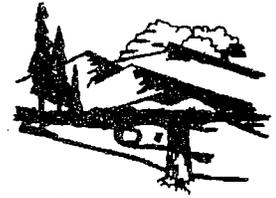




Department of Environmental Quality



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

August 28, 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 required initial performance testing for the Waukesha L7044GSI engine (Unit 10, s/n:13742/1) as required by permit MD-1155 at Prairie Dog Booster (Station 9) 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: Bob Gill
Mike Warren
Nancy Vehr
Keith Guille



**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)**

**DOCKET NO.
4142-07**

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 MD-1155 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 Booster (Station 9) 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 MD-1155 was issued to Bear Paw Energy, LLC on May 12, 2005. Condition 9 states:

"Initial performance tests, as required by Condition #8 of this permit, shall be conducted on the following units:

i. Waukesha L7044GSI (E10-E12):

NO_x and CO Emissions: Compliance tests for NO_x and CO for the first engine in operation shall consist of 3-1 hour tests following EPA Reference Methods 1-4, 7E, and 10. Compliance testing for subsequent engines in operation shall consist of one (1) twenty-one minute test following EPA Reference Methods 3, 7E, 10, and 19..."

5. Bear Paw Energy, LLC started operation of a Waukesha L7044GSI engine (Unit #10, s/n:13742/1) on February 9, 2005. The initial performance test was conducted on March 28, 2005; however, Bear Paw only performed Method 19 during this test. Methods 1-4, 7E, and 10 were never conducted as required in Condition 9 of permit MD-1155. This constitutes a violation of Condition 9 of permit MD-1155.

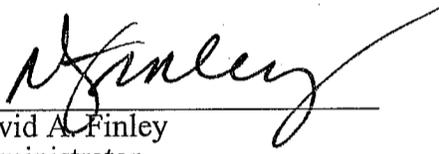
6. Said violation consists of not performing required initial performance tests on the Waukesha L7044GSI engine (Unit 10, s/n13742/1:). This constitutes a violation of permit Condition 9 within

permit MD-1155.

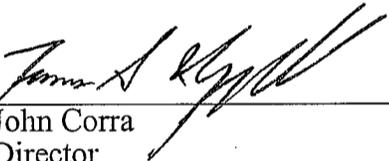
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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.

8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 10th day of September, 2007.



David A. Finley
Administrator
Air Quality Division



John Corra
Director
Department of Environmental Quality

Please direct all inquiries to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)