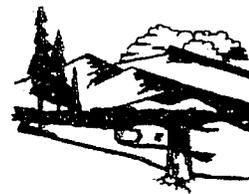




Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

May 24, 2007

Ms. Lynn T. Reed
Compliance Engineer
Bear Paw Energy, LLC
Subsidiary of Oneok, Inc.
100 West Fifth Street
Tulsa, Oklahoma 74103

RE: Notice of Violation

Dear Ms. Reed:

Enclosed is a Notice of Violation issued to Bear Paw Energy, LLC for the failure to conduct performance testing for the Caterpillar G3408TA engine (Unit #2, s/n: 6NBO-2112) as required by permit CT-3261A at Prairie Dog Pod EE Compressor Station located in Sheridan County, Wyoming.

As the Department and this Division consider the failure to comply with air quality permit requirements to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Mike Warren
Nancy Vehr



**BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION
ISSUED TO BEAR PAW ENERGY LLC,
SUBSIDIARY OF ONEOK, INC.
MS. LYNN T. REED,
COMPLIANCE ENGINEER,
100 WEST FIFTH STREET
TULSA, OKLAHOMA 74103**

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**DOCKET NO.
4080-07**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Bear Paw Energy LLC to be in violation of permit CT-3261A issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations for Prairie Dog Pod EE Compressor Station located in Sheridan County, Wyoming.
2. W.S. 35-11-801(a) states, "In granting permits, the Director may impose such conditions as may be necessary to accomplish the purpose of this act which are not inconsistent with the existing rules, regulations and standards."
3. Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permits to sources under Wyoming's construction and modification permitting program.
4. Permit CT-3261A was issued to Bear Paw Energy LLC on September 3, 2006. Condition 7 states:

"That performance tests be conducted, in accordance with Chapter 6, Section 2(j) of the WAQSR, within 30 days of achieving a maximum design rate but not later than 90 days following initial start-up, and a written report of the results be submitted..."
5. Bear Paw Energy, LLC started operation of a Caterpillar G3408TA engine (Unit #2, s/n: 6NBO-2112) on September 30, 2004. The initial performance test was not conducted until March 29, 2005, approximately three months late following the initial test date of December 30, 2004. This constitutes a violation of Condition 7 of permit CT-3261A.
6. Said violation consists of not performing initial performance tests on the Caterpillar G3408TA engine (Unit #2, s/n: 6NBO-2112) within 90 days of initial startup. This constitutes a violation of permit condition 7 within permit CT-3261A.
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction.

