



February 17, 2020

Mr. Todd Parfitt
Director
Wyoming Department of Environmental Quality
200 W. 17th Street
Cheyenne, WY 82002

RE: WYPDES Permit No. WY0002062, Comments to Revised Draft Permit

Dear Director Parfitt,

Thank you for the opportunity to comment on the revised, second draft of the surface discharge permit initially filed by Aethon in 2017. The Petroleum Association of Wyoming (PAW) represents all facets of the oil and natural gas industry. PAW members account for over 90% of the oil and natural gas production in the state, generate over \$5 billion in economic activity annually, and employ thousands of hard-working Wyoming men and women. While PAW does not make a habit of commenting on single member permit applications, in this case the implications of the Wyoming Department of Environmental Quality's (WDEQ or "agency") decision-making has far reaching effects.

To continue being Wyoming's primary economic driver, PAW's members rely upon the professionalism and scientific integrity of WDEQ's staff and work products, and on the agency's willingness to defend its permits. Oil and natural gas producers simply cannot perform their jobs without a collaborative relationship with WDEQ. To that end Aethon partnered with WDEQ for nearly 2 years to develop data regarding load limits in Boysen Reservoir to maintain WDEQ's antidegradation policy and agreed in that context to further monitoring. Unfortunately, owing to what appears to have been a lack of understanding at the agency on assimilative capacity the second draft of the permit upends the work of both the operator and the agency.

PAW understands that comments submitted by other operators on the first draft brought important information to light that likely should have been known prior to its issuance. While PAW supports the ability of all operators with water discharge requirements in this basin, we struggle to understand how any operator can make development decisions absent the necessary assimilative capacity data and in the face of moving regulatory targets. We agree with Aethon that it is inappropriate to require additional monitoring that is impracticable and, in some cases, unachievable.

We respectfully request that WDEQ allow Aethon to continue operations based on the requirements that currently exist under the extended permit. This will allow for status quo while a holistic solution can be explored between WDEQ, PAW and all operators in the area that require discharge permits. PAW is happy to assist in this collaborative effort to support further development in Fremont County.

Kind Regards,

A handwritten signature in blue ink, appearing to read "Pete Obermueller", is written over the typed name.

Pete Obermueller
President
Petroleum Association of Wyoming