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To: Colin Campbell, Superintendent
Darrell Echols, Chief, Resource Management
Padre Island National Seashore

Telefax number: (361) 949-8023

From: Robert Eaton, Attorney-Adviser
Office of the Field Solicitor, Santa Fe

Date: 11/17/06

There are 2 pages to follow.

Subject: Draft Letter to Paul Black

Comments: Colin and Darrell—Good draft letter. Attached is a copy with my handwritten edits.
I'll talk to you in a few minutes. Rob



United States Department of the Interior

NATIONAL PARK SERVICE
Padre Island National Seashore
P. O. Box 181300
Corpus Christi, Texas 78480-1300



IN REPLY REFER TO:

L 3025

November 17, 2006

Mr. Paul Black
Chairman and CEO
BNP Petroleum
2800 Post Oak Blvd., Suite 5300
Houston, TX 77056

Dear Mr. Black:

The BNP Petroleum (BNP) A3 well operation is no longer in compliance with the approved Plan of Operations for the Murdock Pass North Field, which BNP ratified upon assuming ownership of the operations from Vector Energy in December 1999. Specifically, our compliance concerns arise from additional unapproved surface disturbance discovered by park staff on November 13.

The ratified plan allowed BNP to continue operation and maintenance of the Pan American Road, the A3 pad, and operations associated with the production of the A3 well providing no new surface disturbance occurred. The original 1999 production pad was approximately 1.7 acres in size, but has been expanded to approximately 2.4 acres (Attachment 1). The additional surface disturbance amounts to .7 acres of impact to park resources.

BNP is authorized within their approved plan to continue operations associated with the original 1.7 acres, but must cease all activity associated with the .7 acre expansion. The National Park Service (NPS) may seek damages for impacts to park resources as allowed under 16 USC § 191j Park System Resource Protection Act.

The NPS is also concerned about the proposed workover of the A3 well and whether or not the operation is actually a workover. It is our understanding that BNP intends to conduct a workover operation within the existing A3 well bore in a manner similar to the workover operation conducted on the same well in 2005. However, upon review of the workover procedure outlined in your November 2, 2006 letter it appears that the proposed operation is not similar to previous workover operations since surface casing has been removed, and the pad expansion appears to have been accomplished in preparation for the Parker drilling rig to be placed on site.

BNP has 10 days from the date of this letter to provide the following:

- Information regarding the area of additional disturbance that will include a survey of the pad area, the amount of fill material and other associated items that exist within the expanded area, how BNP proposes to remove and dispose of the fill, and how the impacted areas could be restored to pre-disturbance levels.

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- Information to determine whether the proposed operation is a workover and whether it falls within the approved 1999 plan. The submitted proposal should include a description of the problem including the present condition of the A3 well bore, detailed procedural steps, necessary equipment to perform the work, schedules, testing and logging procedures, discussion of potential impacts, and contingency plans.

Once this information is provided, the NPS will review the material and determine the appropriate actions necessary to address the pad expansion and the proposed operation for the A3 well. If the well operation is not determined to be a workover, BNP will be required to submit either a supplement to the approved plan or a new Plan of Operation. Additional environmental compliance and consultation with other federal and state agencies will likely take between 90 and 120 days to complete

If additional information or assistance is needed, please do not hesitate to contact Mr. Darrell Echols of my staff at (361) 949-8173 extension 223.

Sincerely,

Colin W. Campbell
Superintendent

Enclosure

cc: Mike Snyder, NPS, IMR
Linda Dansby, NPS, IMSF-RMO
Carol McCoy, NPS, WASO-GRD
~~Arnold Ott, District Engineer, Railroad Commission of Texas~~

