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August 17, 2009

Mr. Dennis Boal
Chairman, Environmental Quality Council
122 West 25th Street
Herschler Building, Room 1714
Cheyenne, WY 82002

Re: Docket #09-1101

Dear Mr. Boal:

Thank you for the opportunity to comment on the EQC Docket # 09-1101. Devon Energy Production Company, L.P. (Devon) currently operates twelve wells on a 160 acre federal lease within the Jonah Field in Sublette County, Wyoming. Additionally, Devon has oil and gas exploration and production operations throughout Wyoming with field offices in Baggs, Riverton, Worland, and Gillette.

A decision by the Environmental Quality Council (EQC) to accept the citizen rulemaking petition seeking to lower the primary and secondary Wyoming Ambient Air Quality standards for ozone in Sublette County from 0.075 ppm to 0.065 ppm could affect Devon's operations within Sublette County and could impact Devon's ability to effectively operate in Wyoming. Devon respectfully requests that the Council deny the petition.

The petition duplicates federal and state agency initiatives to address increased ambient ozone levels in Sublette County and across the state, making the citizens' petition unnecessary and overly burdensome. Both the Environmental Protection Agency (EPA) and the Wyoming Department of Environmental Quality (WDEQ) are currently expending significant resources to gather additional data necessary address increased ozone levels.

The EPA is currently reviewing the March 2008, final rule establishing primary and secondary NAAQS for ozone at 0.075 ppm. On July 16, 2009 the EPA announced it is seeking to revise the monitoring network design requirements for ozone to assist in implementing any necessary changes to the March 2008 standards. At the State level, the WDEQ has undertaken several initiatives including increased information gathering and research as well as developing new standards for the Presumptive Best Available Control Technology (BACT) policy for Oil and Gas operations in Wyoming. Devon has actively participated in providing the WDEQ with operational information and comments on the proposed Presumptive BACT policy.

Devon recommends the Council deny the rulemaking petition. If the Council accepts the petition, the rulemaking process would place additional burdens upon the WDEQ and could hamper the agency's ability to effectively administer ongoing initiatives addressing the increased ozone levels in Sublette County and across the state. Addressing increased ozone levels is a priority in Wyoming that will require collaboration between the EPA, WDEQ, and stakeholders. Finally, it is important for state and federal initiatives to be deployed in a consistent and efficient manner.

Thank you for your time concerning this matter, and please contact me directly with any questions.

Sincerely,

/s/

Nicholas Agopian
Regulatory Specialist, Western Division