Message

From: Valliquette, Arlene [Arlene.Valliquette@meritenergy.com]
Sent: 2/11/2021 1:31:51 PM
To: DeJong, Stephanie [DeJong.Stephanie@epa.gov]
Subject: RE: Merit Energy Company's NPDES WY-0000949

Hi Stephanie,

I will make sure to include that in the notice. Thanks,

Arlene

Arlene Valliquette
Merit Energy Company, LLC
13727 Noel Road, Suite 1200
Dallas, TX 75240
972-628-1558

From: DeJong, Stephanie <DeJong.Stephanie@epa.gov>
Sent: Wednesday, February 10, 2021 7:17 PM
To: Valliquette, Arlene <Arlene.Valliquette@meritenergy.com>
Subject: RE: Merit Energy Company's NPDES WY-0000949

Hi Arlene,

I was reminded today that the notice also needs to be signed and certified in accordance with Section 4.7 of the permit. I just wanted to make sure you were aware of that.

Thanks,
Stephanie DeJong

Wastewater Section Chief
U.S. Environmental Protection Agency – Region 8
303.312.6362

From: Valliquette, Arlene <Arlene.Valliquette@meritenergy.com>
Sent: Tuesday, February 9, 2021 3:01 PM
To: DeJong, Stephanie <DeJong.Stephanie@epa.gov>
Subject: RE: Merit Energy Company's NPDES WY-0000949

Okay, thanks. We have drafted an agreement and plan to send it over to the Tribes this week. Thanks,

Arlene

Arlene Valliquette
Merit Energy Company, LLC
13727 Noel Road, Suite 1200

Dallas, TX 75240
972-628-1558

From: DeJong, Stephanie <DeJong.Stephanie@epa.gov>
Sent: Tuesday, February 09, 2021 3:58 PM
To: Valliquette, Arlene <Arlene.Valliquette@meritenergy.com>
Subject: RE: Merit Energy Company's NPDES WY-0000949

Hi Arlene,

I copied the transfer language from the permit for reference, below. There needs to be a written agreement between the parties submitted along with the notice, but we don't have a specific form. The only immediate issue I see with the example agreement you provided is that the transfer effective date is the first day following the month the agreement was signed. However, the notice of transfer and agreement are required to be submitted to EPA at least 30 days prior to the transfer. Those timelines may not align.

> 4.13. Transfers: This Permit may be automatically transferred to a new Permittee if:
>
> 4.13.1. The current Permittee notifies the Director at least 30 days in advance of the proposed transfer date;
>
> 4.13.2. The notice includes a written agreement between the existing and new Permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
>
> 4.13.3. The Director does not notify the existing Permittee and the proposed new Permittee of his or her intent to modify, or revoke and reissue the Permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part 4.13.2.

Thanks,

Stephanie DeJong

Wastewater Section Chief
U.S. Environmental Protection Agency – Region 8
303.312.6362

From: Valliquette, Arlene <Arlene.Valliquette@meritenergy.com>
Sent: Tuesday, February 9, 2021 1:07 PM
To: DeJong, Stephanie <DeJong.Stephanie@epa.gov>
Subject: Merit Energy Company's NPDES WY-0000949

Hi Stephanie,

I left you a voice message but thought an email might be quicker. We visited last week regarding Merit's operations in the Circle Ridge Field in Wyoming. Merit is preparing the transfer document to send to the Tribes and I didn't find a permit transfer form on the EPA website. Merit used an NPDES Notice of Transfer and Acceptance form when it acquired the asset and permit back in 2016/2017. Is that NOTA form no longer required? If not, is there a different form Merit should utilize? Thanks,

Arlene

Arlene Valliquette
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