Message

From: Eric P. Waeckerlin [EPWaeckerlin@hollandhart.com]
Sent: 4/3/2019 5:38:45 PM
To: Klepp, Robert [Klepp.Robert@epa.gov]
CC: Hoyt, Daniel [Hoyt.Daniel@epa.gov]
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

Great – thank you.

And whenever you can, please let us know who will be attending the meeting (NMED/EPA) and any details about location etc.

Eric

Eric Waeckerlin
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From: Klepp, Robert <Klepp.Robert@epa.gov>
Sent: Wednesday, April 3, 2019 11:21 AM
To: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

Eric,
I have no concerns with the agenda as amended. Let's go ahead with this as a final agenda.
Bob

Robert G. Klepp, Attorney
Office of Civil Enforcement -- Air Enforcement Division
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-5805

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From: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Sent: Wednesday, April 03, 2019 12:03 PM
To: Klepp, Robert <Klepp.Robert@epa.gov>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>; Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

CONFIDENTIAL/SETTLEMENT COMMUNICATION

Bob,

Thank you for this agenda and for letting us know your time availability. We would request a slight re-ordering and insertion of an additional topic (proposed topic #2 in our suggested amended agenda). We are preparing a slide deck and in our view think it makes sense for the subsequent discussions to explain the details of Hilcorp's operations and completion techniques in the San Juan Basin. We think getting a collective understanding of this operational background will be helpful and relevant to the original 114, the FOVs, and likely some of the supplemental 114 discussion. Once we are on the same page on those issues, we think it then makes sense to start discussing the OOOOa regulatory implementation issues and then the FOVs as you have outlined.

Please let me know if you have any questions and if this agenda can be finalized. And can you also let me know who will be attending the meeting for both agencies?

Thank you

Ex. 7(E)

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From: Klepp, Robert <Klepp.Robert@epa.gov>
Sent: Tuesday, April 2, 2019 5:26 PM
To: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

Hi Eric,

Here is a proposed agenda for 4/10. Please let me know if it addresses scheduling needs, and also let me know if you have any comments, e.g., on the topics or timing.

Thanks,
Bob

Ex. 7(E)

Ex. 7(E)

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From: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Sent: Monday, April 01, 2019 4:48 PM
To: Klepp, Robert <Klepp.Robert@epa.gov>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

Thank you, Bob

I just talked with my client. For planning purposes they are curious what EPA's window of availability is on the 10th, assuming a start time of 8:30? Can you let me know and then hopefully we can lock this meeting in?

Thanks

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From: Klepp, Robert <Klepp.Robert@epa.gov>
Sent: Friday, March 29, 2019 8:50 PM
To: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: RE: Hilcorp FOV/NOV conference and CAA 114 call

Hello Eric,

Attached is the signed CBI disclosure letter which reflects your recent edits. Please execute the concurrence line and send back to me. I appreciate Hilcorp's cooperation on the CBI matter.

This is also to confirm the FOV/NOV conference at NMED Headquarters, Santa Fe on April 10th. Ex. 7(E)

Ex. 7(E)

Ex. 7(E) I suggest we use the in-person meeting in Santa Fe for several purposes: the FOV/NOV conference, a discussion of the EPA's CAA 114 information request, and a discussion of other issues Hilcorp would like to raise regarding Subpart OOOOa regulations and their interpretation. As to the latter, please provide a list of issues prior to the meeting to help focus the discussion. I conferred with NMED counsel, Andrew Knight, and confirmed that we can start the meeting at 8:30 MDT to allow ample time to discuss the broader range of topics. You refer to issues that may go outside Hilcorp's New Mexico operations, and in that case we can take up the a discussion as between Hilcorp and the EPA in a follow-up meeting on April 10, time permitting, or on a later date.

Thank you,
Bob

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From: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Sent: Thursday, March 28, 2019 9:44 AM
To: Klepp, Robert <Klepp.Robert@epa.gov>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: Re: Hilcorp FOV/NOV conference and CAA 114 call

Hi Bob

I wanted to see if EPA had a response to this so that we all can make travel arrangements?

Thank you

Sent from my iPhone

On Mar 26, 2019, at 11:37 AM, Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com> wrote:

> Hi Bob,
>
> Thank you for your email. I have had a chance to talk through all of this with Hilcorp and here is where we have landed:

Ex. 7(E)

Ex. 7(E)

Thank you, Bob – and please feel free to call me to discuss.

Eric

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From: Klepp, Robert <Klepp.Robert@epa.gov>
Sent: Monday, March 25, 2019 12:42 PM
To: Eric P. Waeckerlin <EPWaeckerlin@hollandhart.com>
Cc: Hoyt, Daniel <Hoyt.Daniel@epa.gov>
Subject: Hilcorp FOV/NOV conference and CAA 114 call

Hello Eric,

The EPA and NMED are available on either April 10 and April 11 from 8-10:45 MDT and 1:00-2:45 MDT. Either Albuquerque or Santa Fe, NM would work as a location for the conference. I checked with NMED and EPA about Hilcorp's request to have a meeting in Washington, DC, or Dallas. Based on responses, it would be best if the conference takes place at NMED's Santa Fe or Albuquerque office. Please let me know which of these dates and locations work for Hilcorp.

On the follow-up CAA 114 information request, the EPA is available to talk on April 4 at 12:00 – 1:00 EDT (10:00 – 11:00 MDT) via a conference call. I acknowledge you requested an in-person meeting at EPA headquarters to talk about the 114, however a technical conference call is typically how we handle requests to discuss CAA 114 letters and we prefer to maintain that practice. It might help make the most productive use of the call if in advance Hilcorp could identify for the EPA specific sections of the CAA 114 letter and let us know what questions Hilcorp has. I leave that to you to decide. You brought up an extension of the timeline for the response, and in that regard Hilcorp should let us know which requests require more time than provided under the current 30-day timeline and we can go from there. Lastly a word on attendees. The EPA will have technical staff on the call, including Daniel Hoyt, and also I am planning on joining, primarily in a listening mode. I want to extend an invitation to NMED to join as well. If there are discussion Hilcorp would like to have about oil and gas operations in locations outside NM, let me know and we can plan on a having that part of the discussion separately.

Bob

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