

PERMITTING AUDIT REPORT

July-December 2025

Marathon Oil Company / Bakken Assets

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INTRODUCTION

The Marathon Oil Company Consent Decree (Civil Action No. 1:24-cv-136) ("Consent Decree") requires third-party audits for facilities on the Fort Berthold Indian Reservation in North Dakota and New Well Pads as defined by the Consent Decree. Such audit shall be consistent with the Third-Party Audit Work Plan Version 1.0 and shall include reviewing (a) Marathon's permit applications for all Air Permit Facilities (the "Permitting Audit").

Following the Permitting Audit, Trinity has prepared the attached Third-Party Audit Report ("Audit Report"). The Audit Report includes the following: (a) description of the work completed; (b) the number of permit applications with identified non-compliance with the Emissions Calculations SOP; and (c) recommended corrective action for the identified non-compliance.

This Audit Report covers the semi-annual period ending December 31, 2025.

This Permitting Audit is based on an approved Third-Party Audit Plan provided by Marathon and is detailed as noted below:

- ▶ Obtain copies of each Part 2 Registration and Permit application subject to the Scope of this Audit (defined in Third-Party Audit Plan) along with supporting documentation including:
 - Anticipated oil, water and gas production rates;
 - Anticipated flare volumes;
 - Anticipated oil loading volumes;
 - Anticipated VRU availability;
 - Site specific or representative samples used;
 - List of onsite equipment and operating conditions;
 - Process flow diagrams;
 - Planned maintenance list (for activities listed in the Emissions Calculation SOP); and
 - Documentation for any other model input or information used for the Permit application being reviewed.
- ▶ Review all inputs to emissions process models and emissions calculations to ensure compliance with approved Emissions Calculations SOP including:
 - Use of acceptable decline curve;
 - Anticipated oil, water and gas production values;
 - Anticipated flare volumes;
 - Anticipated oil loading volumes;
 - Anticipated VRU availability;
 - Equipment operating conditions used in process models;
 - Site specific or representative sample data accuracy in model;
 - Any other inputs to the process model; and
 - Overall compliance with the Emissions Calculations SOP.
- ▶ Review all emissions calculations completed for Permit application.

As part of this Permitting Audit, Trinity reviewed the information listed above as provided by Marathon for thirty-seven (37) permit applications, listed in Appendix A. Calculations were checked for consistency with the Emissions Calculations SOP version 3.0, approved by EPA on July 1, 2025. Two (2) of those applications had identified non-compliance items. Specific non-compliance items are described in Appendix B, including the recommended corrective action.

APPENDIX A. APPLICATIONS REVIEWED: JULY-DECEMBER 2025

Marathon Bakken Permitting Audit
Applications Reviewed

ID Number	Air Permit Name	Facility Name	Date Review Completed	Number of Non-Compliances
3-5.1	GLADYS USA CTB AND REED USA CTB	Reed USA CTB	8/5/2025	0
3-5.2	GRADY USA WELL PAD	Grady USA CTB	8/14/2025	0
3-5.3	BULLS EYE USA CTB / KEITH 44-31TFH / GLISAR 14-32TFH / CLOON 14-32H	Bulls Eye USA CTB	8/19/2025	1
3-5.4	OATES CTB AND SHIRLEY PENNINGTON USA CTB	Shirley Pennington USA CTB	8/14/2025	0
3-5.5	CUMMINGS USA CTB	Cummings USA CTB	8/14/2025	0
3-5.6	JAHNKE USA CTB	Jahnke USA CTB	8/14/2025	0
3-5.7	BULLS EYE USA CTB / KEITH 44-31TFH / GLISAR 14-32TFH / CLOON 14-32H	Cloon 14-32H	8/15/2025	0
3-5.8	BULLS EYE USA CTB / KEITH 44-31TFH / GLISAR 14-32TFH / CLOON 14-32H	Glisar 14-32 TFH	8/15/2025	0
3-5.9	BULLS EYE USA CTB / KEITH 44-31TFH / GLISAR 14-32TFH / CLOON 14-32H	Keith 44-31TFH	8/15/2025	0
3-5.10	KERMIT USA CTB AND IRON WOMAN USA 14-9H	Kermit	8/15/2025	0
3-5.11	KERMIT USA CTB AND IRON WOMAN USA 14-9H	Iron Woman	8/15/2025	0
3-5.12	HENRY CHARGING USA 21 CTB, GRACIE USA 11-3TFH, HALVORSON CTB	Gracie USA 11-3TFH	8/25/2025	0
3-5.13	HENRY CHARGING USA 21 CTB, GRACIE USA 11-3TFH, HALVORSON CTB	Halvorson CTB	8/25/2025	0
3-5.15	ALEXANDER USA 44-33TFH, ARDIS USA CTB, EARL PENNINGTON USA 44-33H, KATTEVOLD USA CTB, AND TOLLEFSON 41-4H	Earl Pennington USA 44-33H	8/19/2025	0
3-5.16	ALEXANDER USA 44-33TFH, ARDIS USA CTB, EARL PENNINGTON USA 44-33H, KATTEVOLD USA CTB, AND TOLLEFSON 41-4H	Tollefson 41-4H	8/19/2025	0
3-5.17	LENA USA 14-22H AND VERONICA USA CTB	Lena USA 14-22H	8/19/2025	0
3-5.18	LENA USA 14-22H AND VERONICA USA CTB	Veronica USA CTB	8/25/2025	0
3-5.19	MIKKELSEN 11-14H	Mikkelsen 11-14H	8/25/2025	0
3-5.20.2	RMJK 31-26H	RMJK 31-26H	9/12/2025	0
3-5.21	MARK SANDSTROM 14-32H	Mark Sandstrom 14-32H	8/25/2025	0
3-5.22	RHODA CTB	Rhoda CTB	8/25/2025	0
3-5.23	WADHOLM 41-30H	Wadholm 41-30H	8/25/2025	0
3-5.24	AISENBREY CTB	Aisenbrey CTB	8/28/2025	0
3-5.25	HENRY CHARGING USA 41 CTB	HENRY CHARGING USA 41 CTB	8/28/2025	0
3-5.26	WOLDING 14-24H	WOLDING 14-24H	8/28/2025	0
3-5.27	RUDOLPH USA 41-15TFH AND RUDOLPH 44-10TFH	Rudolph 44-10TFH	9/4/2025	0
3-5.28	RUDOLPH USA 41-15TFH AND RUDOLPH 44-10TFH	Rudolph 41-15TFH	9/4/2025	0
3-5.29.1	CLARKS CREEK USA CTB AND CAVANAUGH 11-35TFH	Cavanaugh 11-35TFH	9/12/2025	0
3-5.04.1	OATES CTB AND SHIRLEY PENNINGTON USA CTB	Shirley Pennington USA CTB	10/3/2025	0
3-5.15.1	ALEXANDER USA 44-33TFH, ARDIS USA CTB, EARL PENNINGTON USA 44-33H, KATTEVOLD USA CTB, AND TOLLEFSON 41-4H	Earl Pennington USA 44-33H	10/3/2025	0
4.01	BANTA USA CTB AND RATCLIFFE USA 11-13H	Banta USA CTB	11/12/2025	0
4.02	BANTA USA CTB AND RATCLIFFE USA 11-13H	Ratcliffe USA 11-13H	11/12/2025	2
4.02.1	BANTA USA CTB AND RATCLIFFE USA 11-13H [Update]	Ratcliffe USA 11-13H [Update]	11/26/2025	0
4.03	PRAIRIE CHICKEN USA CTB AND MARTHA USA 11-3H	Prairie Chicken USA CTB	11/14/2025	0
4.04	PRAIRIE CHICKEN USA CTB AND MARTHA USA 11-3H	Martha USA 11-3H	11/14/2025	0
4.05	JENNIE USA CTB AND MIDDLETON CTB	Jennie USA CTB	12/2/2025	0
4.06	JENNIE USA CTB AND MIDDLETON CTB	Middleton CTB	12/2/2025	0

APPENDIX B. NON-COMPLIANCE ITEM DESCRIPTIONS

Marathon Bakken Permitting Audit
Noncompliance Items

Item Number	Equipment or Process	Facility Name(s)	Emissions SOP or Management System SOP Requirement	Description of Non Compliance with SOPs	SOP Reference	Underestimates PTE or Actual Emissions (Y/N)	Suggested Corrective Action	Date Marathon was Notified	Corrective Action Taken	Explanation if Corrective Action Differs from Suggested Corrective Action	Target Completion Date	Actual Completion Date
1	Produced Oil Truck Loading	Bulls Eye USA CTB	Annual Produced Oil truck loadout volume is at least 5% of Produced Oil sales volume if LACT is present. Site-specific value based on a federally enforceable limit established in the federally enforceable operating (air) permit.	Emission calculations (filename: 2025-08-11 Bullseye MSS LP-FLARE HP Sep and HT.xlsx) use 2,537 bbl/yr for oil loading throughput, or 2.5% of total site throughput. Per the SOP, "Nothing described in this document is meant to prohibit Marathon from requesting a federally enforceable production limit for PTE in a site-specific synthetic minor permit application." However, the application (filename: Glisar Keith Cloon Bulls Eye FEP Application Version 3-1.pdf) indicates the proposed operational limit for Bulls Eye Oil Loading is 5,074 bbl/yr, or 5% of total site throughput (PDF page 6, Table 3-1a) while emissions associated within the application reflect those calculated in the aforementioned calculation file with a reduced loading throughput.	7.14 Produced Oil Truck Loading – PTE, Equation 110 (pg 86)	Y	Increase the oil truck loadout volume to 5,074 bbl/yr.	8/19/2025	The oil truck loadout volume was increased to 5,074 bbl/yr.		10/19/2025	8/20/2025
2	Startup Purges	Ratcliffe USA 11-13H	Vapor space volume is based on the radius and height of the largest purged vessel.	The radius of the largest vessel is correct, however the height of the largest vessel is incorrect which causes the total vapor volume space to be underestimated	7.22 Planned MSS: Startup Purging – PTE Equation 131 (pg 100)	Y	Correct the reference in cell C10 on the Startup Purges tab to the proper cell in the Facility Info tab, Anode Emissions	11/14/2025	Purging calculations were updated with the vapor space volume to be based on the largest pugged vessel. The revised application was sent to third party auditor for review and the review was completed with no further non-compliance issues identified.		1/1/2026	11/26/2025
3	Vessel Depressurization	Ratcliffe USA 11-13H	Vapor space volume is based on the radius and height of the largest depressurized vessel.	The radius and height of the largest vessel are incorrect which causes the total vapor volume space to be underestimated.	7.28 Planned MSS: Pressure Vessel Depressurization Events – PTE Equation 161 (pg 121)	Y	Correct fomula in cells C49 and C50 on the Facility Info tab to reference correct radius and length of largest purged vessel, increasing radius from 8 ft to 12 ft and the length from 20 ft to 24 ft.	11/14/2025	Vapor space volume estimate was revised based on the radius and height of the largest vessel for depressurization events. The revised application was sent to the third party auditors for review and the review was completed with no further non-compliance issues identified.		1/1/2026	11/26/2025