Assurance Division, EPA Region 6.

EPA contracted helicopter flyovers for a portion of the Permian Basin during September 10, 2019, through October 3, 2019, to assess emission sources using Optical Gas Imaging ("OGI") technology. On November 26, 2019, EPA sent a letter informing WPX of potentially unauthorized emissions from facilities that EPA believed were owned/operated by WPX, along with an enclosed disk of OGI video captures for the facilities. For each facility, EPA asked WPX to verify ownership, provide current site-specific permit information, and take any necessary corrective action to address unauthorized hydrocarbon emissions. EPA considered information provided by WPX to determine whether violations occurred at the facilities.

CAA Violations

¹ Please be advised that some companies may qualify as a "small business" under the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"). The U.S. Small Business Administration has established a Table of Small Business Size Standards, which can be found at: http://www.sba.gov/sites/default/files/Size_Standards_Table.pdf. The SBREFA Information Sheet provides information on compliance assistance to entities that may qualify as small businesses as well as to inform them of their right to comment to the SBREFA Ombudsman concerning EPA enforcement activities. The SBREFA Information Sheet can be found at: <http://nepis.epa.gov/Exe/ZyPDF.cgi/P100BYAV.PDF?Dockey=P100BYAV.PDF>.

We are sending this letter to inform you of the following violations of Texas's federally approved State Implementation Plan ("SIP") at WPX's Facilities:

1. Failure to comply with general requirements located at 30 Tex. Admin. Code §§ 106.4(c), 106.6(b) and (c); and the TCEQ Non-Rule Standard Permit for Oil and Gas Facilities (e)(1);
2. Unlit or improperly operated flares in violation of specific requirements under 30 Tex. Admin. Code §§ 106.352(l)(1), 106.492(1)(B); and the TCEQ Non-Rule Standard Permit for Oil and Gas Facilities (e)(11);
3. Tanks with unauthorized emissions in violation of requirements under TCEQ Non-Rule Standard Permit for Oil and Gas Facilities (e)(5) and (e)(6); and
4. Failure to comply with requirements for New Source Review permits located at 30 Tex. Admin. Code §§ 116.115(b)(2)(G) and (c).

Please review the information we have provided in the Enclosure.

Opportunity to Confer

This Notice provides you with the opportunity to confer with EPA. We request WPX contact Arati Tripathi, Assistant Regional Counsel, at tripathi.arati@epa.gov or 214-665-7404 within ten (10) business days to discuss this pending matter.

Sincerely,

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure

cc: Michael Miller, TCEQ (michael.miller@tceq.texas.gov)

Attachment A

WPX Energy Permian LLC

Site Identity	LAT	LONG	TCEQ Rregulated Entity No.	Permit Number	Permit Date	Permit Type	Flyover Date	Flyover Video ID	EPA Team Observations of Flyover Video Capture
Lindsay 10-15 14H 15H 16H 20H	31.978107	-103.750703	RN109642306	145072	12/7/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/19/19	G6m143	Tank hatch leak
Lindsay 10-3H 10-2H 10-3 1H, 1SL, 2H, 3H, & 4H Facility	31.975681	-103.751596	RN110063617	149589	1/7/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/19/19	G6m144	Tank hatch leak
Lindsay 9 Tank Battery	31.971034	-103.754916	RN109744565	146307	7/16/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/19/19	G6m145	Tank hatch leak
Stateline 5 CS	31.899365	-103.847816	RN110389921	155751	9/20/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/20/19	G6m157	Tank hatch leak
Pecos 46-3H 4H	31.89653	-103.842901	RN109418079	150854	5/18/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/20/19	G6m158	Tank hatch leak
CBR 10 3H	31.984713	-103.851544	RN109269027	141578	8/25/2016	PBR 106.352(I) [Eff 2012-11-22]; 106.359 [Eff 2013-7-26]	9/23/19	G6m166	Tank hatch leak
Wendy 18-1H Production Facility	31.596042	-103.759285	RN110134988	150272	2/21/2018	PBR 106.512 [Eff 2001-06-13]; 106.492 [Eff 2000-09-04]; 106.352(I) [Eff 2012-11-22]; 106.359 [Eff 2013-7-26]	9/16/19	G9m110	Two tank hatch leaks while truck loading is taking place.
Louis State 24-1H 24-2H Production Facility	31.578416	-103.755222	RN109837724	148849	11/3/2017	NON-RULE STDPMT [Eff 2012-NOV-8]	9/20/19	G9m160	Tank hatch leak

Mac Production Facility	31.591663	-103.691302	RN109773762	03986 146663	6/11/2019 11/14/2018	GOP-514 [Eff 2017-07]; NON-RULE STDPMT [Eff 2012-NOV-8]	9/20/19	G9m164	Tank hatch leak.
CBR 32-29 331H 332H 333H Production Facility	31.911338	-103.884911	RN110737376	156111	4/10/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/25/2019	G5m198	Improperly operating flare - The flare is showing inadequate combustion and hydrocarbon emissions are apparent.
Red Bluff 13 3H	31.97016	-103.9166	RN109332411	142179	2/25/2019	PBR 106.512 [Eff 2001-06-13]; 106.492 [Eff 2000-09-04]; 106.352(I) [Eff 2012-11-22]; 106.359 [Eff 2013-7-26]	9/25/2019	G5m202	Pressure relief valve leak
Red Bluff 13 7H 8H 9H 10H 11H 12H 13H 3SL	31.968554	-103.918045	RN109756668	146464	7/16/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/25/2019	G5m203	Unlit flare - No heat signature is visible and a hydrocarbon plume is apparent from the flare.
CBR 18-19 6H 7H 8H & 9H Production Facility	31.974648	-103.896933	RN110656071	155394	2/5/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/25/19	G5m206	Multiple tank hatch leaks.
Lindsay 10-15 403H 404H 415H 416H 425H & 426H	31.959591	-103.74163	RN110814829	157657	7/29/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/19/19	G6m141	Multiple tank hatch leaks.
Phoenix State 10-2H Production Facility	31.617536	-103.705392	RN110681111	155661	2/18/2019	PBR 106.352(I) [Eff 2012-11-22]; 106.492 [Eff 2000-09-04]; 106.359 [Eff 2013-7-26]	9/20/19	G9m163	Unlit flare - No heat siganture is visible and a hydrocarbon plume is apparent from the flare.
Stateline 2 CS	31.973885	-103.867198	RN109425637	142800	1/16/2019	SITE NSR PERMIT	9/23/19	G6m167	Pressure relief valve leak
CBR 9-4 1H 2H 13H	31.969108	-103.86671	RN110600467	154831	7/11/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/23/19	G6m168	Tank hatch leak
Stateline 3 CS	31.968471	-103.862533	RN109466920	143834	6/28/2019	SITE NSR PERMIT	9/23/19	G6m169	Pressure relief valve leak

CBR 22-27A-1H 2H 3H	31.955284	-103.848137	RN110496734	153644	10/3/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/23/19	G6m170	Tank hatch leak
CBR 11-2 1H 332H 333H 334H	31.968276	-103.823999	RN110311578	155750	4/16/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/23/19	G6m171	Pressure relief valve and tank hatch leaks.
CBR 14 2H	31.95607	-103.827576	RN109280180	141787	8/19/2019	PBR 106.512 [Eff 2001-06-13]; 106.492 [Eff 2000-09-04]; 106.352(l) [Eff 2012-11-22]; 106.359 [Eff 2013-7-26]	9/23/19	G6m172	Two Pressure relief valve leaks
CBR 28-7H	31.942085	-103.857336	RN109756478	146462	4/10/2018	NON-RULE STDPMT [Eff 2012-NOV-8]	9/23/19	G6m173	Pressure relief valve leak
Pecos State 46-56T1-D Production Facility	31.89744	-103.853897	RN109642298	145071	8/5/2019	NON-RULE STDPMT [Eff 2012-NOV-8]	9/23/19	G6m177	Pressure relief valve leak
Monroe SWD & Water Treatment Facility	31.577768	-103.723929	RN110463817	152915	9/13/2018	PBR 106.359 [Eff 2013-7-26]; 106.261 [Eff 2003-11-01]; 106.262 [Eff 2003-11-01]; 106.351 [Eff 2000-09-04]; 106.472 [Eff 2000-09-04];	9/20/19	G9m162	Pressure relief valve leak